



# APPLICANT'S RESPONSE TO THE EXA'S RULE 17 LETTER DATED 25 APRIL 2025 IN RESPECT OF THE CONSULTATION DRAFT ENERGY NPS: 9.34

DECARBONISATION

## Cory Decarbonisation Project

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## 1. INTRODUCTION

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### 1.1. PURPOSE OF THIS DOCUMENT

- 1.1.1. On 24 April, the government opened a new consultation on draft updates to National Policy Statements (NPS) EN-1, EN-3 and EN-5. The GOV.UK website confirms that
- 'Through these updates, we have strengthened the process for delivering major new infrastructure in England and Wales, reinforcing the government's ambition to deliver Clean Power by 2030 and net zero.'*
- 1.1.2. In response to the Examining Authority's Rule 17 Letter of 25 April 2025 (PD-018) the purpose of this document is to present the Applicant's views on the NPS as drafted.
- 1.1.3. NPS EN-1 is considered in some detail at section 2 of this document. NPS EN-3 is considered in overview below, at section 1.2.
- 1.1.4. NPS EN-5 is not relevant to the Proposed Scheme and is not considered further.

### 1.2. DRAFT NPS EN-3

- 1.2.1. In draft NPS EN-3, the government strengthens the policy intention set out in the current NPS, seeking to restrict the development of new, additional, energy from waste (EfW) capacity. Riverside 1 and Riverside 2 are consented EfW facilities; their appropriate role within the waste hierarchy has been demonstrated and they are recognised (not least through their Environmental Permits) to be efficient recovery facilities safely treating residual waste.
- 1.2.2. This important role performed by EfW facilities remains recognised within the draft NPS EN-3, not least at paragraph 2.7.1:
- 'The combustion of biomass for electricity generation plays an important role in meeting the UK's energy needs, and supports the decarbonisation of the sector. It also has a potentially significant role in supporting delivery towards the UK's net zero target when combined with carbon capture and storage.'*
- 1.2.3. However, the draft NPS EN-3 also makes clear new expectations on EfW facilities that are relevant to the context for the Carbon Capture Facility, being:
- the need for EfW facilities to be Decarbonisation Ready (see particularly paragraphs 2.7.19 and 2.7.98); and
  - the need for EfW facilities to optimise heat recovery, including demonstration of connection with three years (paragraphs 2.7.15 and 2.7.89).
- 1.2.4. As was made clear in the **Planning Statement (APP-040)** *'the principle of development for the Proposed Scheme is the delivery of carbon capture technology, directly to address CO<sub>2</sub> emissions from the residual treatment facilities Riverside 1 and Riverside 2.'* (paragraph 4.1.1)

- 1.2.5. The proposed changes to NPS EN-3 consequently do not change the context and policy support already presented by the Applicant in its Application and Examination submissions.
- 1.2.6. The Applicant has demonstrated itself to be a resource management company leading its sector in delivering policy imperatives and ensuring its operations make their full contribution to the governments Clean Power and Net Zero targets.

## 2. DRAFT NPS EN-1

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### 2.1. INTRODUCTION

- 2.1.1. NPS EN-1 is the primary policy of relevance to determination of the Proposed Scheme. Consequently, key elements of the draft consultation document are addressed, in some detail, here.
- 2.1.2. Parts 1 to 4 are considered in narrative form below. Part 5, setting out the policy expectation for generic impacts, are considered in tabular form, at section 2.3.

### 2.2. PARTS 1 – 4

#### PART 1 INTRODUCTION

- 2.2.1. Part 1 of the draft NPS EN-1 makes no substantial change to policy relevant to the Proposed Scheme.
- 2.2.2. It is simply noted that paragraph 1.6.2 confirms that:

*'The 2024 NPSs included transitional provisions between the 2011 and 2024 NPS which remain in place. The Secretary of State has decided that similar transition provisions should apply for the 2025 NPSs, so that for any application accepted for examination before the final publication of the approved 2025 amendments, the 2024 suite of NPSs should have effect in accordance with the terms of those NPSs.'*

#### PART 2 GOVERNMENT POLICY ON ENERGY AND ENERGY INFRASTRUCTURE DEVELOPMENT

- 2.2.3. Part 2 of the draft NPS EN-1 introduces the Clean Power 2030 Action Plan, confirming (at paragraphs 2.3.1 and 2.3.2) that delivering the *'Clean Power 2030 Mission also paves the way to decarbonise the wider economy by 2050 as we pursue the electrification of heat in buildings, transport and industry'*, this includes delivery of agreed carbon budgets and Nationally Determined Contribution.
- 2.2.4. Paragraphs 2.3.4 to 2.3.6 renews the urgency to move toward low carbon generation, requiring very significant deployment to deliver policy aspirations. Paragraph 2.3.19 reiterates the promotion of carbon capture technology for *'industrial users who often have no viable alternatives available to achieve deep decarbonisation. This will include energy from waste (EfW) facilities, which are covered by EN-3.'*
- 2.2.5. Paragraph 2.4.10 proposes to exclude existing power generation plants that emit more than 550gCO<sub>2</sub>/kWh electricity generated from being awarded Capacity Market agreements. Both Riverside 1 and Riverside 2 have been consented under the contemporaneous London Plan, achieving the carbon intensity floor set out in the regional policy (at paragraph 9.8.14) which *is set at 400g of CO<sub>2</sub> equivalent generated per kilowatt hour (kwh) of electricity generated.'*

- 2.2.6. Riverside 1 and 2 are demonstrably efficient EfW facilities that accord with the government's intentions to deliver low carbon energy generation. Notwithstanding that they perform well against national and regional policy expectations in relation to carbon dioxide emissions, the Proposed Scheme represents the step change necessary for them to proactively contribute to meeting net zero targets, in a timely manner.
- 2.2.7. The proposed changes to NPS EN-1 consequently do not change the context and policy support already presented by the Applicant in its Application and Examination submissions.

### **PART 3 THE NEED FOR NEW NATIONALLY SIGNIFICANT ENERGY INFRASTRUCTURE PROJECTS**

- 2.2.8. Paragraph 3.2.1 of the draft NPS EN-1 is updated, simply to renew the *'government's objectives for the energy system are to decarbonise power generation to meet the Clean Power 2030 Mission, ensuring our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including delivery of our carbon budgets and National Determined Contributions.'*
- 2.2.9. Paragraph 3.2.3 confirms there is *'no singular path to achieving clean power, but instead, that there are a range of scenarios that could get us there.'* Paragraph 3.2.4 retains the statement that:
- 'It is not the role of the planning system to deliver specific amounts of limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government. This is the nature of a market-based energy system.'*
- 2.2.10. Footnote 23 makes clear that EfW facilities will be subject to the tests in NPS EN-3. The Carbon Capture Facility is not an EfW facility. In any event, as demonstrated in section 1.2 of this report, Riverside 1 and 2 are the sort of residual waste treatment capacity sought by policy i.e. efficient EfW facilities working at the appropriate level of the waste hierarchy. The Proposed Scheme represents the step change necessary for them to proactively contribute to meeting net zero targets, in a timely manner.
- 2.2.11. Part 3.3 of the draft NPS reaffirms the reliance placed on low carbon electricity, not only to meet net zero targets but also the government's Clean Power 2030 Mission. Paragraph 3.3.16 confirms the commitment made in the Clean Power 2030 Action Plan *'to clean sources producing at least 95% Great Britain's [electricity] generation. This will set us well on the way to the commitment in the Net Zero Strategy to take action, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.'*
- 2.2.12. The contribution to be made from EfW facilities is considered from paragraph 3.3.39, which confirms that the *'recovery of energy from that waste as electricity, heat or fuel is a secondary benefit that should be maximised as far as possible.'*

2.2.13. New, *'strict criteria set by government'* are proposed at paragraph 3.3.40, that projects:

- *Meet a clearly defined need to facilitate the diversion of non-recyclable waste away from landfill, or enable the replacement of older, less efficient waste incinerators;*
- *Can be built Carbon Capture ready, in accordance with the government's 'Decarbonisation Readiness' requirements once they come into force;*
- *Demonstrate that making use of the heat they produce is viable and they can connect to a heat network within three years of the plant's operation.'*

2.2.14. As previously stated, Riverside 1 and Riverside are efficient EfW facilities appropriately delivering the waste hierarchy. The Proposed Scheme will enable those facilities to be fully decarbonised and that the project includes the infrastructure necessary to export heat means that secondary benefit can be *'maximised as far as possible.'* The Proposed Scheme will enable the priorities of paragraph 3.3.42 to be achieved.

2.2.15. Paragraph 3.3.42 of the draft NPS confirms that *'energy recovery from residual waste has a lesser environmental impact than disposal in landfill or incineration without energy recovery. Equipping facilities with CCS also offers the possibility for reducing emissions. ... .'* That the combustion of biogenic waste is *'wholly renewable'* is confirmed at paragraph 3.3.43.

2.2.16. Paragraph 3.3.59 updates the need for electricity generating capacity, confirming that the *'2030 Clean Power Action Plan requires that 95% of Great Britain's generation will come from clean sources by 2030.'* Paragraph 3.3.63 confirms that this includes EfW facilities *'with or without CCS'*.

2.2.17. Heat networks are addressed from paragraph 3.4.27. The policy text is little changed, and paragraph 3.4.28 reaffirms that they are *'crucial technology for decarbonising the UK's heating, particularly in dense urban areas.'*

2.2.18. Part 3.5 renews and updates the policy responding to the need for new nationally significant carbon capture infrastructure. Paragraph 3.5.7 continues to confirm that:  
*'To support the urgent need for new CCS infrastructure, CCS technologies, pipelines and storage infrastructure are considered to be CNP infrastructure.'*

2.2.19. Paragraph 3.5.8 of the draft NPS, reaffirms that *'alternatives are limited as many emissions are process emissions. CCS therefore has an essential role to play, either on its own or in combination with measure such as electrification and fuel switching.'*

2.2.20. The Proposed Scheme is carbon capture technology, as project submitted proactively by the Applicant to address the carbon dioxide emissions that are the



result of the EfW process deployed at Riverside to safely and efficiently treat residual waste. It remains confirmed as critical national priority (CNP) infrastructure.

- 2.2.21. The proposed changes to NPS EN-1 consequently do not change the context and policy support already presented by the Applicant in its Application and Examination submissions.

#### **PART 4 ASSESSMENT PRINCIPLES**

- 2.2.22. The key changes to Part 4 of the draft NPS EN-1 are made at Part 4.2, updating policy relevant to the critical national priority for low carbon infrastructure through the addition of new text setting out how government intends to deliver the Clean Power 2030 Mission.
- 2.2.23. Paragraph 4.2.4 confirms that whilst the pace of planning decisions needs to increase and many more applications need to be made, *'these decisions must be made in accordance with this NPS, relevant technology specific NPSs, and all relevant legal requirements, and applicants must continue to meet the high standards expected.'*
- 2.2.24. At paragraph 4.2.14, the draft NPS sets out the importance *'that all parts of the system work together'*, including that *'LPAs and statutory advisors need the best and most assessable information from applicants so that they can easily spot all the relevant issues, agree the majority of those issues early and focus their attention on any controversial issues.'* The Applicant is pleased to confirm that working with the relevant planning authority (London Borough of Bexley) and the statutory advisors relevant to the Proposed Scheme, all substantial matters have been resolved with them.
- 2.2.25. Paragraph 4.2.16 confirms *'that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure to meet the Clean Power 2030 Mission and net zero.'* Paragraphs 4.2.17 and 18 then set out the projects to be prioritised for the Clean Power 2030 Mission. As before, the Proposed Scheme also meets the definition of CNP infrastructure set out in paragraph 4.2.18, as the Proposed Scheme is directed into the NSIP regime under section 35 of the Planning Act 2008 and is 'low carbon' infrastructure as it will enable the Riverside 1 and 2 EfW facilities to export zero carbon energy.
- 2.2.26. The proposed changes to NPS EN-1 consequently do not change the context and policy support already presented by the Applicant in its Application and Examination submissions.
- 2.2.27. At paragraph 4.9.2, the draft NPS reaffirms that *'government has made its ambitions for CCS clear'*. The text is then updated with recent milestone announcements, including funding provided for post-combustion carbon capture applied to an EfW facility.
- 2.2.28. At Part 4.12, the draft NPS reaffirms (without change) that *'planning and pollution control regimes are separate but complementary.'* Paragraph 4.2.14 has been updated, confirming that:

*'Larger industrial facilities undertaking specific types of activity are required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Sector-specific BAT standards are determined through the UKBAT process.'*

- 2.2.29. This will apply to the Carbon Capture Facility and the Applicant has had advanced discussions with the Environment Agency prior to submitting the Environmental Permit application, including the programme and requirement for delivering a staged approach.
- 2.2.30. The Proposed Scheme accords with the assessment principles as proposed to be updated in the draft NPS. The proposed changes to NPS EN-1 consequently do not change the context and policy support already presented by the Applicant in its Application and Examination submissions.

## 2.3. PART 5 GENERIC IMPACTS

2.3.1. Table 2-1 considers only that text within the consultation draft which is a substantive change of relevance to the Proposed Scheme. It does not consider other non-substantive amendments such as typos, editorial adjustments or footnote updates, or changes that are of no relevance to the Proposed Scheme.

**Table 2-1 Applicant's Response to draft NSP EN-1 Part 5.**

NPS reference	Draft NPS EN-1 text	Applicant's Response
5.1 Introduction		No substantive change of relevance to the Proposed Scheme
5.2 Air Quality and Emissions		No substantive change of relevance to the Proposed Scheme
5.3 Greenhouse Gas Emissions		
Para 5.3.3	As discussed in Part 2, energy infrastructure plays a vital role in decarbonisation. <del>While all</del> <u>All</u> steps should be taken to reduce and mitigate climate change impacts, <u>including by improving resource and energy efficiency in the construction, operation, and decommissioning of energy infrastructure where possible.</u> However, it is accepted that there will be <u>some</u> residual emissions from energy infrastructure, particularly during the economy wide transition to net zero, and potentially beyond.	<p><b>Chapter 13: Greenhouse Gases</b> of the <b>Environmental Statement (APP-062)</b> presents the formal assessment, demonstrating a carbon payback period, the time taken for carbon emissions from construction and operation to be offset by carbon emissions savings from the Proposed Scheme, of five weeks.</p> <p>The Applicant's approach to securing 'Good Design' processes and outcomes is detailed within the <b>Design Approach Document (DAD) (APP-044, 045 and 046)</b>. Importantly, the <b>Design Principles and Design Code (REP5-009)</b> will direct future detailed design and delivery and includes commitments to resource and energy efficiency, including delivery of the circular economy wherever practicable. The <b>Outline Site Waste Management Plan (APP-130)</b> includes provision for the Circular Economy and using waste as a resource. The <b>Outline CoCP (REP5-013)</b> also makes provision for the sustainable use and management of materials.</p>
5.4 Biodiversity and Geological Conservation		
Para 5.4.5	As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required: <ul style="list-style-type: none"> <li>• <del>(a)</del> potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>• <del>(b)</del> listed or proposed Ramsar sites; and</li> <li>• <del>(c)</del> sites identified, or required, as compensatory measures for adverse effects on <u>Special Protection Areas, Special Areas of Conservation, and</u> any of the other sites covered by this paragraph.</li> </ul>	<p><b>Chapter 7: Terrestrial Biodiversity</b> of the <b>Environmental Statement (APP-056)</b> assesses the impact of the Proposed Scheme on relevant SPA and SAC. <b>Appendix 7.3: Information to inform a Habitat Regulations Assessment (APP-090)</b> presents the considerations required by this policy.</p> <p>The RIES (PD-015) concludes:</p> <p><i>'3.3.23 NE has agreed with the applicant's conclusion of no AEoI to Epping Forest SAC, either alone or in-combination with other projects or plans [REP5-045].</i></p> <p><i>3.3.24 The ExA understands that all matters relating to HRA are resolved. Matters remain under discussion between the applicant and NE in relation to the EIA assessment of air quality impacts on Inner Thames Marshes SSSI, including how emissions predicted to arise from Riverside 2 have been assessed.'</i></p> <p>The Applicant confirms that agreement has been reached with Natural England that there would be no air quality cumulative impact at the Inner Thames Marshes SSSI (<b>SoCG, as updated alongside this submission</b>).</p>

NPS reference	Draft NPS EN-1 text	Applicant's Response
Para 5.4.10	<p><u>As a matter of policy, the following should be given the same protection as sites covered by the Marine and Coastal Access Act 2009 and a MCZ assessment will also be required in respect of:</u></p> <ul style="list-style-type: none"> <li><u>proposed Marine Conservation Zones; and</u></li> <li><u>sites identified, or required, as measures of equivalent environmental benefit for damage to Marine Conservation Zones and sites covered above.</u></li> </ul>	<p>Within the EIA Scoping Opinion (Section ID 3.4.2), the Planning Inspectorate agreed to all MCZ being scoped out of further assessment, except for the Medway Estuary MCZ, which has been assessed within <b>Chapter 8: Marine Biodiversity</b> of the <b>Environmental Statement (APP-057)</b>. The scoped out MCZ are not designated for mobile aquatic features such as migratory fish or marine mammals and are located at some distance from the Site. In addition, the Swanscombe MCZ was scoped out of the assessment, due to its distance from the Site Boundary (11km downstream) and a lack of mobile receptors (such as European smelt) that have the potential to utilise the area as part of their lifecycle.</p>
Para 5.4.23	<p><del>5.4.22</del> The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development. <u>Applicants should consider relevant plan policies in marine plans in England.</u></p>	<p>The South East Inshore Marine Plan has been considered within the Applicant's submitted documents.</p>
Para 5.4.50	<p><u>In making a decision, the Secretary of State must take into account any measures in relation to other plans or projects which are (i) located within the marine area and (ii) have been used or are identified for use to deliver:</u></p> <ul style="list-style-type: none"> <li><u>compensatory measures for adverse effects on Special Protection Areas and Special Areas of Conservation; or</u></li> <li><u>measures of equivalent environmental benefit for damage to Marine Conservation Zones.</u></li> </ul> <p><u>Any impact which negatively impacts the efficacy of the measure will need to be offset to ensure the original compensation requirement is satisfied.</u></p>	<p><b>Chapter 8: Marine Biodiversity (Volume 1)</b> of the <b>Environmental Statement (Volume 1) (APP-057)</b> reports the assessment of the likely significant effects of the Proposed Scheme on biodiversity within marine areas during construction and operation. Mitigation measures have been identified for both construction and operational phases and none require reliance on mitigation measures and compensation measures proposed by other plans or projects. The assessment concludes that, subject to the implementation of these measures, the Proposed Scheme is not likely to result in a significant effect on marine biodiversity. Further, with mitigation measures, there would be no anticipated significant effects to marine biodiversity during construction or operation.</p>
<b>5.5 Civil and Military Aviation and Defence Interests</b>		No substantive change of relevance to the Proposed Scheme
<b>5.6 Coastal Change</b>		No substantive change of relevance to the Proposed Scheme
<b>5.7 Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation</b>		No substantive change of relevance to the Proposed Scheme
<b>5.8 Flood Risk</b>		
Para 5.8.3	<p><u>Protecting communities around the country from flooding is one of the government's priorities. The Environment Agency has a statutory duty to publish the National Flood and Coastal Erosion Risk Management Strategy for England. The Strategy describes what needs to be done by all risk management authorities involved in flood and coastal erosion risk management for the benefit of people and places. The industry should consider any updates to government policies and the statutory Strategy and apply updated approaches as a matter of priority.</u></p>	<p>The Applicant has maintained dialogue with the Environment Agency throughout the Examination and has agreed all matters in relation to flood risk.</p>
Para 5.8.38	<p>In determining an application for development consent, the Secretary of State should be satisfied that where relevant:</p>	<p>The Applicant has maintained dialogue with the Environment Agency throughout the Examination and has agreed all matters in relation to flood risk.</p>



NPS reference	Draft NPS EN-1 text	Applicant's Response
	<ul style="list-style-type: none"> <li>the application is supported by an appropriate FRA</li> <li>the Sequential Test has been applied and satisfied as part of site selection <u>(subject to the exception set out in 5.8.22, and any technology specific exceptions set out in other NPSs)</u></li> </ul>	
<b>5.9 Historic Environment</b>		No substantive change of relevance to the Proposed Scheme
<b>5.10 Landscape and Visual</b>		No substantive change of relevance to the Proposed Scheme
<b>5.11 Land Use, Including Open Space, Green Infrastructure, and Green Belt</b>		
<b>Para 5.11.26</b>	<p>Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.</p> <p>Existing trees and woodlands should be retained wherever possible. In the <del>EIP, the Government</del><u>Environmental Improvement Plan, the government</u> committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. <u>The Environmental Improvement Plan recognises the need to protect and increase tree canopy and woodland covers.</u> The applicant should assess the impacts on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management.</p> <p>Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured. <u>Where possible, projects should include the reuse of materials and use of sustainable materials such as timber, or recycled materials.</u></p>	<p>The <b>Outline LaBARDS (AS-094)</b> includes proposals to maintain and enhance woodland within the Order limits.</p> <p>The <b>Design Principles and Design Code (REP5-009)</b> will direct future detailed design and delivery and includes commitments to resource and energy efficiency, including delivery of the circular economy wherever practicable. The <b>Outline Site Waste Management Plan (APP-130)</b> includes provision for the Circular Economy and using waste as a resource. The <b>Outline CoCP (REP5-013)</b> also makes provision for the sustainable use and management of materials.</p>
<b>5.12 Noise and Vibration</b>		No substantive change of relevance to the Proposed Scheme
<b>5.13 Socio-Economic Impacts</b>		No substantive change of relevance to the Proposed Scheme
<b>5.14 Traffic and Transport</b>		
<b>Para 5.14.5</b>	<p>If a project is likely to have significant transport implications, the applicant's ES (see Section 4.3) should include a <u>vision for</u> transport <del>appraisal</del> <u>and an assessment of potential transport impacts.</u></p>	<p><b>Chapter 18: Landside Transport</b> and <b>Chapter 19: Marine Navigation</b> of the <b>Environmental Statement (APP-067 and 068 respectively)</b> present the assessment of potential transport impacts. The Project Vision (set out in the <b>DAD (APP-044)</b>) states that design of the Proposed Scheme will be controlled by a clear process to deliver coherent design that is visually appealing and responds to its context.</p> <p>Following discussions with the PLA, the <b>Outline Code of Construction Practice (REP5-013)</b> also sets out that a key objective of the construction of the Proposed Scheme will be to use the River Thames for construction.</p>
<b>Para 5.14.7</b>	<p>National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. Applicants should consult with National Highways and Highways Authorities as appropriate on the assessment, <u>including any reasonable future tested scenarios</u> and mitigation to inform the application to be submitted.</p>	<p>Reasonable future tested scenarios have been assessment within the <b>Chapter 18: Landside Transport</b> of the <b>Environmental Statement (APP-067)</b> and the accompanying <b>Transport Assessment (presented as Appendix 18-1 of the Environmental Statement (APP-114))</b> with the outcomes agreed with the relevant statutory advisors, as detailed in the relevant Statements of Common Ground (<b>National Highways (REP5-022)</b>, <b>Kent County Council (REP5-020)</b>, <b>Dartford Borough Council (REP2-013)</b>).</p>

NPS reference	Draft NPS EN-1 text	Applicant's Response
Para 5.14.8	<p>The applicant should prepare a travel plan <del>including</del><u>adopting a vision-led approach to identify</u> demand management and monitoring <u>and fall-back</u> measures <del>to that</del> <u>proactively</u> mitigate transport impacts. <del>The applicant should also provide</del><sup>244</sup> <u>by providing</u> details of proposed measures to improve access by active, public and shared transport to:</p> <ul style="list-style-type: none"> <li>• reduce the need for parking associated with the proposal;</li> <li>• contribute to decarbonisation of the transport network; <u>and</u></li> <li>• improve user travel options by offering genuine modal choice.</li> </ul>	<p>The Project Vision (set out in the <b>DAD (APP-044)</b>) states that design of the Proposed Scheme will be controlled by a clear process to deliver coherent design that is visually appealing and responds to its context. Following discussions with the PLA, the <b>Outline Code of Construction Practice (REP5-013)</b> also sets out that a key objective of the construction of the Proposed Scheme will be to use the River Thames for construction.</p> <p>The <b>Framework CTMP (REP5-015)</b> sets out travel plan measures to proactively mitigate transport impacts. The <b>Framework CTMP (REP5-015)</b> has been agreed with the relevant statutory advisors, as detailed in the relevant Statements of Common Ground (<b>National Highways (REP5-022)</b>, <b>Kent County Council (REP5-020)</b>, <b>Dartford Borough Council (REP2-013)</b>). There are no outstanding concerns in relation to parking from these parties.</p>
Para 5.14.12	<p><u>Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</u></p> <ul style="list-style-type: none"> <li><u>reduce the need to travel by consolidating trips</u></li> <li>• <u>reduce the need to travel by consolidating trips;</u></li> <li>• locate development in areas already accessible by active travel and public transport;</li> <li>• provide opportunities for shared mobility;</li> <li>• re-mode by shifting travel to a sustainable mode that is more beneficial to the network;</li> <li>• retime travel outside of the known peak times; <u>and</u></li> <li>• reroute to use parts of the network that are less busy;</li> </ul>	<p><b>Chapter 18: Landside Transport</b> and <b>Chapter 19: Marine Navigation</b> of the <b>Environmental Statement (APP-067 and 068 respectively)</b> demonstrate that additional demand management measures are not required during the operation phase.</p>
Para 5.14.14	<p>If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and <del>encourage</del><u>prioritise</u> a modal shift of freight from road to more environmentally sustainable alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.</p>	<p>Following discussions with the PLA, the <b>Outline Code of Construction Practice (REP5-013)</b> also sets out that a key objective of the construction of the Proposed Scheme will be to use the River Thames for construction. In addition, a Construction Workforce Travel Plan will be developed as a part of the full Construction Traffic Management Plan(s) (as secured by the <b>Draft DCO</b>) to promote the use of active modes, public transport, car/van sharing by staff and the use/incentivisation of electric vehicles, as described in paragraph 3.3.1 of the <b>Framework CTMP (REP5-015)</b>.</p>
<b>5.15 Resource and Waste Management</b>		
Para 5.15.6	<p>Applicants must <u>ensure that all proposals align with circular economy objectives. In England, applicants must</u> demonstrate that development proposals are in line with Defra's policy <del>position</del><u>statement</u> on the role of <del>energy from waste</del><u>EfW</u> in treating residual waste.</p> <p><del>5.15.7 The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level.</del></p>	<p>The <b>Design Principles and Design Code (REP5-009)</b> will direct future detailed design and delivery and includes commitments to resource and energy efficiency, including delivery of the circular economy wherever practicable.</p> <p>The <b>Outline Site Waste Management Plan (APP-130)</b> includes provision for the Circular Economy and using waste as a resource.</p>

NPS reference	Draft NPS EN-1 text	Applicant's Response
Para 5.15.9	<p><del>10 The applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste<sup>275</sup> and 'Towards Zero Waste: Our Waste Strategy for Wales'<sup>276</sup> and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</del></p> <p><u>The applicant must consider the Circular Economy and how to ensure that their project aligns with the government's circular economy ambitions.</u></p>	
Para 5.15.11	<p><u>The UK is committed to transitioning to a circular economy, a future where resources are kept in use for longer, and waste is reduced; we accelerate the path to net zero, we see investment in critical</u> <del>5.15.12 The UK is committed to moving towards a more 'circular</del> <u>infrastructure and green jobs, our economy' prospers, and nature thrives.</u></p> <p>Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p>	
Para 5.15.12	<p>Applicants are also encouraged to <del>use</del> <u>prepare a materials management plan to inform the use of</u> construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, <u>or degeneration of valuable materials,</u> for example, from <u>accidental</u> damage or <del>vandalism</del> <u>excessive weathering</u>. The use of Building Information Management tools (<u>BIM</u>, or similar) to record the materials used in construction can help to reduce waste <u>and realise further value</u> in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p>	
Para 5.15.14	<ul style="list-style-type: none"> <li>adequate steps have been taken to <u>give consideration to the circular economy,</u> minimise the volume of waste arisings, and of the volume of waste arisings sent for recovery or disposal, except where that is the best overall environmental outcome.</li> </ul>	
Para 5.15.18	<p>The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 <del>or wider goals set out in the government's Environmental Improvement Plan 2023</del> <u>and circular economy objectives.</u></p>	
<b>5.16 Water Quality and Resources</b>		
Para 5.16.4	<p>The applicant should make early contact with the relevant regulators, including the local authority, the <del>Environment Agency</del> <u>EA</u> and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.</p> <p><u>Applicants should make early contact with the EA, NRW and water companies<sup>257</sup> with</u></p>	<p>The Applicant has been in dialogue with Thames Water in regard to the water requirements of the Proposed Scheme and has incorporated suitable flexibility within the Indicative Equipment Layout to ensure adequate water is available throughout operation.</p> <p>Abstraction is not considered likely to be necessary.</p>

NPS reference	Draft NPS EN-1 text	Applicant's Response
	<a href="#">their proposed water requirements to understand whether water is available and if new water infrastructure is required. If insufficient water is available for abstraction the EA and NRW will be unable to authorise an abstraction licence.</a>	The Applicant has also been in dialogue with the Environment Agency and Marine Management Organisation, whereby all matters are agreed, as demonstrated within the <b>Environment Agency SoCG (as updated alongside this submission)</b> and <b>Marine Management Organisation SoCG (as updated alongside this submission)</b> .
Para 5.16.6	Applicants <del>are encouraged to consider</del> <a href="#">should avoid locating potentially polluting activities in the most sensitive locations for groundwater, in particular Source Protection Zone 1 (SPZ) and close to nationally important drinking water supplies. Applicants should consider implementing</a> protective measures to control the risk of pollution to groundwater <del>beyond those outlined in River Basin Management Plans and Groundwater Protection Zones—this could include</del> , for example, <a href="#">through</a> the use of protective barriers.	The Site is not located in or within 500m of an Environment Agency designated Source Protection Zones (SPZ ). Potential effects on groundwater as a result of the construction and operation of the Proposed Scheme are assessed in <b>Chapter 17: Ground Conditions and Soils</b> of the <b>Environmental Statement (APP-066)</b> . The assessment concluded there would be no anticipated significant effects on groundwater during construction or operation. The outcomes of the assessment are agreed with the relevant planning authority and statutory advisors.  The <b>Outline Drainage Strategy (AS-027)</b> and <b>Outline Code of Construction Practice (REP5-013)</b> presents the protective measures intended to control the risk of pollution to surface and groundwaters.
Para 5.16.9	<a href="#">If insufficient water is available for abstraction, the applicant will need to find alternative sources of water to be able to proceed, whether this is developing their own source or collaborating with the water industry or other water abstractors to develop a joint source.</a>	The Applicant has been in dialogue with Thames Water in regard the water requirements of the Proposed Scheme and has incorporated suitable flexibility within the Indicative Equipment Layout to ensure adequate water is available throughout operation.  Abstraction is not considered likely to be necessary.





## DECARBONISATION

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