Comments on revised draft National Policy Statements

1.1 - The second paragraph on page 126 of *National Policy Statement for Energy – Update 2025 Appraisal of Sustainability – Main Report* under *AOS Objective 3 Anticipated effects* states: "*Therefore, the NPS should aim to protect and enhance all sites of biodiversity importance and place a particular emphasis on protecting sites designated for nature conservation. It should not allow energy development on irreplaceable habitats*"

1.2 - As such there must be no encroachment onto or damage done to the Crossness Nature Reserve or its buffer zone. The Applicant has not demonstrated whether the proposal will proceed without such encroachment or damage. As Counsel for Landsul and Munster Joinery has found, the proposal may be commercially viable with a smaller land-take (without impinging on its own facility).

1.3 - Given foreseeable - perhaps over-riding - objections in regard to Crossness Nature Reserve, the Applicant should at the outset have allocated sufficient budget to design the scheme in a way which does not interfere with Crossness Nature Reserve.

2.1 - A sentence midway down page 183 of that same document (under *AOS Objective 14*) states "*Updated EN-1 continues to note that applicants must ensure that all proposals align with circular economy objectives.*" The Applicant's proposal does the opposite. Energy from waste plants promote a linear economy. The proposal would more deeply embed this (while competing with cement plants which also burn waste).

2.2 - In practice, contracts between waste suppliers and energy from waste companies oblige the former to supply waste of prescribed thermal properties at or above a minimum physical quantity. Such contracts are inconsistent with – for example – clause 3.3.39 of the April 2025 draft *Overarching National Policy Statement for Energy (EN-1)* whose penultimate sentence is "*Only residual waste that cannot be prevented, prepared for re-use, or recycled with less environmental impact and would otherwise go to landfill should be used for energy recovery.*" Clause 2.7.6 of April 2025 draft *National Policy Statement for Renewable Energy Infrastructure (EN-3)* conveys the same – "*As the primary function of EfW14 plants is to treat waste, applicants must demonstrate that proposed EfW plants will meet a clearly defined need to facilitate the diversion of non-recyclable waste sent to landfill, or enable the replacement of older, less efficient waste combustion facilities. In line with Defra's policy statement15, development consent will not be granted for further EfW developments in England unless these criteria are met.*"

2.3 - The Riverside 2 energy from waste plant currently under construction will presumably have been planned on the basis that there would be sufficient demand for the plant.

2.4 - The dire implications of the climate, biodiversity and pollution / plastic crises have long been very clear. As such it seems extraordinarily unwise for the Applicant to have nevertheless assumed that the amount of unrecyclable waste being produced (and needing to be burned) would nearly double that already being burned at Riverside 1.

2.5 – In so far as that assumption reflects poor corporate judgement or speculation, it might not be prudent to take accept at face value all claims made by the Applicant in this DCO proposal.

2.6 - That assumption is inconsistent with the statement "*The AoS should consider including objectives that promote the reduction of waste sent for disposal and encourage re-use, recycling and recovery of waste.*" which is repeated in the righthand column of the upper three rows immediately beneath the heading WASTE on page 193 of *National Policy Statement for Energy - Update 2025 Appraisal of Sustainability – Appendices Vol. I.*

3 - Under no circumstances should sites such as Crossness Nature Reserve be sacrificed in the hope that imported waste will ensure the profitability of Riverside 2 – and thereby help justify the proposed scale of the CC facility.

4 - The consultation documents seem to suggest that the Applicant's carbon capture proposal may be a costly and disingenuous "solution" to a problem of overcapacity.

5 – Legitimising energy from waste plants by requiring that they are "carbon capture ready" or discharge post-combustion emissions through a carbon capture facility is unwise. There is a lack of evidence that the percentage of post-combustion CO2 which such facilities would actually capture CO2 – and be transported for permanent disposal would be commensurate with what Net Zero requires. The probably substantial energy penalty of the process would further confirm the view that CCS on EFW is a false "solution". At least some of the post-combustion CO2 derives from trees clear-felled outside the UK from forest tracts which, by 2050, would not be able to sequester sufficient CO2 to fully compensate for loss of CO2 which the clear-felling and combustion causes. Consequently, given that climate change does not respect national borders, the burning of imported product made from woody biomass is a false "solution".

6 – Clause 2.7.97 of the *Draft NPS for Renewable Energy Infrastructure (EN-3)* suggests that PM2.5 does not need to be considered if its concentration does not exceed the target specified in the Environment Act 2021. That concentration (specifically the average over 12 consecutive months) is greater, and therefore more harmful, than that which has prevailed for the last few years at the reference monitoring sites located in nearby – Bexley, Bexley Belvedere and Bexley Belvedere West. As such, EN-3 tends to promote a worsening of air quality. Further, the nature of the PM2.5 assumed in EN-3 may be more benign than that which would be discharged from the proposed CO2 capture facility – given potential contamination by the solvent used to strip out the CO2.