CORY

DECARBONISATION

POLICY ACCORDANCE TRACKER 5.3

Cory Decarbonisation Project

PINS Reference: EN010128

May 2025

Revision C

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations (2009) - Regulation 5(2)(q)

TABLE OF CONTENTS

1. INTRODUCTION 2
1.1 Purpose of the Document 2
1.2 The Proposed Scheme 2

TABLES

Table 1-1: Accordance with National Policy Statement EN-1 4
Table 1-2: Accordance with Marine Management Organisation (MMO): South-East Inshore Marine Plan 129
Table 1-3: Accordance with National Planning Policy Framework 152
Table 1-4: Accordance with The London Plan 197
Table 1-5: Accordance with London Borough of Bexley Local Plan 254

1. INTRODUCTION

1.1 PURPOSE OF THE DOCUMENT

1.1.1. This Policy Accordance Tracker has been prepared by WSP UK Limited on behalf of Cory Environmental Holdings Limited ('the Applicant') and relates to an application for a Development Consent Order ('DCO Application') that has been submitted to the Secretary of State ('SoS') for Energy Security and Net Zero ('DESNZ') under section 37 of the Planning Act 2008 ('PA 2008') [1].

1.1.2. By way of letter dated 6th October 2022, the Secretary of State (SoS) made a Direction, under Section 35(1) of the Planning Act 2008 (PA2008), that the Proposed Scheme should be treated as development for which development consent under the PA2008 (as amended) is required and therefore a Project of National Significance (PNS). Paragraph 1.3.10 of NPS EN-1 states that "EN-1, in conjunction with any relevant technology specific NPS, will be the primary policy for Secretary of State decision making on projects in the field of energy for which a direction has been given under section 35". This means that the Proposed Scheme will be determined under section 104 of the PA2008, and that NPS EN-1 will apply to the Proposed Scheme.

1.1.3. The UK Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure. Pursuant to paragraphs 3.5.8 and 4.2.5 of NPS EN-1, it is considered that the Proposed Scheme constitutes a scheme of CNP as defined by that NPS.

1.1.4. This document is used to determine the accordance of the Proposed Scheme with the National Policy Statement (NPS). The Applicant considers this to be:

- Overarching National Policy Statement for Energy (EN-1)

1.1.5. This Policy Accordance Tracker also details compliance of the Proposed Scheme in accordance with relevant national and development plan policy, as these are considered to be 'important and relevant matters' for the Secretary of State to take into account, comprising: the National Planning Policy Framework (NPPF); the London Plan (Greater London Authority); the Bexley Local Plan (London Borough of Bexley); and the South East Inshore Marine Plan (Marine Management Organisation (MMO). The UK Marine Policy Statement is dealt with in the **Planning Statement (APP-040)**.

1.1.6. This document has been updated at Deadline 6 of the Examination to account for the Applicant's Examination submissions of relevance to the policy statements set out in this document.

1.2 THE PROPOSED SCHEME

1.2.1 The Applicant is seeking development consent for the proposed construction, operation and maintenance of a carbon capture storage project (hereafter referred to as the Proposed Scheme) to capture carbon dioxide from energy from waste facilities Riverside 1 and Riverside 2 (at the time of writing, construction works for Riverside 2 are being undertaken) at the Riverside Campus, located adjacent to the River Thames at Belvedere in the London Borough of Bexley (LBB).

1.2.2 A full description of the Proposed Scheme is detailed in **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the Environment Statement (ES) (APP-051)** (as submitted with the application).

Table 1-1: Accordance with National Policy Statement EN-1

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
4 Assessment Principles			
General Policies and Considerations Part 4.1	4.1.1 This part of EN-1, Assessment Principles, sets out the general policies for the submission and assessment of applications relating to energy infrastructure. 4.1.2 The Energy White Paper and British Energy Security Strategy emphasises the importance of the government's net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs. 4.1.3 Given the level and urgency of need for infrastructure of the types covered by the energy NPS set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPS clearly indicate that consent should be refused. 4.1.4 The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.4 of this NPS. **Weighing impacts and benefits** 4.1.5 In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account: • its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits • its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or	<u>In response to paras 4.1.1 – 4.1.7, 4.1.21:</u> It is considered by the Applicant that the Proposed Scheme adheres to the requirements of financial and technical viability as required within this policy. **The Funding Statement (Document Reference 4.2)** demonstrates that funding of the Proposed Scheme will not be an impediment to its delivery. Cory has successfully funded, delivered, and operates Riverside 1 and successfully funded Riverside 2, which is under construction. These are large, complex infrastructure projects located at the same site as the Proposed Scheme. Based on the success of the Riverside 1 and Riverside 2 developments and the Applicant's extensive experience delivering and operating large scale, complex infrastructure, the Applicant is confident that the Proposed Scheme will be commercially viable and therefore will be funded as required if development consent is granted. The Applicant has taken into account environmental, social, and economic benefits and adverse impacts, at national, regional and local levels. The **Planning Statement (Document Reference 5.2)** reports on the likely benefits of the Proposed Scheme. The Planning Statement also reports on the overall planning balance and policy support for the Proposed Scheme. The urgent need for the Proposed Scheme and its role in contributing to the UK government's environmental aspirations are explained in the **Project Benefits Report (Document Reference 5.4).** It concludes that there are no residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero as a result of the Proposed Scheme, nor MCZ or HRA impacts. Therefore, the presumption in favour of CNP infrastructure will apply to the Proposed Scheme. **Chapter 12: Climate Resilience (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of climate change impacts on the Proposed Scheme. Mitigation measures have been embedded in the design of the Proposed Scheme (as set out in the **Mitigation Schedule (Document**	The Applicant notes that since the publication of the NPS, the CCC's Seventh Carbon Budget has continued to highlight the need for low carbon energy infrastructure and in particular CCS. In response to paras 4.1.17 – 4.1.19: The Applicant has undertaken discussion with Natural England regarding the need for an in-combination assessment to be carried out for Epping Forest SAC as part of the HRA for the Proposed Scheme (Appendix 7-3: Information to Inform a Habitat Regulations Assessment of the Environmental Statement (Volume 3) (APP-090)). The Applicant has had positive discussions with Natural England and both parties agreed that an in-combination assessment for Epping Forest SAC would not address the key issue at this SAC which is impact from vehicle emissions. It is considered that the Proposed Scheme would have a low risk of undermining the conservation integrity of the site in combination with other projects (including those much closer to the SAC, such as adjacent vehicle emissions), so an in-combination assessment at the SAC is not required. This agreement is reflected in the **Natural England Statement of Common Ground (REP6-035).** LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.* The **Land Rights Tracker (as updated alongside this submission)** sets out the current position in respect of negotiations with landowners. The above response is supplemented by the following documents updated as part of the Examination: • Mitigation Schedule (REP1-010); • Negotiations and Powers Sought (AS-018); and • Draft DCO (as updated as part of this submission).Negotiations and Powers Sought (AS-018); and • Negotiations and Powers Sought (AS-018); and

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	compensate for any adverse impacts, following the mitigation hierarchy 4.1.6 In this context, the Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1). 4.1.7 Where this NPS or the relevant technology specific NPS require an Applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructre, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interfere with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to floor and coastal erosion risk. **Land rights** 4.1.8 Where the use of land at a specific location is required to facilitate the development by providing for mitigation, and landscape enhancement, an Applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land. 4.1.9 The Secretary of State will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPS. **Other documents**	**Reference 7.8)** to enhance its resilience. With the inclusion of mitigation measures there are no significant effects anticipated on the Proposed Scheme due to climate change. <u>In response to para 4.1.8:</u> The **Statement of Reasons (Document Reference 4.1)** and the **Schedule of Negotiations and Powers Sought (Document Reference 4.4)** provides details on the land that as required to facilitate the Proposed Scheme and for the provision of related mitigation and enhancement measures, and where the Applicant seeks compulsory acquisition of that land, or rights over the land under the usual compulsory acquisition principles. <u>In response to para 4.1.10 – 4.1.15:</u> The **Planning Statement (Document Reference 5.2)** assesses the Proposed Scheme against the primary policy of NPS EN-1 and other policy considerations which the Applicant thinks are both important and relevant matters including the South East Inshore Marine Plan, NPPF, and relevant development plan policy. The established benefits of the Proposed Scheme are identified in the **Project Benefits Report (Document Reference 5.4)** and the **Planning Statement (Document Reference 5.2)** balances these against the limited and mitigable adverse impacts in considering these policies. The Applicant concludes that overall compliance with these documents has been demonstrated. <u>In response to para 4.1.17 – 4.1.19:</u> The Applicant has consulted the local community, statutory bodies, and other relevant stakeholders on the Proposed Scheme. Two stages of consultation have been carried out, alongside ongoing engagement with key stakeholders. Early engagement has been undertaken, including discussions with Natural England (NE) and the Environment Agency (EA) regarding the Habitat Risk Assessment (HRA). Full details of which are set out within the **Consultation Report (Document Reference 5.1)** and the respective chapters of the **ES (Volume I) (Document Reference 6.1)**. The **Draft DCO (Document Reference 3.1)** includes necessary requirements, which the **Explanatory Memorandum**	-

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.1.10 The policy set out in this NPS and the technology specific energy NPS is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the "benchmark" for what is, or is not, an acceptable nationally significant energy development). 4.1.11 The energy NPS have taken account of the National Planning Policy Framework (NPPF), the Planning Practice Guidance for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate.[95] 4.1.12 Other matters that the Secretary of State may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework. 4.1.13 Where the project conflicts with a proposal in a draft Development Plan, the Secretary of State should take account of the stage which the Development Plan document in England or Local Development Plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented, or precluded. 4.1.14 The closer the Development Plan document in England or Local Development Plan in Wales is to being adopted by the LPA, the greater weight which can be attached to it. 4.1.15 In the event of a conflict between these documents and an NPS, the NPS prevails for the purpose of Secretary of State decision making given the national significance of the infrastructure. **Development consent** 4.1.16 The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.	**(Document Reference 3.2)** explains are all relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. A Heads of Terms for an anticipated section 106 Agreement, to deliver offsite biodiversity and access outcomes, see **Heads of Terms for development consent obligation (Section 106 Agreement) (Document Reference 7.1),** has also been submitted, with the anticipated obligations considered to be necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects. **The above demonstrates that the Proposed Scheme is consistent with the policy aims set out in Part 4.1 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.1.17 The Secretary of State should consider the guidance in the NPPF, the Planning Practise Guidance: Use of Planning Conditions, and TANs, or any successor documents, where appropriate. 4.1.18 The Secretary of State may consider any development consent obligations that an Applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects. **Early engagement** 4.1.19 Early engagement both before and at the formal pre-application stage between the Applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government's pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the Examining Authority and leading to a clear recommendation report to the Secretary of State. 4.1.20 This is particularly so in the case of HRA matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the Applicant to submit sufficient information to enable the Secretary of State to conduct an Appropriate Assessment if required. **Financial and technical viability** 4.1.21 In deciding to bring forward a proposal for infrastructure development, the Applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions. 4.1.22 Where the Secretary of State considers that the financial viability and technical feasibility of the proposal has been properly assessed by the		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Applicant, it is unlikely to be of relevance in Secretary of State decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPS and the reasons why financial viability or technical feasibility is likely to be of relevance explained).		
The Critical National Priority for Low Carbon Infrastructure **Part 4.2**	4.2.1 Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology. 4.2.2 Ensuring the UK is more energy independent, resilient, and secure requires the smooth transition to abundant, low-carbon energy. The UK's strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale. 4.2.3 With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions. 4.2.4 Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. 4.2.5 This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means: • For electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy, including combustion, provided they meet existing definitions of low carbon; and nuclear	<u>In response to paras 4.2.1 – 4.2.9:</u> The Applicant considers that the Proposed Scheme directly contributes to meeting the UK's Net Zero 2050 target. Once operational the Proposed Scheme will capture a minimum of 95% of carbon dioxide (CO_2) emissions, which is equivalent to approximately 1.3Mt CO_2 per year. It will be one of the largest carbon capture projects in the UK. It is a confirmed form of low carbon infrastructure that is sought by NPS EN-1. As new CCS facilities it forms a critical national priority (as per paragraph 3.5.8 of NPS EN-1) and being low carbon energy infrastructure brought into the Planning Act 2008 regime by section 35 Direction. The Proposed Scheme forms infrastructure covered by NPS EN-1 and therefore benefits from the overarching need case and substantial weight which should be given to that need as a starting point for assessments of the Proposed Scheme. The **Planning Statement (Document Reference 5.2)** confirms that the Secretary of State (SoS) considers the Proposed Scheme should be considered as a Project of National Significance (PNS), not least because: *"The carbon capture element of the Proposed Project would provide and support the decarbonisation of energy from waste derived CO2 emissions in the UK, delivering over a million tonnes of CO2 savings per annum, and supporting the achievement of a fully de-carbonised district heating network that crosses local authority areas".* This Application is supported by the **Project Benefits Report (Document Reference 5.4)** which provides analysis of the environmental, economic, and social benefits of delivering the Proposed Scheme, and how it aligns with wider UK government ambitions for sustainable energy infrastructure.	During Examination, the Seventh Carbon Budget recommended by the CCC was published on February 26th 2025. In that budget, in addition to increased recycling and a reduction in food waste, a key element of the Balanced Pathway for waste is that 'CCS is installed to capture 90-95% of emissions from EfW.' (Seventh Carbon Budget, page 247). The Seventh Carbon Budget makes clear that even with future step changes in waste management - including the near elimination of biodegradable waste sent to landfill by 2028 and the near elimination of all waste sent to landfill by 2045 – there remains an integral role for CCS with EfW, not least 'to balance out the residual emissions remaining in the waste sector. These residual emissions mostly come from hard-to-abate process emissions in wastewater, mechanical biological treatment, legacy methane emissions from landfill, and uncaptured CO2 from EfW with CCS.' (Seventh Carbon Budget, pages 248 and 249). The Proposed Scheme remains consistent with the requirement for CNP of Low Carbon Infrastructure throughout Examination, including accounting for the two change requests. Throughout Examination, SCNR has sought to suggest that the Proposed Scheme is not CNP infrastructure as it considers that the Applicant has not followed the mitigation hierarchy. The **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** is one place in which the Applicant has set out, in some detail, how it has applied the mitigation hierarchy, both in relation to biodiversity assets and MOL policy (see Tables 2.3.4 and 2.9.5). **Natural England Statement of Common Ground (REP6-035)** reflects that Natural England agree with the Applicant's conclusions that the Proposed Scheme does not cause any adverse effects to integrity of any National Site Network site, both alone or in combination with other plans and projects. That SoCG also sets out Natural England's agreement that the Proposed Scheme does not cause any adverse effects to any

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	generation), as well as natural gas fired generation which is carbon capture ready. • For electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System. • For other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of "low carbon", such as hydrogen distribution, and carbon dioxide distribution. • For energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of "low carbon", such as interconnectors, Multi-Purpose Interconnectors, or 'bootstraps' to support the onshore network which are routed offshore. • Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects. 4.2.6 The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications. 4.2.7 The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the Examining Authority when	<u>In response to paras 4.2.10 – 4.2.17:</u> The **Planning Statement (Document Reference 5.2)** provides an overview of compliance with legislation whilst the **ES (Document Reference 6.1 - 6.4)** assesses the potential environmental impact and any residual impact of the Proposed Scheme. It and the **Terrestrial Sites Alternatives Report (TSAR) (Document Reference 7.6)** demonstrate that the Applicant has applied the mitigation hierarchy and limited impacts to MOL, Accessible Open Land, Crossness LNR and the Erith Marshes SINC. Impacts to these aspects are to be mitigated and compensated for pursuant to the measures set out in the **Outline Landscape, Biodiversity, Access and Recreation Delivery Strategy (LaBARDS) (Document Reference 7.9)**, which is secured through the **Draft DCO (Document Reference 3.1)**. The **ES (Document Reference 6.1 - 6.4)** assesses the likely significant effects of the Proposed Scheme, and states how effects are being avoided and mitigated taking account of the Mitigation Hierarchy to first try to avoid, then prevent and then reduce likely significant adverse effects on the environment and, if possible, offset likely significant adverse effects on the environment. The **Mitigation Schedule (Document Reference 7.8)** submitted with the DCO Application sets out the proposed mitigation measures in detail. **Chapter 22: Summary of Effects (Volume 1) of the ES (Document Reference 6.1)** sets out the very limited, localised, residual effects of the Proposed Scheme. The **ES Volume 1 (Document Reference: 6.1)** identifies that there would be no unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats, or unacceptable risk to the achievement of net zero, or risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk. In this context, the **Planning Statement (Document Reference 5.2)** sets out that it is clear that these impacts do not outweigh the urgent need for the	SSSI, both alone or cumulatively with other plans and projects, meaning that paragraph 4.2.17 does not need to be engaged. The relevant planning authority, London Borough of Bexley supports the Proposed Scheme as confirmed in the **SoCG**, **AS-096)** and in its Deadline 5 Submissions (REP5-042) stated: *'Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on*.'

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	it is making its recommendation to the Secretary of State. 4.2.8 During decision making, the CNP policy will influence how non-HRA and non- MCZ residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2. 4.2.9 During decision making, the CNP policy also explains the Secretary of State's approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and IROPI tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3. **Applicant assessment** 4.2.10 Applicant's for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal[99] and regulatory requirements. 4.2.11 Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated. 4.2.12 Applicant's should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored, and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g., adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered.	Proposed Scheme, a piece of CNP infrastructure. As confirmed in the **Planning Statement (Document Reference 5.2)**, the Site is not within an area of Green Belt, but does fall within Metropolitan Open Land (MOL). The consequent impact on MOL and the very special circumstances of the Proposed Scheme, above and beyond its status as CNP infrastructure, are reported in the **Design Approach Document (Document Reference 5.6)** and the **Planning Statement (Document Reference 5.2).** In response to paras 4.2.18 – 4.2.21: A Habitats Regulations Assessment (HRA) has been undertaken; this is provided in **Appendix 7-3: Information to Inform a HRA (Volume 3) of the ES (Document Reference 6.3).** It is concluded that the Proposed Scheme, both alone and in combination with other plans and projects is predicted to not result in any adverse effect on the integrity of any European Sites, or habitats of significance. Medway Estuary has been identified as the only MCZ located approximately 10km southeast of the Site. **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** considers the Proposed Scheme's impact to the MCZ and concludes that no likely significant effects arise. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that this is also the case when the Proposed Scheme is considered cumulatively with other projects. No consideration of a derogation under HRA, or under section 126(7) of the Marine and Coastal Access Act 2009 is therefore required. **In conclusion therefore, the Proposed Scheme is supported by the policies within Part 4.2 of EN-1 and is a Critical National Priority infrastructure that benefits from the policy support that CNP status brings.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.2.13 Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance. **Secretary of State decision making** 4.2.14 The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The Secretary of State must be satisfied that the Applicant's assessment demonstrates that the requirements set out above have been met. Where the Secretary of State is satisfied that they have been met the CNP presumptions set out below apply. **Non-HRA and non-MCZ residual impacts of CNP Infrastructure** 4.2.15 Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk. 4.2.16 As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPS, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances. 4.2.17 This means that the Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• Where development within a Green Belt requires very special circumstances to justify development; • Where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of sssis; • Where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and • Where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional. **HRA derogations and MCZ assessments for CNP Infrastructure** 4.2.18 Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively. 4.2.19 Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.[100] 4.2.20 Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the Secretary of State will consider making a derogation under section 126(7) of the Marine and Coastal Access Act 2009. 4.2.21 For both derogations, the Secretary of State will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change: • Requires a significant number of deliverable locations for CNP Infrastructure and for each		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution. • Are capable of amounting to imperative reasons of overriding public interest (IROPI) for hras, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure. 4.2.22 For HRAS, where an Applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured[101] by the Secretary of State as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZS, where an Applicant has shown there are no other means of proceeding which would create a substantially lower risk and the benefit to the public outweighs the risk of damage to the environment, the Secretary of State must be satisfied that measures of equivalent environmental benefit will be undertaken.		
Environmental Effects/ Considerations Part 4.3	4.3.1 All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. 4.3.2 The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. 4.3.3 The Regulations require an assessment of the likely significant effects of the proposed project on the	In response to para 4.3.1 and 4.3.2: The Proposed Scheme is considered to be Schedule 1 development under paragraph 23 of the EIA Regulations 2017. It falls under the category of 'Installations for the capture of carbon dioxide streams for the purposes of geological storage pursuant to Directive 2009/31/EC from installations referred to in this Schedule'. In accordance with the EIA Regulations 2017, the Application includes an **ES (Document Reference 6.1 – 6.4)** which assesses the likely significant effects of the Proposed Scheme considering the proposed mitigation measures, distinguishing the construction and operation stages of the Proposed Scheme.	The Applicant's approach to alternatives has been the subject of scrutiny during the Examination process by Interested Parties. The Applicant has responded to these, including in particular: • in Appendix **H** to its **Response to Relevant Representations (AS-053)** and accompanying drawing (**AS-062)**, which demonstrates that there is no configuration of the East Zone which would be appropriate for the Proposed Scheme; • at ISH1 and in the written summary following **(REP1-025 to REP-027)**, the Applicant explained how it had taken into account economic considerations as part of the alternatives process, how it had considered

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects. 4.3.4 To consider the potential effects, including benefits, of a proposal for a project, the Applicant must set out information on the likely significant environmental, social and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health and well-being. 4.3.5 For the purposes of this NPS and the technology specific NPS the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project. 4.3.6 Where the NPS use the term 'environment' they are referring to both the natural and historic environments. 4.3.7 In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments. 4.3.8 In this NPS and the technology specific NPS, when used in relation to environmental matters the terms 'effects', 'impacts' or 'benefits' should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits. 4.3.9 As in any planning case, the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are	In response to para 4.3.3 - 4.3.4: The **ES (Document Reference 6.1 – 6.4)** distinguishes between the construction and operation phases of the Proposed Scheme and assesses both the intra and inter-project cumulative effects in **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)**. The scope of this assessment was established through an approach described in detail in **Chapter 4: EIA Methodology (Volume 1) of the ES (Document Reference 6.1)**. This includes an assessment of employment benefits, heritage and impacts to health. The ES is also supported by **Appendix 7-1: Biodiversity Net Gain Report (Volume 3) of the ES (Document Reference 6.3).** The submitted **ES (Document Reference 6.1 – 6.4)** assesses the likely significant effects of the Proposed Scheme, and states how effects are being avoided and mitigated taking account of the Mitigation Hierarchy. The **Mitigation Schedule (Document Reference 7.8)** sets out the proposed mitigation measures. In response to para 4.3.5 - 4.3.9: The Application is also supported by the **Project Benefits Report (Document Reference 5.4)** which presents the wider environmental, economic and social benefits of the Proposed Scheme. The reasonable alternatives which could be considered to achieve the objectives for the Proposed Scheme are set out in **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)**. This chapter sets out the main reasons for the Applicant's choices, taking into account environmental, social and economic effects and including, where relevant, technical and commercial feasibility. It is considered that the Proposed Scheme would generate economic growth and opportunities for employment. **Chapter 15: Socio-Economic (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the employment and economic impact of the Proposed Scheme. The **Planning Statement (Document Reference 5.2)** details that the Proposed Scheme would align with the environmental, social, and economic aims of the local development plan. The	connectivity to the East Zone and the constraints on-site which restrict flexibility for the flue gas ductwork; and • in its response to Interested Parties Deadline 1 submissions (**REP2-020)** and Deadline 2 submissions (**REP4-033)**, explained why the Veridion Park location proposed by TWUL is not a reasonable alternative (agreed by LBB in the **SoCG (AS-096)**), particularly in light of NPS paragraphs 4.3.28 and 4.3.29. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.* It is also noted that throughout Examination, Landsul and Munster Joinery have sought to suggest that the Applicant could avoid their land as an alternative design. The Applicant has explained in each of its response documents to those parties why it considers that is not the case. Its position is clearly articulated in its **Written Summary of Oral Submissions at CAH2 (REP4-048)** and in the **Closing Submission (submitted alongside this submission).** The above response is supplemented by the following document submitted as part of the Examination: • **Mitigation Schedule (REP1-010)**.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	specific requirements in relation to compulsory acquisition and habitats sites, the NPS does not change requirements in relation to compulsory acquisition and habitats sites. **Applicant assessment** 4.3.10 The Applicant must provide information proportionate to the scale of the project, ensuring the information is sufficient to meet the requirements of the EIA Regulations. 4.3.11 In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the Applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case. 4.3.12 Where some details are still to be finalised, the ES should, to the best of the Applicant's knowledge, assess the likely worst-case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed. 4.3.13 To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the Applicant should instead provide information proportionate to the scale of the project on the likely significant environmental, social, and economic effects. 4.3.14 References to an ES in this NPS and the technology specific NPS should be taken as including a statement which provides this information, even if the EIA Regulations do not apply. Where the NPS require specific information to be provided in the ES, such information should still be provided in this statement. 4.3.15 Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the Applicant's choice, taking into	Proposed Scheme is therefore concluded to represent sustainable development. In response to para 4.3.10 - 4.3.28: The **Planning Statement (Document Reference 5.2)** provides an overview of compliance with legislation whilst the **ES Volume 1 (Document Reference 6.1)** assesses the potential environmental impact and any residual impact of the Proposed Scheme taking account of the Mitigation Hierarchy. The Applicant's approach to mitigation is detailed in **Chapter 4: EIA Methodology (Volume 1) of the ES (Document Reference 6.1)**. Supporting **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)**, the Applicant has produced the **Terrestrial Site Alternatives Report (TSAR) (Document Reference 7.5)** and the **Jetty Site Alternatives Report (JSAR) (Document Reference 7.6)**. These documents, alongside the **Design Approach Document (Document Reference 5.6)**, set out how the Applicant has considered all reasonable alternatives for the Proposed Scheme, undertaken in a proportionate matter in light of policy requirements; and considering the alternatives which could meet the objectives of the Proposed Scheme. The Proposed Scheme would support sustainable development by providing the infrastructure necessary to meet national net zero targets with local enhancement. The Proposed Scheme would also generate employment opportunities and provide a positive contribution to socio-economic wellbeing. **This demonstrates that the Proposed Scheme complies with Part 4.3 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility. 4.3.16 In some circumstances, the NPS may impose a policy requirement to consider alternatives. 4.3.17 Where there is a policy or legal requirement to consider alternatives, the Applicant should describe the alternatives considered in compliance with these requirements. **Secretary of State decision making** 4.3.18 The Secretary of State should consider the worst-case impacts in its consideration of the application and consent, providing some flexibility in the consent to account for uncertainties in specific project details. 4.3.19 The Secretary of State should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place. 4.3.20 The Government has set 13 legally binding targets for England under the Environment Act 2021, covering the areas of: biodiversity; air quality; water; resource efficiency and waste reduction; tree and woodland cover; and Marine Protected Areas. Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery. The Secretary of State have regard to the ambitions, goals and targets set out in the Government's Environmental Improvement Plan 2023 for improving the natural environment and heritage. This includes having regard to the achievement of statutory targets set under the Environment Act. 4.3.21 In addition, in exercising functions in relation to Wales, the Secretary of State should consider Section 6 of the Environment (Wales) Act 2016 and seek to maintain and enhance biodiversity, and in so doing promote the resilience of ecosystems, so far as		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	consistent with the proper exercise of the Secretary of State's functions. 4.3.22 Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g., under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives: • the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and • only alternatives that can meet the objectives of the proposed development need to be considered. 4.3.23 The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development. 4.3.24 The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals. 4.3.25 Alternatives not among the main alternatives studied by the Applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision. 4.3.26 As the Secretary of State must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the Secretary of State concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	NPS, the existence of that alternative is unlikely to be important and relevant to the Secretary of State's decision. 4.3.27 Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision. 4.3.28 Alternative proposals which are vague, or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision. 4.3.29 It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect the Applicant to have assessed it.		
Health **Part 4.4**	4.4.1 Energy infrastructure has the potential to impact on the health and well-being ("health") of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people's health. 4.4.2 The direct impacts on health may include • increased traffic, • air or water pollution, • dust, odour, • hazardous waste and substances, • noise, • exposure to radiation, and	In response to Paras 4.4.1- 4.4.3: The health of construction workers, operational workers, local residents and users of adjacent land has been considered and appropriately assessed on a topic-by-topic basis within the **ES Volume 1 (Document Reference 6.1)** as appropriate (in particular **Chapters 5: Air Quality, Chapter 6: Noise and Vibration, Chapter 14: Population, Health and Land Use, Chapter 17: Ground Conditions and Soils, Chapter 18: Landside Transport** and **Chapter 21: Cumulative Effects**). These chapters consider the factors listed in NPS paragraph 4.2 to the extent that they are relevant to the Proposed Scheme and considering cumulative developments.	No update required, however the following documents have been updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• increases in pests. 4.4.3 New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity. **Applicant assessment** 4.4.4 As described in the relevant sections of this NPS and in the technology specific NPS, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. 4.4.5 The impacts of more than one development may affect people simultaneously, so the Applicant should consider the cumulative impact on health in the ES where appropriate. 4.4.6 Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to wider society as a whole. **Secretary of State decision making** 4.4.7 Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008. 4.4.8 However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns	These chapters identify that there would be no likely significant effects to human health. In response to paras 4.4.4 - 4.4.8: **Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1**) confirms that the construction phase of development will have no significant effect on local air quality subject to the implementation of mitigation measures. These mitigation measures are included in the **Outline Code of Construction Practise (OCoCP) (Document Reference 7.4)**, which is secured through a requirement in Schedule 2 of the **Draft Development Consent Order (Draft DCO) (Document Reference 3.1)**. The assessment also confirms that the operation phase of the Proposed Scheme will have no significant effect on local air quality with respect to human health, neither in isolation nor cumulatively. **Chapter 6: Noise and Vibration (Volume 1) of the ES (Document Reference 6.1)** concludes that no significant environmental effects for noise or vibration have been identified for the Proposed Scheme on nearby sensitive receptors during construction or operation phases subject to the implementation of mitigation measures. Any noise arising from the construction phase would be temporary, and suitably mitigated through the **OCoCP (Document Reference 7.4)** which is secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** Other DCO Requirements deal with further controls in construction (working hours) and operational noise. **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** concludes that no significant effect to human health, or mental health and wellbeing have been identified for the local population with regard to construction or operation subject to the implementation of mitigation measures. There will be ongoing engagement with the local community through project information boards surrounding the Site and updates on operational activities via the Applicant's website.	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	when setting requirements relating to a range of impacts such as noise.	**Chapter 17: Ground Conditions and Soil (Volume 1) of the ES (Document Reference 6.1)** concludes that there would be no significant effect to site users, construction staff, or third-party neighbours from ground contamination during the construction phase of the Proposed Scheme. Measure to mitigate risks to human health will be implemented via the **OCoCP (Document Reference 7.4)** which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** In respect of cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on health as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Part 4.4 of EN-1.**	
Marine Considerations Part 4.5	4.5.1 The Marine Policy Statement is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high-water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river or channel, so far as the tide flows at mean high water spring tide. 4.5.2 Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans must be consulted to understand marine relevant specific considerations. 4.5.3 The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities. 4.5.5 The Government is producing guidance to help Applicants and regulators understand how to consider environmental impacts on Marine Protected Areas	In response to para 4.5.1: The Proposed Scheme is in compliance with the Marine Policy Statement and the South East Inshore Marine Plan as set out in the **Planning Statement (Document Reference 5.2)** and this **Policy Accordance Tracker (Document Reference 5.3)**. In response to para 4.5.2 - 4.5.7: The Applicant undertook early engagement with the MMO, as set out in the **Consultation Report (Document Reference 5.1)** and engagement is ongoing. The Deemed Marine Licence is set out the **Draft DCO (Document Reference 3.1)** submitted with the Application. In response to para 4.5.8 - 4.5.9: The Proposed Scheme will deliver onsite and offsite habitat creation enhancement to mitigate impacts to biodiversity, and a programme of habitat management will be implemented during operation of the Proposed Scheme. Further details are provided within the **Appendix 7-1: Biodiversity Net Gain Report (Volume 3) of the ES (Document Reference 6.3)**. In response to Para 4.5.10 - 4.5.12: The Applicant has taken into account all plans at national, regional and local levels, including the Marine Policy Statement and	Engagement with the Marine Management Organisation has continued throughout Examination, culminating in all matters being now agreed, as recorded in the **Statement of Common Ground with the Marine Management Organisation (REP6-036);** save for some matters relating to the drafting of the DML. The Applicant's final position on these matters is set out in in **Response to Interested Parties' Deadline 5 submissions (REP6-037).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	(MPAs), including applying the mitigation hierarchy and using strategic approaches. 4.5.7 Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their Development Consent Order application. **Applicant assessment** 4.5.8 Applicants for a Development Consent Order must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent. 4.5.9 Applicants are encouraged to refer to Marine Plans at an early stage, such as in preapplication, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints. **Secretary of State decision making** 4.5.10 Section 104(2) (aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a Development Consent Order where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas. 4.5.11 In making a decision, the Secretary of State is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies. 4.5.12 In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.	South East Inshore Marine Plan, the details of which are provided in the **Planning Statement (Document Reference 5.2).** **This demonstrates that the Proposed Scheme complies with Part 4.5 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
Environmental and Biodiversity Net Gain **Part 4.6**	4.6.1 Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. 4.6.2 Biodiversity net gain is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain. 4.6.3 Currently biodiversity net gain policy in England only applies to terrestrial and intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by the Government, who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future. **Applicant assessment** 4.6.6 Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. 4.6.7 In England Applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This calculation data should be presented in full as part of their application. 4.6.8 Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority and Natural England for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed. 4.6.10 Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not	In response to para 4.6.1 - 4.6.18: The Applicant references all biodiversity features (terrestrial and marine) within the DCO Application, particularly at **Chapter 7: Terrestrial Biodiversity** and **Chapter 8: Marine Biodiversity** of the **ES (Document Reference 6.1)**. A BNG assessment is contained within **Appendix 7-1: Biodiversity Net Gain Report (Volume 3) of the ES (Document Reference 6.3)** for the Proposed Scheme, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Site as secured through the **Outline LaBARDS (Document Reference 7.9)**, which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)** states that a BNG Opportunity Area has been identified within land at the former Thamesmead Golf Course located approximately 1km to the west of the Order Limits. The BNG Opportunity Area is displayed on **Figure 7-7: Proposed Habitat Creation and Enhancements (Volume 2) of the ES (Document Reference 6.2)**. The provision of these works will be secured via a Development Consent obligation pursuant to s106 of the Town & Country Planning Act 1990 (as amended). **This demonstrates that the Proposed Scheme complies with Part 4.6 of EN-1.**	The Applicant prepared the **Biodiversity Net Gain - Trading Rules (REP3-031)** document in response to Greater London Authority's request for an explanation of the trading rules for each habitat distinctiveness type. The **Biodiversity Net Gain - Trading Rules (REP3-031)** document determines whether**:** • All habitats have direct like-for-like replacement (in terms of habitat type and total habitat area) through landscape proposals or whether substitute habitats have been used in certain areas. • Whether trading rules have been complied with for habitats subject to substitution. The **Biodiversity Net Gain - Trading Rules (REP3-031)** document addresses the above points for both onsite (within Order Limits) and offsite (Biodiversity Net Gain Opportunity Area at former Thamesmead Golf Course) habitat creation and enhancement proposals. The metric calculation detailed in the **Biodiversity Net Gain - Trading Rules (REP3-031)** document shows that the trading rules with regards to unit changes are satisfied for all habitat types which has been achieved by designing the mitigation and compensation to meet the trading rules for each habitat type. The Applicant has in Examination also explained how its BNG proposals should be seen in the context of its mitigation and compensation proposals, see the response to ExA question 2.3.7 (**REP5-033)** and its responses to Save Crossness Nature Reserve in **REP5-32.** Delivery of BNG is secured by Requirement 12 of the **Draft DCO (as updated as part of this submission)**. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.* The above response is supplemented by the following document updated as part of the Examination: • **Outline LaBARDS (AS-094).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. 4.6.11 Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent. 4.6.12 When delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use. 4.6.13 In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as • reductions in GHG emissions, • reduced flood risk, • improvements to air or water quality, • climate adaptation, • landscape enhancement, • increased access to natural greenspace, or • the enhancement, expansion or provision of trees and woodlands. The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.6.14 The Environment Act 2021 mandated the preparation of Local Nature Recovery Strategies (LNRSs) across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRSs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRSs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government's 25 Year Environment Plan. 4.6.15 Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project. 4.6.16 Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', the government's guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature. 4.6.17 Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, Applicants should reference that information to supplement the site-specific details. 4.6.18 Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
Criteria for good design for Energy Infrastructure **Part 4.7**	4.7.1 The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object - be it a building or other type of infrastructure - including fitness for purpose and sustainability, is equally important. 4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area. 4.7.3 Good design is also a means by which many policy objectives in the NPS can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material. 4.7.4 Given the benefits of good design in mitigating the adverse impacts of a project, Applicants should consider how good design can be applied to a project during the early stages of the project lifecycle. **Applicant assessment** 4.7.5 To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.	In response to paras 4.7.1 to 4.7.9: The Proposed Scheme will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the **ES Volume 1 (Document Reference 6.1).** Good design has been at the forefront of the evolution of the Proposed Scheme. This has included at the siting stage – the **TSAR (Document Reference 7.5)** explains how the Applicant sought to consider impacts to MOL, public open space and nature reserve in choosing the most appropriate development zone. The design of the Proposed Scheme has been developed with thought from pre planning and optioneering to submission. The **Design Approach Document (Document Reference 5.6)** provides a full account of the design process demonstrating good design and relevant interactions to inform the design, explaining how the Applicant has considered functionality, aesthetics, operational, safety and security requirements and taken account of the iterative EIA process. It outlines specific design commitments for approval in the form of the Design Principles which are structured to align with the National Infrastructure Commission's guidance and a Design Code that will guide the preparation and final detail design of the proposals. These controls are contained in the **Design Principles and Design Codes (Document Reference 5.7)** which has been developed to inform the ongoing design evolution post submission of the DCO Application and to align with the guidance prepared by the National Infrastructure Commission (NIC). Compliance with the Design Principles and Design Code is secured via the DCO Requirements to ensure a good design outcome is achieved. The Proposed Scheme, will be designed to be durable to climate change, as secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**.	The **Design Principles and Design Codes (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. • Reinforcing the Applicant's commitment to Good Design the **Design Principles and Design Codes (REP5-009)** has been updated to include commitment to providing a board level design champion who's brief on the Project Board is to ensure that good design, and the specific Design Principles and Design Codes are embraced by the Principal Contractor(s) and reflected in the final detailed design. The role will ensure that design reviews take place at appropriate intervals and that the outcomes of the reviews are properly implemented; • In addition, the **Design Principles and Design Codes (REP5-009)** now commits to independent design review to ensure ongoing scrutiny of the design process as the Proposed Scheme evolves to construction, through appointment of a third-party master planning consultancy to undertake a supporting role through detailed design, advising the team and ensuring the Design Principles and Design Code are appropriately integrated into the detailed design; • Further, the consultancy will review compliance with the Design Principles and Design Code before that detailed design is submitted to London Borough of Bexley under either Requirement 4 or 12 of the DCO. The results of that review will be provided as part of the statement of compliance that would be submitted for approval under Requirements 4 and 12 of the DCO; • This approach has been agreed with London Borough of Bexley; • Further, the **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. • The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.7.6 Whilst the Applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the Applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process. 4.7.7 Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, Applicants should set out the reasons why the favoured choice has been selected. 4.7.8 Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and Applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority. 4.7.9 Further advice on what Applicants should demonstrate by way of good design is provided in the technology specific NPS where relevant. **Secretary of State decision making** 4.7.10 In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be. 4.7.11 In doing so, the Secretary of State should be satisfied that the Applicant has considered both	The design development process included the identification of mitigation commitments, both as embedded in the design and good practice mitigation. The impact on materials and waste is assessed in **Chapter 16: Minerals and Waste (Volume 1) of the ES (Document Reference 6.1)**. The assessment has concluded that the effects of material consumption and waste generation during the construction phase are not significant. In any event, measures to minimise waste impacts are proposed in the **Outline CoCP (Document Reference 7.4)** and the **Outline Site Waste Management Plan (SWMP) (Document Reference 7.10).** **This demonstrates that the Proposed Scheme complies with Pesponse 5art 4.6 of EN-1.**	mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site; and • The **Outline LaBARDS (AS-094)** alongside and informed by the **Design Principles and Design Code (REP5-009)** ensures the Proposed Scheme, critical national priority infrastructure, is appropriately delivered within its local context.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible. 4.7.12 In considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. 4.7.13 The Secretary of State should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period. 4.7.14 The Secretary of State should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects. [125] 4.7.15 Further advice on what the Secretary of State should expect Applicants to demonstrate by way of good design is provided in the technology specific NPS where relevant.		
Consideration of Combined Heat and Power (CHP) **Part 4.8**	4.8.1 Combined Heat and Power (CHP) is the generation of usable heat and electricity in a single process. A CHP station may either supply steam direct to customers or capture waste heat for low-pressure steam, hot water, or space heating purposes after it has been used to drive electricity generating turbines. The heat can also be used to drive absorption chillers, thereby providing cooling. 4.8.2 In conventional thermal generating stations, the heat that is raised to drive electricity generation is subsequently emitted to the environment as waste. Supplying steam direct to industrial customers or using lower grade heat, such as in district heating networks, can reduce the amount of fuel otherwise	In response to paras 4.8.1 to 4.8.20: The Applicant notes the reference to the DTI 2006 Guidance, and notes that a requirement for a CHP assessment, will 'apply to any application to develop a thermal generating station under the Planning Act 2008'. The Applicant also notes the Environment Agency's CHP Ready Guidance for Combustion and Energy from Waste Power Plants (2013) (the 'Guidance'), which sets out that the Guidance applies to 'new' combustion plants or 'new Energy from Waste (EfW) plants'. However, in the Applicant's view, the Proposed Scheme is not a proposal to 'develop' a generating	In pre-Examination, the Applicant updated the DCO to include Requirement 25, requiring it to develop a Riverside Campus wide Heat Strategy for approval by LBB. In Examination, the role of heat was questioned by Landsul and Munster Joinery, in the context of suggesting that there was insufficient certainty that the heat transfer station proposed as part of the Proposed Scheme (and its associated land take requirements) would be delivered. The Applicant has responded to this suggestion fully in its **Written Summary of Oral Submissions at ISH1 (REP1-025), and its Appendix A (REP1-026);** its **Written Summary of Oral Submissions at CAH2 (REP4-048) and its appendices**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	needed to generate the same amount of heat and power separately. 4.8.3 CHP is technically feasible for many types of thermal generating stations, including nuclear, EfW, BECCS and hydrogen, although the majority of CHP plants in the UK are fuelled by gas. 4.8.4 Using less fuel to generate the same amount of heat and power, reduces emissions, particularly CO2. The government has therefore committed to promoting Good Quality CHP, which denotes CHP that has been certified as highly efficient under the CHP Quality Assurance programme. Schemes need to achieve a specified quality index and power efficiency in order to qualify for government support associated with the programme. 4.8.5 In 2020, there was 6.1GW of Good Quality CHP in the UK, providing 7.7 per cent of electricity128 and saving an estimated 9.66 Megatonnes CO2 per annum. There is a recognised cost-effective potential for Good Quality CHP to continue to provide benefits due to efficiencies inherent in cogeneration. 4.8.6 To be economically viable as a CHP plant, a generating station needs to be located sufficiently close to industrial, non-domestic or domestic customers with heat demands. The distance will vary according to the size and type of the generating station and the nature of the heat demand. 4.8.7 For industrial purposes, customers are likely to be intensive heat users such as chemical plants, refineries, or paper mills. CHP can also be used to provide lower grade heat for light industrial users such as commercial greenhouses, or more commonly for hot water and space heating, including supply through district heating networks. **Applicant Assessment** 4.8.8 Guidance issued by the then Department for Trade and Industry (DTI) in 2006, will apply to any application to develop a thermal generating station under the Planning Act 2008. Applications for thermal	station, nor to build a new EfW plant. The Proposed Scheme is for the installation of Carbon Capture and Storage facilities only, and the Section 35 Direction for the Proposed Scheme has recognised that it does not constitute an extension to one either. As such, a formal 'CHP Assessment' has not been provided for this Proposed Scheme. However, as part of the Applicant's on-going commitment to harnessing opportunities in relation to heat, the Proposed Scheme is being designed to connect to the proposed Riverside Heat Network, which is being developed alongside Riverside 1 and Riverside 2 and the DCO seeks consent for the specific infrastructure for that purpose.	**(REP4-034)** and its **Response to Landsul and Munster Joinery's Deadline 5 submissions (REP6-038).** These documents demonstrate that it is clear that the heat transfer station will be delivered, given Cory and local and national policy commitments.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	stations must either include CHP proposals or contain evidence demonstrating that the possibilities for CHP have been fully explored to inform the Secretary of State's consideration of the application. 4.8.9 In developing proposals for new thermal generating stations, applicants should consider both the current and future opportunities for CHP from the start, and it should be adopted as a criterion when considering locations for a project. 4.8.10 Given how important liaison with potential customers for heat is, applicants should not only consult those potential customers they have identified themselves but also Local Authorities, obtaining their advice on opportunities. Further advice is contained in the 2006 DTI guidance and applicants should also consider relevant information in regional and local energy planning and heat demand mapping. 4.8.11 Where the applicant is not be able to reach an agreement with a potential customer, they should provide evidence demonstrating the reasons for this, and why it will not be reasonably possible to reach an agreement during the lifetime of the thermal station. 4.8.12 Utilisation of useful heat that displaces conventional heat generation from fossil fuel sources is to be encouraged and substantial weight will be given to applications incorporating CHP. If an applicant is putting forward a proposal for thermal generation without CHP they should: • Explain why CHP is not economically or practically feasible • provide details of any potential future heat requirements in the area that have been considered and the reasons the station could not meet them • detail the provisions in the proposed scheme for ensuring any potential heat demand in the future can be exploited, and • provide an audit trail of dialogue between the applicant, prospective customers, the local area energy teams in local government and district heating energy supply companies		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.8.13 CHP may require additional space than for a non-CHP generating station. It is possible that this might conflict with space required for a generating station to be CCR, as set out in Section 4.9. The material provided by applicants should therefore explain how the development can both be ready to provide CHP in the future, and also be CCR, or set out any constraints (for example space restrictions) which would prevent this. **Secretary of State decision making** 4.8.14 Secretary of State should have regard to the DTI 2006 guidance, or any successor to it, when considering the CHP aspects of applications for thermal generating stations. 4.8.15 Given the importance which government attaches to CHP, if an application does not demonstrate that CHP has been adequately considered, the Examining Authority should seek further information from the applicant. 4.8.16 The Secretary of State should not give development consent unless satisfied that the applicant has provided appropriate evidence that CHP is included or that the opportunities for CHP have been fully explored. 4.8.17 If the Secretary of State (or the Examining Authority during the examination stage) is not satisfied with the evidence that has been provided, the Secretary of State (or the Examining Authority during the examination stage) may wish to investigate this with one or more of the bodies such as Local Authorities. 4.8.18 Furthermore, if the Secretary of State (or the Examining Authority during the examination stage), when considering an application for a thermal generating station, identifies a potential heat customer that is not explored in the application (for instance, on the advice of the Local Authorities), the Secretary of State (or the Examining Authority during the		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	examination stage) should request that the applicant pursues this. 4.8.19 The Secretary of State may also be aware of potential developments (for example from the applicant or a third party) which could utilise heat from the plant in the future, for example planned housing, and which is due to be built within a timeframe that would make the supply of heat cost-effective. Where it may be reasonably possible for the applicant to reach agreement with a potential heat customer during the lifetime of the station, the Secretary of State may wish to impose requirements to ensure that the generating station is CHP-ready and designed in order to allow heat supply at a later date. 4.8.20 If satisfied that the applicant has demonstrated that the need to comply with the requirement to be CCR will preclude any provision for CHP, the Secretary of State will not impose requirements to ensure that the generating station is CHP-ready.		
Carbon Capture and Storage (CCS) **Part 4.9**	4.9.1 CCS is a technology that enables carbon dioxide that would otherwise be released to the atmosphere to be captured and permanently stored. It can be applied to any large point source of carbon dioxide, such as thermal generating power stations or other industrial processes that are high emitters. 4.9.2 Examples of three types of capture technology are: • Pre-combustion capture: this method involves reacting fuel with oxygen or air, and in some cases steam, to produce a gas consisting mainly of carbon monoxide and hydrogen. The carbon monoxide is reacted with more steam in a catalytic shift converter to produce more hydrogen and CO2. The CO2 is then separated, and the hydrogen is used as fuel in a combined cycle gas turbine generating station. • Post-combustion capture: this uses solvents or other methods to scrub CO2 out of flue gases. The CO2 is then released as a concentrated gas stream by a regeneration process.	<u>In response to paras 4.9.1 - 4.9.9:</u> When operational the Proposed Scheme will provide post-combustion carbon capture technology to capture 95% of CO_2 emitted from Riverside 1 and 95% from Riverside 2, approximately 1.3Mt of CO2 per year. It is therefore considered by the Applicant that the Proposed Scheme supports the Government's approach to and encouragement of carbon capture technology set out in these paragraphs as its core function is to provide CCS infrastructure. Although the Proposed Scheme does not involve a generating station with CCS, it is noted that **Chapter 6: Noise and Vibration (Volume 1) of the ES (Document Reference 6.1)** concludes that no likely significant effects from noise impacts arise as a result of the Proposed Scheme. As outlined in the **Other Consents and Licences Statement (Document Reference: 5.5)** an application will be made to the Environment Agency for an Environmental Permit for the Carbon Capture Facility. The details of how the Proposed Scheme will operate, and the technique that will be used to capture carbon	During Examination, the Seventh Carbon Budget recommended by the CCC was published on February 26th 2025. In that budget, in addition to increased recycling and a reduction in food waste, a key element of the Balanced Pathway for waste is that 'CCS is installed to capture 90-95% of emissions from EfW.' (Seventh Carbon Budget, page 247). The Seventh Carbon Budget makes clear that even with future step changes in waste management - including the near elimination of biodegradable waste sent to landfill by 2028 and the near elimination of all waste sent to landfill by 2045 – there remains an integral role for CCS with EfW, not least 'to balance out the residual emissions remaining in the waste sector. These residual emissions mostly come from hard-to-abate process emissions in wastewater, mechanical biological treatment, legacy methane emissions from landfill, and uncaptured CO2 from EfW with CCS.' (Seventh Carbon Budget, pages 248 and 249). During Examination, the Applicant has also highlighted other publications which support CCS at EfW plants: The Oxford Institute for Energy Studies May 2024 report 'Carbon capture from energy from waste: A low hanging fruit for CCS deployment in the UK?' (submitted to the Examination as

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• Oxy-fuel combustion: in this process, fuel is burnt in an oxygen/CO2 mixture rather than air to produce a flue gas that is predominantly CO2. For gas-fired plants the technology could be used with a combined cycle system. Other oxy-fuel combustion power CCS plants are being developed using novel non-combined cycle systems. 4.9.3 Carbon capture rates achieved will depend on the application and a minimum capture rate may be required. 4.9.4 Carbon capture technologies offer the opportunity to decarbonise the electricity system whilst maintaining security of supply, providing reliable low carbon generation capacity. 4.9.5 The government has made its ambitions for CCS clear - committing to providing funding to support the establishment of CCS in at least four industrial clusters by 2030 and supporting, using consumer subsidies, at least one privately financed gas CCS power station in the mid-2020s. In October 2021, the government published its Net Zero Strategy which reaffirmed the importance of deploying CCUS to reaching our 2050 net zero target and also outlines our ambition to capture 20-30Mt of CO2 per year by 2030. 4.9.6 The barriers to CCS deployment to date have been commercial rather than technical, and the business models, which may evolve over time, aim to support the deployment of the technology. 4.9.7 Part 3 of this NPS sets out the need for CCS and the role power CCS could play in our electricity system in more detail. 4.9.8 CO_2 can be permanently stored in deep geological formations, such as depleted oil and gas fields and saline aquifers. In the UK, the majority of locations thought to be best suited to storage of CO2 are located offshore. The UK has an estimated offshore CO2 storage capacity of 78Gt/CO2, enough	is set out in **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)**. CO_2 is not currently classed as a Hazardous Substance under the COMAH Regulations; therefore, the Proposed Scheme does not fall under COMAH Regulations 2015. **Chapter 5: Air Quality** and **Appendix 5-2: Operational Phase Assessment** of the ES set out how the Applicant has considered impacts to human health from amines and applies the latest research in regards to amine degradation. The CO_2 will be temporarily stored onsite in a liquid form (LCO_2) and then loaded and transported via ship for permanent sequestration underground. The supply chain and potential transportation and storage of LCO_2 has been considered as part of the development of the Proposed Scheme to ensure it is compatible with the operational model of available storage sites. The Applicant has signed an exclusivity agreement with the Viking Transport and Storage system. This involves the receipt of shipped carbon at the Port of Immingham (via a new Green Terminal, the DCO application for which is in Examination) the onshore piping of that carbon to Theddlethorpe (the DCO application for which is in Examination) to join to an existing offshore pipeline to take the carbon to the storage site (with an additional offshore extension at the other end of the pipeline still to be consented). The transportation and underground storage of LCO_2 does not form part of the Proposed Scheme, albeit impacts from it have been considered contextually in **Chapter 13: Greenhouse Gases (Volume 1) of the ES (Document Reference 6.1)**. The availability of alternative potential storage sites is outlined in **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** and a proxy alternative Transport and Storage location of the Northern Lights project (the storage site for which has consent) has also been considered in **Chapter 13: Greenhouse Gases (Volume 1) of the ES (Document Reference 6.1).**	**Appendix E to the Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)**) and DESNZ report: CCUS: non-pipeline transport and cross border CO2 networks – call for evidence consultation' (submitted to the Examination as **Appendix G to the Applicant's Response to Relevant Representations (AS-044)**). During Examination, Interested Parties queried the process for controlling the carbon capture rate. The Applicant has responded in its **Written Summary of the Applicant's Oral Submission at CAH1 (REP-028)** and in its response to SCNR's Deadline 1 submissions (at **REP2-019**, Table 2-3-4, page39) and Deadline 2 submissions (at **REP3-034**, Tables 2.5.32 to 2.5.37). In summary, the Carbon Capture Facility will be designed to capture at least 95% of the emissions of carbon dioxide from Riverside 1 and Riverside 2 and it will be operated under an Environmental Permit that will control the capture rate. The Secretary of State is dictated by policy to rely on the fact that the permitting regime will control emissions, including carbon emissions and does not need to duplicate any controls within the DCO. The Applicant set out the latest position on permit discussions with the Environment Agency in its **Written Summary of Oral Submissions at ISH2 (REP4-035).** The **Air Quality Neutral Statement (REP3-032)** was also submitted as part of the Examination.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	to store the equivalent of current total UK annual emissions for over 200 years. 4.9.9 The development of an offshore CO2 storage industry will play a key role in helping to ensure the transition to a net zero economy. Establishing an offshore storage industry could also make the UK a global leader in storage services as countries eager to meet emissions targets pursue carbon capture. Efficiently maximising our offshore CO2 storage capacity offers the best opportunity to realise our ambitions for CO2 storage as set out in the Ten Point Plan. Government do not currently envisage an onshore CO2 storage industry developing against this backdrop. 4.9.10 Offshore CO2 transport and storage infrastructure is not covered by this NPS, is subject to a separate permitting and licensing regime, and will require an Applicant to secure a Carbon Dioxide Appraisal and Storage Licence and a Storage Permit; a Carbon Storage Lease and a Seabed Lease; offshore pipelines require a Pipeline Works Authorisation and notification in accordance with Pipelines Safety Regulations. Offshore CO2 transport and storage proposals will need to be supported by an EIA. A suite of environmental approvals will also be required for the construction, development, and the operational phase. **Applicant assessment** 4.9.11 The carbon capture plant required for a new build power CCS plant can be included as associated development in the application for development consent for the relevant thermal generating station and will then be considered as part of that application. 4.9.12 The environmental impacts of a gas-fired power CCS station should be similar to an unabated gas-fired power station, and so the assessment principles for the generating station covered in EN-2 should be similarly applied. 4.9.13 Carbon capture facilities could be significant in size - they may require additional space to the generating facility which will need to be included within	It is noted that the DCO Application is for a CCS project and the Applicant considers that that therefore a CCR Assessment, in line with the provisions of part 4.9 of the NPS, is not required for the Proposed Scheme. In any event it is noted that the Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013 ('the Regulations') apply only to a 'relevant consent order', which is one for: the '*construction of a combustion plant with a rated electrical output of 300 megawatts or more*'; or 'for a relevant extension', meaning '*an extension to a combustion plant which will have the effect of increasing the rated electrical output of the plant to 300 megawatts or more*'. It is the Applicant's position that: • the Proposed Scheme does not involve the construction of a combustion plant of any form, only Carbon Capture and Storage facilities, and the rated electrical output of Riverside 1 and Riverside 2 is not of 300 megawatts or more; • in any event, energy from waste facilities do not fall within the definition of a combustion plant as stated in the Regulations – they fall under the exempt categories in under Article 28(j) of Directive 2010/75/EU (which the Regulations refer to); and • even if the Proposed Scheme were a combustion plant, it is not a 'relevant extension' because, as per the Regulations, it does not have the effect of increasing the rated electrical output of Riverside 1 and Riverside 2 to 300 megawatts or more. Furthermore, the section 35 direction for the Proposed Scheme makes clear that it is not an extension: '*The Secretary of State does not consider that, in this case, the carbon capture element of the Proposed Project constitutes an extension of the generating station*'. As such, it is considered that no further consideration of this part of the NPS is required.	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	the design and EIA. For example, the main direct contact cooler, CO2 absorber column and regenerator towers in post-combustion plants can be tall, but the overall size will be dependent on the technology and design. 4.9.14 The carbon capture plant will have noise and vibration impacts. Applications for development consent for generating stations with CCS should provide evidence that shows: a) technically feasible plans for the CO2 capture plant; and b) an ES that addresses impacts arising from the project and documentation to ensure compliance with all other existing policy, including that any of the plant's capacity which is not to be fitted with carbon capture at the outset meets the requirements for Carbon Capture Readiness (CCR). 4.9.15 An Environmental Permit will also be required from the Environment Agency (EA) or Natural Resources Wales (NRW) which incorporates conditions for operation of the carbon capture and storage installation, including limits on pollutant emissions. Section 4.12 provides guidance on the Environmental Permitting regime. 4.9.16 There are several different capture techniques which might have slightly different environmental impacts and considerations, which should be set out in the application. For example, some capture technologies may require hazardous substances consent for solvents required during the capture process, such as nitrosamines, and fall under Control of Major Accident Hazards (COMAH) solvents such as nitrosamines. For example, the use of amine-based solvents in some types of post-combustion carbon capture can create degradation products such as nitrosamines which may have impacts on human health and the environment. Best Available Techniques (BAT) guidance, assessment tool Horizontal 1 and Environmental Assessment Levels should be used when understanding impacts from capture solvents. The ES should also reflect the latest	**In light of all the above, the Proposed Scheme is clearly consistent with the policy contained within Part 4.9 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	research in areas such as amine degradation where understanding is still developing. 4.9.17 For example, some capture technologies may require hazardous substances consent for solvents required during the capture process, such as nitrosamines, and fall under Control of Major Accident Hazards (COMAH) solvents such as nitrosamines. 4.9.18 The chain of CCS has three links: capture of carbon, transport, and storage. Due to the approach of deploying CCS in clusters in the UK with shared transport and storage infrastructure, it is likely that development consent applications for power CCS projects may not include an application for consent for the full CCS chain (including the onward transportation and storage of CO2). 4.9.19 However, development consent applications for power CCS projects should include details of how the captured CO2 is intended to be transported and stored, how cumulative impacts will be assessed and whether any necessary consents, permits and licences have been obtained. 4.9.20 Applicants gaining consent for CCS infrastructure will need a range of consents from different bodies. One method for transporting captured carbon dioxide is through pipelines located both onshore and offshore. Onshore pipelines over 16.093 kilometres in length classify as NSIPs and require Development Consent Order. 4.9.21 Applicants are expected to take into account foreseeable future demand when considering the size and route of their investments. Applicants may therefore propose pipelines with a greater capacity than demand at the time of consenting might suggest. 4.9.22 Another method for transporting carbon dioxide is by ship. Ports would enable the transfer of carbon dioxide from onshore infrastructure onto ships. Ports and associated infrastructure that process at least 5Mt of material (including CO2) per year would qualify as NSIP Projects and require a Development Consent Order from the Department for Transport. Such		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	applications would be considered under the National Policy Statement for Ports, but the need for CCS infrastructure set out in this NPS is likely to be a relevant consideration. Port development falling outside of NSIP Projects would likely require a marine licence (see para 4.5.6) and local planning consent. **Secretary of State decision making** 4.9.23 CCS infrastructure will need a range of consents from different bodies. The Secretary of State should have regard to advice from these bodies and consider specifically advice from the EA or NRW as to the technical feasibility of the proposed carbon capture technology. **Carbon Capture Readiness Policy** is then set out in paragraphs 4.9.25 to 4.9.38.		
Climate Change Adaption and Resilience **Part 4.10**	4.10.1 Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS. 4.10.2 Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening. 4.10.3 To support planning decisions, the government produces a set of UK Climate Projections National Adaptation Programme. as well as hazard-specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power will ensure that reporting authorities (a defined list of	<u>In response to paras 4.10.1 - 4.10.19:</u> Consideration of the requirement to adapt to climate change has been considered throughout the design and selection process of the Proposed Scheme. **Chapter 12: Climate Resilience (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of climate change on the Proposed Scheme (rather than the effects of the Proposed Scheme on climate) during construction and operation. The assessment concludes that no additional design, mitigation or enhancement measures are proposed for climate resilience during the construction phase. During operation, the implementation of a series of mitigation measures will result in the residual effects being not significant. The application of climate resilient design is secured through a requirement in the **Draft DCO (Document Reference 3.1)**. **Appendix 11-2: Flood Risk Assessment (FRA) of ES Volume 3 (Document Reference 6.3)** considers flood risk to the Proposed Scheme, including accounting for climate change allowances and suggests a number of mitigation measures to ensure that the critical aspects of the Proposed Scheme are not seriously affected. These are secured through a requirement in the **Draft DCO (Document Reference**	No update required, however the following documents have been updated as part of the Examination: • **Draft DCO (as updated as part of this submission);** • **Appendix 11-2: Flood Risk Assessment (FRA) of the Environmental Statement (Volume 3) (AS-023);** • **Outline Drainage Strategy (AS-027); and** • **Outline Emergency Preparedness and Response Plan (REP4-014).** Further modelling was also undertaken in **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**, to account for discussions with the Environment Agency in respect of the development platform. This modelling accounted for climate change allowances.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change. 4.10.4 The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPS provide additional information on climate change adaptation and should be read alongside this section. (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration). **Applicant assessment** 4.10.5 In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation Applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. 4.10.6 Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits. 4.10.7 In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere). 4.10.8 New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, Applicants must consider the direct (e.g. site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g. access roads or other critical dependencies impacted by flooding, storms, heatwaves or wildfires) impacts of	**3.1)**, as is a process for future adaptability if the design life of the Proposed Scheme is extended. An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that foul and surface water drainage have been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage and will inform spatial planning across the development. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy (Document Reference 7.2)** will be used to inform the full drainage design that will be undertaken at the detailed design stage of the Proposed Scheme and presented in the detailed drainage strategy brought forward for approval, as secured through a requirement in the **Draft DCO (Document Reference 3.1)**. **Chapter 13: Greenhouse Gas (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on greenhouse gases during construction and operation. As detailed above, the Proposed Scheme would have significant beneficial effect on GHG emissions during operation. Construction emissions will be minimised through design optimisation, therefore no significant effects on GHG emissions are anticipated during construction. In addition, the Applicant has proposed mitigation measures to drive down GHG emissions at all stages of the development. Measures for managing risk from identified climate variables during the construction phase will be managed through the **Outline CoCP (Document Reference 7.4)** and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The **Outline Emergency Preparedness and Response Plan (Outline EPRP) (Document Reference 7.11)** is submitted with the Application, incorporates measures to manage extreme weather events and consequences such as risk of fire from overheating and flooding, during operation.	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. 4.10.9 The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations. 4.10.10 Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time. 4.10.11 Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections. 4.10.12 Where energy infrastructure has safety critical elements, the Applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation. **Secretary of State decision making** 4.10.13 The Secretary of State should be satisfied that Applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA's Climate Change Allowances for Flood Risk Assessments or the Welsh Government's Climate change allowances and flood consequence assessments) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover	Across each chapter of the **ES (Volume 1) (Document Reference 6.1)** the impact of the Proposed Scheme has been considered cumulatively where the inter-dependencies of impacts are then assessed. Impacts have then either been mitigated or justified accordingly. The design of the Proposed Scheme means that it is resilient to any potential impacts arising from climate change. The ES concludes that with the addition of mitigation and enhancement that all the effects of climate change on the Proposed Scheme will be considered not significant. **This demonstrates that the Proposed Scheme complies with Part 4.10 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	the estimated lifetime of the new infrastructure, including any decommissioning period. 4.10.14 Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the Applicant. 4.10.15 The Secretary of State should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. 4.10.16 If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS. 4.10.17 Any adaptation measures should be based on the latest set of UK Climate Projections, the government's latest UK Climate Change Risk Assessment, when available and in consultation with the EA's Climate Change Allowances for Flood Risk Assessments or the Welsh Government's Climate change allowances and flood consequence assessments. 4.10.18 The Secretary of State may take into account reporting authorities' reports (see paragraph 4.10.4 above) to the Secretary of State when considering adaptation measures proposed by an Applicant for new energy infrastructure.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.10.19 Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the Secretary of State may consider requiring the Applicant to keep the need for the adaptation measure under review, and ensure that the measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls).		
Network Connection **Part 4.11**	4.11.1 The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend a generation plant. 4.11.2 In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated. 4.11.3 To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission. 4.11.4 Transmission network infrastructure, and related network reinforcement and upgrade works, associated with nationally significant low carbon infrastructure is considered as CNP Infrastructure. Further guidance can be found in Section 4.2 of this NPS and EN-5. **Applicant assessment** 4.11.5 The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional DNO or TSO to secure a grid connection.	In response to paras 4.11.1 – 4.11.10: **Section 3 of the Planning Statement (Document Reference 5.3)** confirms that the Proposed Scheme will not generate electricity. Power for the Proposed Scheme will be sourced from Riverside 1 and Riverside 2. **Part 4.11 of EN-1 is not considered further**	In Examination, Landsul and Munster Joinery have queried the Applicant's approach to electrical supply for the Proposed Scheme. The Applicant's has set out its position in: • **the Applicant's Written Summary of Oral Submissions at ISH1 (REP1-024);** • **the Applicant's Follow Up Submission to Rule 17 Response (AS-083);** • **Written Summary of Oral Submissions at CAH2 (REP4-048) and its Annex E (REP4-038);** and • **its Response to Landsul and Munster Joinery's Deadline 5 submissions (REP6-038).** The Applicant maintains that the provision of a power supply to the Carbon Capture Facility at 132kV needs to be included in the DCO, and that the alternatives 11KV solutions put forward by Landsul and Munster Joinery are not 'reasonable alternatives' to the 132kV approach put forward by the Applicant.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.11.6 Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application. In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible. 4.11.7 The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the Secretary of State or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall. 4.11.8 On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements160 and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused. 4.11.9 If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.11.10 It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms161 as outlined in EN-5. **Secretary of State decision making** 4.11.11 The Secretary of State should consider guidance contained within EN-5. 4.11.12 The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted. 4.11.13 Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State's ability to take subsequent decisions on any related projects.		
Pollution Control and Other Environmental Regulatory Regimes **Part 4.12**	4.12.1 Issues relating to discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes, for example local planning consent or marine licences (see paragraph 4.4.6 for more information). 4.12.2 The planning and pollution control systems are separate but complementary. The planning system controls the development and use of land in the public interest. It plays a key role in protecting and improving the natural environment, public health and safety, and amenity, for example by attaching conditions to allow developments which would otherwise not be environmentally acceptable to proceed and preventing harmful development which cannot be made acceptable even through conditions. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health.	In response to paras 4.12.1 - 4.12.4: **Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1)** assesses the potential impacts on air quality as a result of the Proposed Scheme. The assessment considers the Environment Targets (Fine Particulate Matter) (England) Regulations 2022, and associated Defra guidance. Mitigation measures for construction dust impacts are included within the **OCoCP (Document Reference 7.4)** for the Proposed Scheme, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The assessment concludes that with the mitigation measures in place a negligible (not significant) effect to air quality during construction phase is anticipated. Air quality modelling has been undertaken in **Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1)** to demonstrate compliance with environmental limits in the operational phase, particularly regarding the amine degradation products in the flue gas. No likely significant effects are assessed for the operational phase, with the implementation of the parameters that are secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Operational procedure measures will be secured via Environmental Permit.	No update required, however supplemented by the following documents submitted as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** • **Draft DCO (as updated as part of this submission);** and • **Outline Drainage Strategy (AS-027).** During Examination, the Applicant has also referenced this policy as providing sufficient assurance to the Secretary of State that the capture rate for the Carbon Capture Facility will be controlled through the permitting process.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.12.3 Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting Regulations require industrial facilities to have an Environmental Permit and meet limits on allowable emissions to operate. 4.12.4 Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are, will now be determined through a new UK-specific BAT process. **Applicant assessment** 4.12.5 Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government. 4.12.6 Many projects covered by this NPS will be subject to the Environmental Permitting Regulations, which also incorporates operational waste management requirements for certain activities. When an Applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant Environmental Permitting Regulations requirements. 4.12.7 Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other consents, such as marine licences. 4.12.8 Wherever possible, Applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent.	As outlined in the **Other Consents and Licences Report (Document Reference 5.5)** an application will be made to the Environment Agency for an Environmental Permit. A Deemed Marine Licence is included in the Draft DCO submitted with the DCO Application. In response to paras 4.12.5 - 4.12.8: Consultation has been undertaken with the relevant pollution control authorities as is detailed in the **Consultation Report (Document Reference 5.1) Appendix 4-2: the EIA Scoping Opinion Responses of Volume 3 of the ES (Document Reference 6.3)** and within each relevant **ES Chapter within Volume 1 (Document Reference 6.1)**. The Applicant undertook early engagement with the MMO, as set out in the **Consultation Report (Document Reference 5.1)** and engagement is ongoing. In response to paras 4.12.9 - 4.12.16: The **ES Volume 1 (Document Reference 6.1)** demonstrates that there are no existing sources of pollution in and around the Order Limits which would make the development unacceptable when considered cumulatively alongside the Proposed Scheme. In addition, the **Outline CoCP (Document Reference 7.4)** which is secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, seeks to control emissions and pollution during construction. The **Outline Drainage Strategy (Document Reference 7.2)** will ensure that pollution to waterbodies in operation is also avoided **This demonstrates that the Proposed Scheme complies with Part 4.12 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Secretary of State decision making 4.12.9 In considering an application for development consent the Secretary of State should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves. 4.12.10 The Secretary of State should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The Secretary of State should act to complement but not seek to duplicate them. 4.12.11 The Secretary of State's consent may include a deemed marine licence and the MMO will advise on what conditions should apply to the deemed marine licence. 4.12.12 The Secretary of State and the MMO, or NRW, should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation. 4.12.13 In considering the impacts of the project, the Secretary of State may wish to consult the regulator on any management plans that would be included in an Environmental Permit application. 4.12.14 The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts. 4.12.15 Working in close cooperation with the EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the Secretary of State should be satisfied, before consenting any potentially polluting developments, that: • the relevant pollution control authority is satisfied that potential releases can be		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	adequately regulated under the pollution control framework. • the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits. 4.12.16 The Secretary of State should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the Secretary of State to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.		
Safety **Part 4.13**	4.13.1 In addition to its role in the planning system, the HSE is the independent regulator for workplace health and safety and is responsible for enforcing a range of health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. 4.13.2 Some technologies, for example major accident hazard pipelines, will be regulated by specific health and safety legislation. The application of these regulations is set out in the technology specific NPS where relevant. 4.13.3 Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e., from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear) and the EA acting jointly in England and by the HSE and NRW acting jointly in	<u>In response to paras 4.13.1 - 4.13.8:</u> The HSE was consulted as part of the Statutory Consultation process. The Applicant will continue to engage with the HSE to ensure that the Proposed Scheme adheres to and complies with relevant health and safety legislation. The Applicant has committed to constructing and managing the Proposed Scheme in accordance with the following non-exclusive list of standards and systems: • Programme of hazard studies of the Carbon Capture Facility to produce an inherently safe design and to ensure residual risks are managed to be as low as reasonably practicable (ALARP); • Environmental, Health & Safety Management systems; • CDM Health & Safety Plan; (relevant to construction phase only); • Supplier management environmental, health & safety standards (e.g., Construction Skills Certification Scheme); • Risk management systems;	No update required, however supplemented by the following document submitted as part of the Examination: • **Written Summary of the Applicant's Oral Submissions at Compulsory Acquisition Hearing 2 (CAH2) (Document Reference 9.24)** in which some of the aspects of the development of the Proposed Scheme that will contribute to safe construction, operation and maintenance have been described in more detail. For example, the compulsory acquisition of the Thames Water Access Road and plant layout provides a single, contiguous site and sufficient space within the plant to facilitate effective construction, operational and maintenance access around the plant; and • **Outline Code of Construction Practice (REP5-013).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. 4.13.4 The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes. **Applicant assessment** 4.13.5 Applicants should consult with the HSE on matters relating to safety. 4.13.6 Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. 4.13.7 If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents. **Secretary of State decision making** 4.13.8 The Secretary of State should be satisfied that a safety assessment has been prepared, where required, and that the Competent Authority raised no safety objections.	• **Outline CoCP (Document Reference 7.4)** for construction phase environmental mitigation; • **Outline EPRP (Document Reference 7.11)** for operation phase emergency preparedness and response planning; and • **Appendix 19-1: Preliminary Navigational Risk Assessment (Volume 3) of the ES (Document Reference 6.3)** for construction and operation phase navigational risk management. **Chapter 20: Major Accidents and Disasters (Volume 1) of the ES (Document Reference 6.1)** confirms that based on the assumptions and mitigation measures as put forward in other relevant ES chapters, it is considered that the risk of identified potential construction and operational phase major accident(s) and/ or disaster(s) events would all be managed to be as low as reasonably practicable (ALARP). **This demonstrates that the Proposed Scheme complies with Part 4.13 of EN-1.**	
Hazardous Substances **Part 4.14**	4.14.1 All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.'. 4.14.2 The Hazardous Substances Authority (HSA) has responsibility for deciding whether the risk of storing hazardous substances is tolerable for the community. The HSA will usually be the local planning authority. In some circumstances, the county council are the HSA. 4.14.3 HSE is a statutory consultee on applications for hazardous substances consent. HSE is required to undertake detailed assessment work before producing its public safety statutory advice and the supporting	In response to paras 4.14.1 - 4.14.7: The Hydrogen Project is no longer proposed as part of the Proposed Scheme and the Proposed Scheme will otherwise not be regulated under the Control of Major Accident and Hazards (COMAH) Regulations, 2015[i]. CO_2 and LCO_2 are not currently classed as a Hazardous Substance under the COMAH Regulations and as such the Site would remain a non-COMAH site with the Proposed Scheme in place. **This demonstrates that the Proposed Scheme complies with Part 4.14 of EN-1.**	No update required and no revisions to existing documents.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	consultation distances. This involves HSE considering the compatibility of the proposal outlined in the application (e.g., to store defined quantities of each hazardous substance in specific locations on site) against the risks to the offsite population. HSE advice takes into account existing and potential developments in the area. The aim of HSE's advice is to mitigate the effects of a major accident on the populations around a major hazard site or pipeline. 4.14.4 Where HSE does not advise against the Secretary of State granting the consent, it will also recommend whether the consent should be granted subject to any requirements. **Applicant assessment** 4.14.5 Applicants must consult the (HSA) and HSE at pre-application stage if the project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety. 4.14.6 HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The Applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register. **Secretary of State decision making** 4.14.7 Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The Secretary of State should consult HSE about this.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
Common Law Nuisance and Statutory Nuisance **Part 4.15**	4.15.1 Section 158 of the Planning Act 2008 confers statutory authority for carrying out development consented to by, or doing anything else authorised by, a Development Consent Order. 4.15.2 Such authority is conferred only for the purpose of providing a defence in any civil or criminal proceedings for nuisance. This would include a defence for proceedings for nuisance under Part III of the Environmental Protection Act 1990 (EPA) (statutory nuisance) but only to the extent that the nuisance is the inevitable consequence of what has been authorised. 4.15.3 The defence does not extinguish the local authority's duties under Part III of the EPA 1990 to inspect its area and take reasonable steps to investigate complaints of statutory nuisance and to serve an abatement notice where satisfied of its existence, likely occurrence or recurrence. 4.15.4 The defence is not intended to extend to proceedings where the matter is "prejudicial to health" and not a nuisance. **Applicant Assessment** 4.15.5 At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be identified by the Applicant so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration). **Secretary of State decision making** 4.15.6 At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the Secretary of State so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).	<u>In response to paras 4.15.1 - 4.15.7:</u> It is not expected that there would be a breach of Section 79(1) of the EPA 1990 during construction or operational activities. The construction activities that have the potential to create a nuisance would be controlled through the full CoCP which would be produced by the Construction Contractor(s) subject to a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, to be substantially aligned with the **Outline CoCP (Document Reference 7.4)** which secures the construction-related mitigation identified in the **ES (Document Reference 6.1 – 6.4)**. Further detail is set out in the **Statement of Statutory Nuisance (Document Reference 5.9**). **This demonstrates that the Proposed Scheme complies with Part 4.15 of EN-1.**	The following documents were updated as part of the Examination: • **Draft DCO (as updated as part of this submission);** and • **Outline Code of Construction Practice (REP5-013).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	4.15.7 The Secretary of State should note that the defence of statutory authority is subject to any contrary provision made by the Secretary of State in any particular case in a Development Consent Order (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the Secretary of State can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.		
Security Considerations Part 4.16	4.16.1 National security considerations apply across all national infrastructure sectors. 4.16.2 DESNZ works closely with government security agencies including the National Protective Security Authority (NPSA) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation. 4.16.3 In the UK's civil nuclear industry, security is also independently regulated by the Office for Nuclear Regulation (ONR). 4.16.4 Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Where applications for development consent for infrastructure covered by this NPS relate to potentially 'critical' infrastructure, there may be national security considerations. 4.16.5 DESNZ will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified. **Applicant assessment** 4.16.6 Where national security implications have been identified, the Applicant should consult with relevant security experts from NPSA, ONR (for civil nuclear) and/or DESNZ to ensure security measures have been adequately considered in the design process	<u>In response to paras 4.16.1 - 4.16.10:</u> The Applicant does not consider the Carbon Capture Facility to be 'critical' infrastructure from a safety/security point of view. Specifically, the Proposed Scheme does not fall into the definition of critical infrastructure developed by NPSA and no national security considerations are considered to apply. The Carbon Capture Facility will be a secured site and will have security fencing installed around the full site boundary, CCTV and site lighting infrastructure including lighting columns. Further details are contained in the **Design Approach Document (Document Reference 5.6)**. In addition, **Chapter 20: Major Accidents and Disasters (Volume 1) of the ES (Document Reference 6.1)** concludes that with the assumptions and mitigation measures put forward in other relevant technical chapters, it is considered that the identified potential major accident(s) and/or disaster(s) events would all be managed to be as low as reasonably practicable (ALARP). **This demonstrates that the Proposed Scheme complies with Part 4.16 of EN-1.**	No update required and no revisions to existing documents.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	and that adequate consideration has been given to the management of security risks. 4.16.7 The Applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application. Secretary of State decision making **Secretary of State decision making** 4.16.8 If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the Secretary of State, it will provide confirmation of this to the Secretary of State. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. 4.16.9 In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence may take place in a closed session as set out under Examination Procedure Rules. 4.16.10 The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government's Environmental Improvement Plan 2023.		
5 Generic Impacts			
Air Quality and Emissions **Part 5.2**	5.2.1 Energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).	In response to paras 5.2.1 – 5.2.19: The **ES (Document Reference 6.1 – 6.4)** has considered the impacts of the Proposed Scheme on Air Quality, demonstrated in **Chapter 4: EIA Methodology (Volume 1) of the ES (Document Reference 6.1)**. **Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1)** assesses the potential impacts on air quality as a result of the Proposed Scheme. This is in light of the fact that the Proposed Scheme is not proposed near a sensitive receptor site.	The Applicant has undertaken positive discussions with Natural England in relation to the air quality impacts from the Proposed Scheme on ecological designated sites as detailed in **Natural England Statement of Common Ground (REP6-035)**. The Applicant and Natural England have agreed on the following: • An in-combination assessment for Epping Forest SAC would not address the key issue at this SAC which is impact from vehicle emissions. It is considered that the Proposed Scheme would have a low risk of undermining the conservation integrity of the site in combination with other projects (including those much closer to the SAC, such as adjacent vehicle

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.2.2 Legal limits for pollutants in ambient air are set out in the Air Quality Standards Regulations 2010 and for England, national objectives set out in the Air Quality (England) Regulations 2000 reiterated in the Air Quality Strategy, or for Wales, the Air Quality (Wales) Regulations 2000 and the Clean Air Plan for Wales In addition, two fine particulate matter (PM2.5) targets were set under the Environment Act 2021 for England – an annual mean concentration target and a population exposure target. Internationally agreed emissions commitments are set in the National Emission Ceilings Regulations 2018 and establish limits for total UK emissions of key pollutants. 5.2.3 For many air pollutants there is not a threshold below which there is no health impact so it is important that energy infrastructure schemes consider not just how a scheme may impact statutory air quality limits, objectives or targets but also measures to mitigate all emissions in order to minimise human exposure to air pollution, especially for those who are more susceptible to the impacts of poor air quality. 5.2.4 In addition, a particular effect of air emissions from some energy infrastructure may be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of Nox and ammonia. The main emissions from energy infrastructure are from generating stations. Eutrophication can affect plant growth and functioning, altering the competitive balance of species and thereby damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal blooms, which remove oxygen from the water, adversely affecting plants and fish. The effects on ecosystems can be short term or irreversible and can have a large impact on ecosystem services such as pollination, aesthetic services and water supply. 5.2.5 Operational emissions from combustion plant are controlled through Environmental Permits. The relationship between environmental permitting and planning systems is set out in Section 4.12. Emissions from combustion plants are generally released through exhaust stacks. Design of exhaust stacks,	The assessment identified that some effects arising from construction dust during construction and changes to emissions during operation could occur. However, with appropriate mitigation methods and controls in place during the construction and operation phases of the Proposed Scheme, it has been determined that the residual effect on Air Quality in both phases is not significant. Mitigation measures for construction dust impacts is included within the **Outline CoCP (Document Reference 7.4)** for the Proposed Scheme and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Operational measures are secured through the parameters secured through the **Draft DCO (Document Reference 3.1)** and through the proposed Environmental Permit. The assessment also sets out the air quality baseline and relative changes in concentrations as a result of the Proposed Scheme, as well as the absolute emission levels of the Proposed Scheme with primary mitigation in place. The assessment considers the Environment Targets (Fine Particulate Matter) (England) Regulations 2022, associated Defra guidance. It uses DEFRA, other industry standard guidance and its own modelling to assess the impacts set out in **Appendix 5-1 and Appendix 5-2 of the ES (Volume 3) (Document Reference 6.3).** The Proposed Development will not lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a noncompliant area to achieve compliance. Air quality modelling has been undertaken and the conclusions demonstrate compliance with environmental limits, particularly regarding the amine degradation products in the flue gas. In respect of cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on air quality as a result of in-combination effects with other plans and projects.	emissions), so an in-combination assessment at the SAC is not required; • Emissions Limit Values (ELVs) can be considered as appropriate embedded mitigation and will be secured by Requirement 14 of the **Draft DCO (as updated as part of this submission);** and • Natural England confirmed agreement with the findings of the cumulative impact assessment for the Inner Thames Marshes SSSI, presented as a Technical Note. In particular, Natural England and the Applicant agree that no significant effects on the Inner Thames Marshes SSSI are likely to occur as a result of the Proposed Scheme, when considered alongside other committed developments. It is also noted that in response to queries from the ExA and LBB, the **Design Principles and Design Code** (**REP5-009)** was updated to strengthen commitments with regards to back-up generator positioning – in particular principles DP_PL 1.11 and DC_CCF 1.9. Schedule 16 of the **Draft DCO (as updated as part of this submission)** and the **Mitigation Schedule (REP1-010)** has also been updated through Examination in response to queries. **The Air Quality Neutral Statement (REP3-032)** was also submitted, further to comments from the GLA. The above response is supplemented by the following document updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	particularly height, is the primary driver for the delivery of optimal dispersion of emissions and is often determined by statutory requirements. The optimal stack height is dependent upon the local terrain and meteorological conditions, in combination with the emission characteristics of the plant. The EA or NRW will require the exhaust stack height of a thermal combustion generating plant, including fossil fuel generating stations and waste or biomass plant, to be optimised in relation to impact on air quality. The Secretary of State need not, therefore, be concerned with the exhaust stack height optimisation process in relation to air emissions, though the impact of stack heights on landscape and visual amenity will be a consideration (see Section 5.10). 5.2.6 Impacts of thermal combustion generating stations with respect to air emissions are set out in the technology specific NPSs. 5.2.7 Proximity to emission sources can have significant impacts on sensitive receptor sites for air quality, such as education or healthcare sites, residential use or sensitive or protected ecosystems. Projects near a sensitive receptor site for air quality should only be proposed in exceptional circumstances if no viable alternative site is available. In these instances, substantial mitigation of any expected emissions will be required (see paragraph 5.2.12 below). **Applicant assessment** 5.2.8 Where the project is likely to have adverse effects on air quality the Applicant should undertake an assessment of the impacts of the proposed project as part of the ES. 5.2.9 The ES should describe: • existing air quality concentrations and the relative change in air quality from existing levels; • any significant air quality effects, mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project;	**This demonstrates that the Proposed Scheme complies with Part 5.2 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and • any potential eutrophication impacts. 5.2.10 In addition, Applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance. 5.2.11 Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and the Applicant should ensure these are current at the point of an application. The Applicant 's assessment should be consistent with this but may include more detailed modelling and evaluation to demonstrate local and national impacts. If an Applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the Examining Authority along with the source. 5.2.12 Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/ strategy at the time of the decision, the Applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached. 5.2.13 The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England, or the Clean Air Plan for Wales in Wales, or any successors to it and should		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance. 5.2.14 The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport. **Secretary of State decision making** 5.2.15 Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government's Environmental Improvement Plan 2023. 5.2.16The Secretary of State should give air quality considerations substantial weight where a project would lead to a deterioration in air quality This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of or statutory limits, objectives or targets. 5.2.17 The Secretary of State should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. 5.2.18 Where a project is proposed near to a sensitive receptor site for air quality, if the Applicant cannot provide justification for this location, and a suitable mitigation plan, the Secretary of State should refuse consent. 5.2.19 In all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a project will lead to noncompliance with a statutory limit, objective or target the Secretary of State should refuse consent.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
Greenhouse Gas Emissions **Part 5.3**	5.3.1 Significant levels of energy infrastructure development are vital to ensure the decarbonisation of the UK economy. The construction, operation and decommissioning of that energy infrastructure will in itself, lead to GHG emissions. 5.3.2 In considering this section, Applicants should also have regard to Part 2 of this NPS, which explains the current policy on climate change and how this NPS interacts with that policy, and Section 4.10 of this NPS, which deals with climate change adaptation. 5.3.3 As discussed in Part 2, energy infrastructure plays a vital role in decarbonisation. While all steps should be taken to reduce and mitigate climate change impacts, it is accepted that there will be residual emissions from energy infrastructure, particularly during the economy wide transition to net zero, and potentially beyond. **Applicant assessment** 5.3.4 All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.3). This should include: • A whole life GHG assessment showing construction, operational and decommissioning GHG impacts, including impacts from change of land use. • An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages. • Measurement of embodied GHG impact from the construction stage. • How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures. • How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology. • Calculation of operational energy consumption and associated carbon emissions. • Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework.	In response to paras 5.3.1 – 5.3.3: It is predicted that the Proposed Scheme will capture a minimum 95% of carbon emissions from the Riverside 1 and Riverside 2 EfW plants once operational, equating to approximately 1.3Mt CO_2 per year when operational. This contributes to the achieving UK economy's net zero transition and the UK government's environmental ambitions. In response to paras 5.3.4 – 5.3.12: **Chapter 13: Greenhouse Gases (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on greenhouse gases during construction and operation. The Proposed Scheme would have significant beneficial effect on GHG emissions during operation. Construction emissions will be minimised through design optimisation, therefore no significant effects on GHG emissions are anticipated during construction. In addition, the Applicant has proposed mitigation measures to drive down GHG emissions at all stages of the development. This is discussed further in the **Planning Statement (Document Reference 5.2)**. The complete list of mitigations measures embedded in the design to reduce GHG emissions is within the **Mitigation Schedule (Document Reference 7.8)** and are secured through the **Outline CoCP (Document Reference 7.4)**, **Framework Construction Traffic Management Plan (Document Reference 7.12)** and other management plans secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Together these measures make up the Applicant's Greenhouse Gas Reduction Strategy, and as such a separate document has not been submitted. In conclusion, **Chapter 13: Greenhouse Gases (Volume 1) of the ES (Document Reference 6.1)** demonstrates that no significant adverse effects are identified at the construction phase, and overall, the Proposed Scheme, throughout its lifecycle, will result in a net reduction in emissions and will therefore contribute towards the UK's net zero ambition.	No update required, however the following documents were updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** • **Framework Construction Traffic Management Plan (REP5-015);** and • **Draft DCO (as updated as part of this submission).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed. Mitigation **Mitigation** 5.3.5 A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. 5.3.6 Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning. 5.3.7 Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, hedgerow creation and restoration, peatland restoration and through other natural habitats. **Secretary of State decision making** 5.3.8 The Secretary of State must be satisfied that the Applicant has as far as possible assessed the GHG emissions of all stages of the development. 5.3.9 The Secretary of State should be content that the Applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development. 5.3.10 The Secretary of State should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the	**This demonstrates that the Proposed Scheme complies with Part 5.3 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure. 5.3.11 Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Section 2.4), government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPS (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. 5.3.12 Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.		
Biodiversity and Geological Conservation **Part 5.4**	5.4.1 Biodiversity is the variety of life in all its forms and encompasses all species of plants, animals, and fungi, the genetic diversity they contain and the complex ecosystems of which they are a part. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance. 5.4.2 In the 25 Year Environment Plan, the government set out its vision for a quarter-of-a-century	In response to Part 5.4: **Chapter 7: Terrestrial Biodiversity, Chapter 8: Marine Biodiversity, Chapter 10: Townscape and Visual and (Arboriculture) (Volume 1) of the ES (Document Reference 6.1)**, and the **Appendix 7-3 Information to Inform a HRA (Volume 3) of the ES (Document Reference 6.3)** contain the biodiversity assessments undertaken for the Proposed Scheme.	The Applicant has undertaken positive discussions with Natural England as detailed in the **Natural England Statement of Common Ground (REP6-035)**. The Applicant and Natural England have agreed on the following matters: • An in-combination assessment for Epping Forest SAC would not address the key issue at this SAC which is impact from vehicle emissions. It is considered that the Proposed Scheme would have a low risk of undermining the conservation integrity of the site in combination with other projects (including those much

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	action to help the natural work regain and retain good health. A commitment to review the plan every 5 years was set into law in the Environment Act 2021. The Environmental Improvement Plan was published in 2023, which reinforces the intent of the 25 Year Environment Plan and sets out a plan to deliver on its framework and vision. The government's policy for biodiversity in England is set out in the Environmental Improvement Plan 2023, the National Pollinator Strategy and the UK Marine Strategy. The aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge presented by climate change. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides. 5.4.3 The wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues are set out in a Government Circular. The National Planning Policy Framework and Natural Environment Planning Practice Guidance document sets out good practice in England in relation to planning for biodiversity and geological conservation. In Wales, TAN 5: Nature Conservation and Planning sets out how the land use planning system should contribute to biodiversity and geological conservation. ***Habitats Regulations*** 5.4.4 The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas. 5.4.5 As a matter of policy, the following should be given the same protection as sites covered by the	**Chapter 7** and **Chapter 8** of the **ES (Document Reference 6.1)** consider impacts to terrestrial and marine habitats and species, including SSSIs, MCZs, ancient woodland, ancient trees and regional and local sites (no Marine Protected Areas are relevant). These chapters conclude no likely significant effects for these receptors and that the requirements of section 126(7) of the Marine and Coastal Access Act 2009 do not need to be engaged. This conclusion of no likely significant effects is with the exception of potential significant localised effects as a result of air quality disposition in the operational phase where likely significant effects are reported to localised habitats and the Crossness Local Nature Reserve, Erith Marshes SINC, Belvedere Dykes SINC, River Thames and Tidal Tributaries MSINC and 18 further SINCs outside the Order limits. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on ecological receptors. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that these impacts don't change when considered cumulatively with other developments. **Appendix 7-3 Information to Inform a HRA (Volume 3) of the ES (Document Reference 6.3)** has been submitted to consider the Proposed Scheme's impacts to the National Site Network. This report concludes that there are no adverse effects to the integrity of any site (with only one (Epping Forest SAC) needing to be considered) as a result of the Proposed Scheme either alone or in combination with other plans and projects. The **TSAR (Document Reference 7.5)** and the **JSAR (Document Reference 7.6)** explain how the Applicant has sought to avoid significant harm to ecological interests through its siting process. The **Outline LaBARDS (Document Reference 7.9)** sets out the Applicant's proposed mitigations and enhancements to provide an overall net improvement in the ecological	closer to the SAC, such as adjacent vehicle emissions), so an in-combination assessment at the SAC is not required; • Emissions Limit Values (ELVs) can be considered as appropriate embedded mitigation and will be secured by Requirement 14 of the **Draft DCO (as updated as part of this submission);** and • Natural England confirmed agreement with the findings of the cumulative impact assessment for the Inner Thames Marshes SSSI, presented as a Technical Note. In particular, Natural England and the Applicant agree that no significant effects on the Inner Thames Marshes SSSI are likely to occur as a result of the Proposed Scheme, when considered alongside other committed developments. In addition, the Applicant received a Letter of No Impediment (Natural England Reference: DAS 457982) in relation to licensing for water voles on 25th February 2025. The letter of No Impediment is presented in **Appendix A** of the **Applicant's Response to Examining Authorities Second Written Questions (REP5-033)** and detailed in **Natural England Statement of Common Ground (REP6-035)**. Throughout Examination, the Applicant's assessment and mitigation proposals have been scrutinised and probed by TWUL, Save Crossness LNR and the ExA. The Applicant's responses are set out in its response to those parties' representations (including relevant representations) at each deadline, its summary of oral submissions at both ISHs and its responses to both sets of ExA's written questions. The above response is supplemented by the following documents updated as part of Examination: • **Outline LaBARDS (AS-094);** • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission).** LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Habitats Regulations and an HRA will also be required: (a) potential Special Protection Areas and possible Special Areas of Conservation; (b) listed or proposed Ramsar sites; and (c) sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph. 5.4.6 The British Energy Security Strategy committed to establishing strategic compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266– 2.8.273of EN-3 for further information. ***Sites of Special Scientific Interest (SSSIs)*** 5.4.7 Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs. 5.4.8 Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs. ***Marine Conservation Zones*** 5.4.9 Marine Conservation Zones (MCZs) (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an	position in and around the Proposed Scheme. In particular, whilst there is direct loss of the area of Crossness LNR/Erith Marshes SINC land as a result of the Proposed Scheme, the Applicant's proposals will deliver an enhanced LNR/SINC overall in the post Proposed Scheme world. The Applicant's terrestrial mitigation measures are set out in the **Outline CoCP (Document Reference 7.4)**. Both **Outline CoCP (Document Reference 7.4)** and the **Outline LaBARDS (Document Reference 7.9)** are secured through a requirement in the **Draft DCO (Document Reference 3.1)**. Water voles are present within the Site and will be subject to a programme of translocation to move animals present within works areas to newly created compensatory habitat within the Mitigation and Enhancement Area. This work would be carried out under a protected species mitigation licence for water vole obtained from Natural England, comprising specific mitigation and monitoring measures for this species, laid out in a method statement. The Applicant is currently seeking to obtain a Letter of No Impediment in respect of this. Marine mitigation measures are secured predominantly through the **Outline CoCP (Document Reference 7.4)**, with further measures secured pursuant to DCO Requirement. The Applicant considers that transboundary impacts will not occur due to the localised physical nature of the works; and given that any emissions are unlikely to travel to any other EEA state from the Site. The Planning Inspectorate agreed with this approach as part of the **Appendix 4-2: Scoping Opinion Responses (Volume 3) of the ES (Document Reference 6.3)**. A BNG Assessment contained within **Appendix 7-1: Biodiversity Net Gain Report (Volume 3) of the ES (Document Reference 6.3)** for the Proposed Scheme is submitted, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained,	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act, 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries. ***Marine Protected Areas*** 5.4.10 Marine Protected Area (MPA) is a term used to describe the network of habitat sites, SSSIs, MCZs, and Highly Protected Marine Areas (HPMAs) in the English and Welsh marine environment. 5.4.11 It is important that relevant guidance on managing environmental impacts of infrastructure in marine protected areas is followed, and that equal consideration of the effect of proposals should be given to all MPAs regardless of the legislation they were designated under. This is because all sites contribute to the network of MPAs and therefore to overall network integrity. In England, government have established a MPA condition target under the Environment Act. ***Regional and Local Sites*** 5.4.12 Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. 5.4.13 National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks. Ancient woodland, veteran trees and other irreplaceable habitats	enhanced, created, or lost within the Site. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). This is delivered on-site through the proposals for the Mitigation and Enhancement Area set out in the **Outline LaBARDS (Document Reference 7.9)** and a BNG Opportunity Area offsite. The land within the Mitigation and Enhancement Area has been identified for mitigation for the direct loss of coastal and floodplain grazing marsh within the East Paddock and Stable Paddock (that forms part of the Crossness LNR). The BNG Opportunity Area is proposed on land at the former Thamesmead Golf Course. It is likely to include enhancement or creation of a range of other optional habitat typologies suitable to context. Both areas are shown in **Figure 7-7: Proposed Habitat Creation and Enhancements (Volume 2) of the ES (Document Reference 6.2)**, which if brought forward would achieve enhanced access and townscape outcomes in the area, in addition to ecological benefits. The provision of off-site works will be secured via a development consent obligation under the Town & Country Planning Act (TCPA) 1990. **Appendix 10-3: Arboriculture Assessment (Volume 3) of the ES (Document Reference: 6.3)** identifies all trees which may be affected by the Proposed Scheme, assesses the impact of the Proposed Scheme upon those trees and recommended necessary protection measures to ensure the health of retained trees. The assessment confirms no record of TPOs, conservation areas, ancient/veteran trees, traditional orchards nor ancient woodland within the arboriculture Study Area (extent of the Site Boundary plus up to a further 15m). The Proposed Scheme would result in the removal of 12 low quality trees and one very low-quality tree. All other arboriculture features can be retained and protected. Principles for tree protection are set out in an outline Arboriculture Method Statement within the assessment.	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats 5.4.14 Irreplaceable habitats are habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. 5.4.15 Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the government's policy for ancient and native trees and woodlands in England sets out the government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh and lowland fen. ***Protection and enhancement of habitats and species*** 5.4.16 Many individual species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action. **Applicant assessment** 5.4.17 Where the development is subject to EIA the Applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.	The relevant assessments within the **ES (Document Reference 6.1 - 6.4)** have identified that the Proposed Scheme would not result in harm to a protected species or relevant habitat. Additionally, the Mitigation and Enhancement Area will enhance the performance of the area as a carbon sink. **Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document Reference 6.1)** concludes of no likely significant effects with the exception of potential significant localised effects as a result of air quality disposition in the operational phase where likely significant effects are reported to localised habitats and the Crossness LNR, Erith Marshes SINC, Belvedere Dykes SINC, River Thames and Tidal Tributaries MSINC and 18 further SINCs outside the Order limits. The **Planning Statement (Document Reference 5.2)** sets out that it is clear that these impacts do not outweigh the urgent need for the Proposed Scheme, a piece of CNP infrastructure, and demonstrates that there is an overriding public interest to proceed with the Proposed Scheme. **This demonstrates that the Proposed Scheme complies with Part 5.4 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.4.18 The Applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the Secretary of State consider thoroughly the potential effects of a proposed project. 5.4.19 The Applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. 5.4.20 Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. 5.4.21 As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains (see Section 4.6 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project. 5.4.22 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. 5.4.23 Energy projects will need to ensure vessels used by the project follow existing regulations and guidelines to manage ballast water. ***Applicant assessment - Habitats Regulations*** 5.4.25 The Applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to record upfront the information the Applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the Applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects. 5.4.26 If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the Applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations. 5.4.27 If the SNCB gives such an indication at a later stage in the development consent process, the Applicant must provide this information as soon as is reasonably possible and before the close of the examination. This information must include assessment of alternative solutions, a case for Imperative Reasons of Overriding Public Interest (IROPI) and appropriate environmental compensation. 5.4.28 Provision of such information will not be taken as an acceptance of adverse impacts and if an Applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application 'without prejudice' to the Secretary of State's final decision on the impacts of the potential development. If, in these circumstances, an Applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow the Applicant the opportunity to provide such information following the examination. 5.4.29 It is vital that Applicants consider the need for compensation as early as possible in the design process as 'retrofitting' compensatory measures will		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	introduce delays and uncertainty to the consenting process. 5.4.30 Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans. 5.4.31 Before submitting an application, Applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority. ***Applicant assessment – Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats*** 5.4.32 Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase. ***Applicant assessment –Protection and enhancement of habitats and species*** 5.4.33 Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. 5.4.34 Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023. **Mitigation** 5.4.35 Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the Applicant should demonstrate that: • during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works. • the timing of construction has been planned to avoid or limit disturbance. • during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements. • habitats will, where practicable, be restored after construction works have finished • opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised. • mitigations required as a result of legal protection of habitats or species will be complied with. 5.4.36 Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	impacts on biodiversity during the construction and operation stages. 5.4.37 In the design of any direct cooling system the locations of the intake and outfall should be sited to avoid or minimise adverse impacts on the receiving waters, including their ecology. There should also be specific measures to minimise impact to fish and aquatic biota by entrainment and impingement or by excessive heat or biocidal chemicals from discharges to receiving waters. 5.4.38 To further minimise any adverse impacts on geodiversity, where appropriate Applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals. **Secretary of State decision making** 5.4.39 The government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the government's Environmental Improvement Plan 2023, and in Wales the objectives of the Nature Recovery Plan, and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere. 5.4.41 The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated. 5.4.42 As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort,		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	appropriate compensation measures should be sought. 5.4.43 If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm. 5.4.44 The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer. 5.4.45 The Secretary of State will need to take account of what mitigation measures may have been agreed between the Applicant and the SNCB and the MMO/NRW (where appropriate) .The Secretary of State will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences 5.4.46 Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The Secretary of State should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited. 5.4.47 When considering proposals, the Secretary of State should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering biodiversity net gain as part of or in addition to the approach set out at Section 4.6.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.4.48 In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment. ***Secretary of State decision making –Habitats Regulations*** 5.4.49 The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (an habitat site), a protected marine site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. ***Secretary of State decision making – Sites of Special Scientific Interest (SSSIs)*** 5.4.50 The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest. ***Secretary of State decision making – Marine Conservation Zones*** 5.4.51 The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009. ***Secretary of State decision making – Regional and Local Sites*** 5.4.52 The Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent. ***Secretary of State decision making – Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats***		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.4.53The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists. ***Secretary of State decision making – Protection and enhancement of habitats and species*** 5.4.54The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate. 5.4.55 The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.		
Civil and Military Aviation and Defence Interests **Part 5.5**	5.5.1 All aerodromes, covering civil and military activities, as well as aviation technical sites, meteorological radars, and other types of defence interests (both onshore and offshore) can be affected by new energy development. 5.5.2 Collaboration and co-existence between aviation and energy industry stakeholders should strive for scenarios such that neither is unduly compromised. 5.5.3 Alongside defence and other infrastructure, energy infrastructure, such as wind turbines, are an established part of the expected built energy environment, issues such as the cumulative impact, location and increasing geographical spread and height of offshore windfarms, can all potentially have a bearing on aviation safety, defence capabilities and weather warnings and forecasts.	In response to paras 5.5.1 – 5.5.19: No civil and military aviation and defence interests are expected to be affected by the Proposed Scheme. The National Air Transport System (NATS), Ministry of Defence (MoD) and Civil Aviation Authority (CAA) have been consulted on the Proposed Scheme as documented in the **Consultation Report (Document Reference 5.1).** In response to paras 5.5.20 – 5.5.28:. No communications, navigation and surveillance infrastructure are expected to be affected by the Proposed Scheme. In addition, **Chapter 20: Major Accidents and Disasters (Volume 1) of the ES (Document Reference 6.1)** details that the Proposed Scheme is considered unlikely to be vulnerable to aviation related risks and therefore is a matter that has been scoped out.	No update required and no revisions to existing documents.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Safeguarding 5.5.8 Certain civil aerodromes, and aviation technical sites, selected on the basis of their importance to the national air transport system, are officially safeguarded in order to ensure that their safety and operation are not compromised by new development. 5.5.9 A similar official safeguarding system applies to all military aerodromes, defence surveillance sites, and other defence assets. 5.5.10 Areas of airspace around aerodromes used by aircraft, including taking off or on approach and landing are described as “obstacle limitation surfaces” (OLS). All civil aerodromes licensed by the Civil Aviation Authority (CAA) and all military aerodromes must comply with the OLS. These are defined according to criteria set out in relevant CAA guidance for licensed civil aerodromes and according to MOD criteria, as set by the Military Aviation Authority, which is part of the Defence Safety Authority (DSA), for military aerodromes. 5.5.11 Aerodromes that are officially safeguarded will have officially produced plans that show the OLS. Care must be taken to ensure that new developments do not infringe these protected OLS, as these encompass the critical airspace within which key air traffic associated with the aerodrome operates. 5.5.12 The CAA’s CAP 738 sets out that all licensed aerodromes are required to ensure they have a system in place to safeguard their aerodrome against the growth of obstacles or activities that may present a hazard to aircraft operations. 5.5.13 It is considered best practice for the LPA to include the safeguarded area and explanatory notes on its planning 'constraints' plan so that potential Applicants can be aware of the presence of the aerodrome and the extent and nature of the safeguarding relevant to a particular aerodrome. DfT/ODPM Circular 01/2003 provides advice to planning authorities on the official safeguarding of aerodromes and includes a list of the civil aerodromes which are officially safeguarded.	**This demonstrates that the Proposed Scheme complies with Part 5.5 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.5.14 The DfT/ODPM Circular 01/2003 and CAA guidance also recommends that the operators of aerodromes which are not officially safeguarded should take steps to protect their aerodrome from the possible effects of development by establishing an agreed consultation procedure between themselves and the LPAs. 5.5.15 The certified Safeguarding maps for all aerodromes (both licensed and unlicensed) depicting the OLS and other criteria (for example to minimise “birdstrike” hazards) are deposited with the relevant LPAs. 5.5.16 The CAA makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator. 5.5.17 There are also “Public Safety Zones” (PSZs) at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Maps showing the PSZs are deposited with the relevant LPAs. DfT Circular 01/2010 provides advice to local planning authorities on Public Safety Zones. 5.5.18 The military Low Flying system covers the whole of the UK and enables low flying activities as low as 75m (mean separation distance). A considerable amount of military flying for training purposes is conducted at as low as 30m in designated Tactical Training Areas (TTAs) in mid Wales, Cumbria, the Scottish Border region and in the Electronic Warfare Range in the Scottish Border area. In addition, military helicopters may operate down to ground level. 5.5.19 New energy infrastructure may cause obstructions in Ministry of Defence (MOD) low flying areas. A balance must be struck between defence and energy needs in these areas. 5.5.20 Sufficient air training space and space for civil operations will be required and operation around structures such as wind turbines will become		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	increasingly important as the number of these structures increase. ***Communications, navigation, and surveillance (CNS) infrastructure*** 5.5.21 Safe and efficient operations within UK airspace is dependent upon CNS infrastructure, including radar (often referred to as 'technical sites'). 5.5.22 Energy infrastructure development may interfere with the operation of CNS systems such as radar. This is a particular problem for wind turbines as they can act as a reflector or diffractor of radio signals upon which Air Traffic Control Services rely (an effect which is particularly likely to arise when large structures, such as wind turbines, are near Communications and Navigation Aids and technical sites). Wind turbines may also cause false returns and other technical issues when built in line of sight to radar installations. 5.5.23 Windfarms are an integral part of the plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an official ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change's 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar. 5.5.24 Whilst it is hoped that future surveillance technologies will enable civil and military aviation, defence and meteorological surveillance providers and offshore windfarms to meet coexistence challenges, it should not be assumed, however, that there will be sufficient advancement in surveillance technologies to meet all future requirements. 5.5.25 Surveillance methods that rely on cooperation alone, such as Automatic Dependent Surveillance – Broadcast (ADS-B) or Secondary Surveillance Radar transponders, are not sufficient to meet the UKs		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	security and national defence requirements nor would they assure the flight safety of air traffic from non-cooperative threats. 5.5.26 MOD recognises that the environmental baseline includes existing windfarms and any mitigation solutions that have been established to support them when procuring future radar systems. 5.5.27 As existing CNS infrastructure reaches the end of its operational life, replacement options that are more tolerant of wind turbines, if available, should be installed by CNS owners/operators to futureproof aerodromes against possible future turbine installations in order to maintain or enhance aviation safety. This should be considered on a case-by-case basis, so that the correct solution(s) are identified which strike the balance between surveillance quality/needs and reasonableness of costs being achieved, whilst maintaining safety. 5.5.28 Applicants should provide relevant information on proposed developments to enable CNS owners/operators to consider upgrades appropriately.		
Coastal Change **Part 5.6**	The policies in this section are directed at projects more clearly in coastal locations. However, it is noted that the Applicant has produced a Coastal Modelling Study (**Appendix 11-4 of the ES Volume 3 (Document Reference 6.3)**) to consider the sediment impacts of dredging associated with the Proposed Jetty. This concludes, that with appropriate mitigation measures in place, no significant impacts are predicted to any receptor.		**Appendix A: Coastal Processes Modelling Technical Note** of the **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** provides additional clarity to that provided in **Appendix 11-4: Coastal Modelling Studies of the Environmental Statement (Volume 1) (APP-109)** regarding sediment impacts of dredging associated with the Proposed Jetty. It is noted that the Marine Management Organisation confirmed in their Deadline 1 Submission (REP5-031) that the Applicant had responded to its concerns on this topic and that it had no further comments on the topic.
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation **Part 5.7**	5.7.1 During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. However, they are not regulated by the environmental permitting regime,	In response to paras 5.7.1 – 5.7.4: It has been identified that air quality changes could occur through dust and changes in pollutant levels during construction works. Some changes in air quality are anticipated during the operation phase of the Proposed Scheme with an increase om the emission of nitrosamines, nitramines, and aldehydes. With controls and mitigation, it is not expected that the Proposed Scheme will have any impacts of significance.	No update required, however the following documents were updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** • **Draft DCO (as updated as part of this submission);** and • **Outline Lighting Strategy (REP5-012).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	so mitigation of these impacts will need to be included in the Development Consent Order. 5.7.2 Note that pollution impacts from some of these emissions (for example dust, smoke) are covered in the Section 5.2 on air emissions. 5.7.3 Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the Applicant and Secretary of State. 5.7.4 For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable. **Applicant assessment** 5.7.5 The Applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES. 5.7.6 In particular, the assessment provided by the Applicant should describe: • the type, quantity, and timing of emissions • aspects of the development which may give rise to emissions • premises or locations that may be affected by the emissions • effects of the emission on identified premises or locations • measures to be employed in preventing or mitigating the emissions 5.7.7 The Applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment. **Mitigation** 5.7.8 Mitigation measures may include one or more of the following:	In response to paras 5.7.5 -5.7.11: **Chapter 5: Air Quality of the ES Volume 1 (Document Reference 6.1)** contains the air quality assessment undertaken for the Proposed Scheme, and **Appendix 5-1: Construction Dust Assessment of Volume 3 of the ES (Document Reference 6.3)** provides details of the construction dust assessment approach and associated findings. Potential dust impacts during construction would be managed appropriately through the implementation of measures set out in the **Outline CoCP (Document Reference 7.4)**, which includes the requirement to develop and implement a **Dust Management Plan (DMP)**, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** External Lighting for the Proposed Scheme is set out in the **Outline Lighting Strategy (Document Reference 7.3)**. It seeks to ensure compliance with applicable lighting standards and guidance, in particular, BS EN 12464-2:2014, Light and Lighting, Lighting of Work Places – Outdoor Work Places. An assessment of the potential effects on biodiversity and landscape and visual associated with the Proposed Scheme's external lighting are presented in **Chapter 7: Terrestrial Biodiversity, Chapter 8: Marine Biodiversity and Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)**. The report demonstrates how external lighting mitigation measures recommended in the aforementioned ES chapters during construction and operation will be implemented to minimise light pollution and glare on nearby ecological sensitive receptors. It is not anticipated that there would be any effects on visual amenity from smoke. There are currently two options being considered for cooling within the Carbon Capture Facility, dry closed circuit cooling towers, or wet-dry (hybrid) cooling. As described in **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** under 'Cooling Option', both options negate steam plume visibility.	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated • lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material • administrative: limiting operating times; restricting activities allowed on the site; implementing management plans 5.7.9 Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements. 5.7.10 Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. 5.7.11 A construction management plan may help clarify and secure mitigation. **Secretary of State decision making** 5.7.12 The Secretary of State should satisfy itself that: • an assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out • that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts 5.7.13 If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should disapply in whole or in part the defence through a provision in the development consent order.	It is not anticipated that there would be any effects associated with odour, or insect and vermin infestation as a result of the Proposed Scheme. **This demonstrates that the Proposed Scheme complies with Part 5.7 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.7.14 Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures. 5.7.15 In particular, the Secretary of State should consider whether to require the Applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.		
Flood Risk **Part 5.8**	5.8.1 Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial disruption and damage to property. 5.8.2 The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management. 5.8.3 The government's Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The industry should consider any updates to government policy and apply updated approaches as a matter of priority.	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction and operation of the Proposed Scheme on potentially sensitive receptors. The Flood Zones are shown in ***Sheet 2: Flood Zones of the Environmental Features Plans (Document Reference 2.7)***. However, there are Flood Defence Owner maintained flood defences located along the River Thames, parts of which are within the Site. These currently provide the Site with a reduction in local flood risk. **Appendix 11-2: Flood Risk Assessment (FRA) (Volume 3) of the ES (Document Reference 6.3)** has been prepared in accordance with NPS EN-1 and the NPPF providing a quantitative analysis of flood risk to support this Application. It has been informed by the **Works Plans (Document Reference 2.3)** and is supported by the **Outline Drainage Strategy (Document Reference 7.2)** and discussions with the Environment Agency and the Lead Local Flood Authority. It concludes that the Proposed Scheme passes all policy tests with regards to flooding, including the Sequential Test, pursuant to a number of mitigation	The Site is located in Flood Zone 3. **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** provides additional clarity to the information provided in **Appendix 11-2: Flood Risk Assessment (Revision B) (AS-023)** regarding the application of the Exception Test in accordance with NPS EN-1, National Planning Policy Framework, and the Flood Risk and Coastal Change Planning Practice Guidance. The matter of flood risk and the assumptions made about the development platform were the subject of discussion with the Environment Agency during the course of the Examination. With the information provided in **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**, and the updates to the **Design Principles and Design Code (REP5-009)**, the Environment Agency is now understood to be content with the flood risk position as expressed in **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**. The above response is supplemented by the following documents submitted as part of the Examination: • **Works Plans (updated at REP6-003);** • **Outline Drainage Strategy (AS-027);** • **Outline Code of Construction Practice (REP5-013);** • **Outline Emergency Preparedness and Response Plan (REP4-014);** and

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.8.4 All buildings in flood risk areas can improve their preparedness to reduce costs and disruption to key public services when a flood happens. Where infrastructure is not better protected as part of a wider community scale flood defence scheme, those who own and run infrastructure sites – whether in public or private hands – are expected to take action to keep water out, minimise the damage if water gets in through flood-resilient materials, and reduce the disruption caused. This includes effective contingency planning to mitigate the impacts of flooding on the delivery of important services. 5.8.5 Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; the Applicant and the Secretary of State should take account of the policy on climate change adaptation in Section 4.10. 5.8.6 The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding. 5.8.7 Where new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood.	measures, which, alongside the measures in the **Outline CoCP (Document Reference 7.4)** and the **Outline Emergency Preparedness and Response Plan (Document Reference 7.11)** (dealing with flood warnings and emergencies), are secured by DCO Requirement. An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that foul and surface water drainage has been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage and will inform spatial planning across the development. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy (Document Reference 7.2)** will be used to inform the full drainage design that will be undertaken at the detailed design stage of the Proposed Scheme and presented in the detailed drainage strategy brought forward for approval, as secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** **This demonstrates that the Proposed Scheme complies with Part 5.8 of EN-1.**	• **Draft DCO (as updated as part of this submission).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.8.8 Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are or will be at unacceptable risk of flooding, should be supported where it would result in climate-resilient infrastructure. 5.8.9 If, following application of the Sequential Test, it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied, as defined in https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2. The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. 5.8.10 The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty (AONBs), SSSIs and World Heritage Sites (WHS) which would not usually be considered appropriate. 5.8.11 Both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that: • the project would provide wider sustainability benefits to the community that outweigh flood risk; and • the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.8.12 Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques. Applicant assessment **Applicant assessment** 5.8.13 A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving: • sites of 1 hectare or more • land which has been identified by the EA or NRW as having critical drainage problems • land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future • land that may be subject to other sources of flooding (for example surface water) • where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems. 5.8.14 This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account. 5.8.15 The minimum requirements for Flood Risk Assessments (FRA) are that they should: • be proportionate to the risk and appropriate to the scale, nature and location of the project; • consider the risk of flooding arising from the project in addition to the risk of flooding to the project; • take the impacts of climate change into account, across a range of climate scenarios,		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	clearly stating the development lifetime over which the assessment has been made; • be undertaken by competent people, as early as possible in the process of preparing the proposal; • consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance; • consider the vulnerability of those using the site, including arrangements for safe access and escape; • consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard and duration; • identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management; • consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; • include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding; • consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems. Information should include: i. Describe the existing surface water drainage arrangements for the site ii. ii. Set out (approximately) the existing rates and volumes of surface water run-off		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	generated by the site. Detail the proposals for restricting discharge rates iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate iv. Demonstrate how the hierarchy of drainage options has been followed. v. Explain and justify why the types of SuDS and method of discharge have been selected and why they are considered appropriate. vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site vii. Describe the multifunctional benefits the sustainable drainage system will provide viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development • detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere; • identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• be supported by appropriate data and information, including historical information on previous events. 5.8.16 Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents. 5.8.17 Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure: • Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary • Their standard of protection is not reduced • Their condition or structural integrity is not reduced 5.8.18 Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators. 5.8.19 Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise Applicants to undertake these steps where they appear necessary but have not yet been addressed. 5.8.20 If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, the Applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal might be amended, or additional		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	information provided, which would satisfy the authority's concerns. 5.8.21 The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas. 5.8.22 The technology specific NPS set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, Applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test. 5.8.23 Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site. **Mitigation** 5.8.24 To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property. 5.8.25 In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: • source control measures including rainwater recycling and drainage • infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns • filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed • basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding • flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding 5.8.26 Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts. 5.8.27 The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect. 5.8.28 It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation. 5.8.29 The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	built footprint of previously developed sites and using SuDS. 5.8.30 Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided. 5.8.31 Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site. 5.8.32 Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits. 5.8.33 The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. 5.8.34 The Applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA. 5.8.35 Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood. Secretary of State decision making **Secretary of State decision making**		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.8.36 In determining an application for development consent, the Secretary of State should be satisfied that where relevant: • the application is supported by an appropriate FRA • the Sequential Test has been applied and satisfied as part of site selection • a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk • the proposal is in line with any relevant national and local flood risk management strategy • SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate • in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42) • the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development • land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation or maintenance 5.8.37 For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.8.38 In addition, the Development Consent Order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted. 5.8.39 Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board. 5.8.40 If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the Applicant and the authority to try to resolve the concerns. 5.8.42 Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.		
Historic Environment	5.9.1 The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic	In response to paras 5.9.1 – 5.9.21: **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of	The **Outline Code of Construction Practice (REP5-013)** was updated to provide additional clarity in regard to the timeframes of the Historic England Level 2 Historic Building Recording,

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
Part 5.9	environment above, at and below the surface of the ground. 5.9.2 The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora. 5.9.3 Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called 'heritage assets'. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset's physical presence, but also from its setting. 5.9.4 Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are: • World Heritage Sites • Scheduled Monuments • Protected Wreck Sites • Protected Military Remains • Listed Buildings • Registered Parks and Gardens • Registered Battlefields • Conservation Areas • Registered Historic Landscapes (Wales only). 5.9.5 There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are: • those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate • those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck	the likely significant environmental effects of the Proposed Scheme on the Historic Environment during construction and operation. The Historic Environment assesses the impact of the Proposed Scheme against known or potential buried heritage assets (archaeological and paleoenvironmental remains) and above ground heritage assets (structures and landscapes of heritage interest) within or immediately around the Proposed Scheme. It also includes, where appropriate, the setting of significant heritage assets and how they are understood and appreciated. No designated heritage assets are affected by the Proposed Scheme either directly or indirectly. The Belvedere Power Station Jetty (disused) is within the Order Limits, a non-designated asset of local importance. It is currently unknown if this asset will be lost to the Proposed Scheme. Should it be demolished a Historic England Level 2 Historic Building Recording will be undertaken. This will ensure that an accurate record of the Belvedere Power Station Jetty is archived with the GLHER and Archaeology Data Service for future research and understanding of heritage value. Alternatively, the Belvedere Power Station (disused) may be retained (with modifications). **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** concludes that with the mitigation set out in the **Mitigation Schedule (Document Reference 7.8)** there are no anticipated significant effects to heritage assets, either if Belvedere Power Station Jetty (disused) is demolished, or retained as part of the Proposed Scheme. The assessment concludes that despite no significant effects identified through construction, additional surveys and specific Written Scheme of Investigation are recommended and these are secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. In response to the operation phase, effects on paleoenvironmental and submerged remains, no additional design, mitigation or enhancement measures are proposed as these will be delivered through the construction phase measures. In addition, given the maintenance dredging would be no deeper than the original construction phase capital	whereby the complete record will be deposited with the Greater London Historic Environment Record and Archaeology Data Service, and confirmation of the deposit provided in writing to London Borough of Bexley (as the relevant local planning authority) within six months of the date of the commencement of the demolition or modifications. The above response is supplemented by the following documents updated as part of the Examination: • **Mitigation Schedule (REP1-010);** and • **Draft DCO (as updated as part of this submission).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Sites but are incapable of being designated by virtue of being outside the scope of the related legislation. • those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites. 5.9.6 Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments or Protected Wreck Sites should be considered subject to the policies for designated heritage assets. The absence of designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance. 5.9.7 The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision-making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets. 5.9.8 Impacts on heritage assets specific to types of infrastructure are included in the technology specific NPS. **Applicant assessment** 5.9.9 The Applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these along with how the mitigation hierarchy has been applied in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a	dredge, there would be no additional impact to submerged remains. In respect of cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on the historic environment as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Part 5.9 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	means of assessing impacts relevant to the proposed project. 5.9.10 As part of the ES the Applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the Applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact. 5.9.11 Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the Applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact. 5.9.12 The Applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected. 5.9.13 The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected • considering where required the development of archive capacity which could deliver significant public benefits • considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme 5.9.14 Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent. 5.9.15 Applicant s should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. **Mitigation** 5.9.16 A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given. 5.9.17 Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the Applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset's importance and significance and the impact. The Applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.9.18 Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured. 5.9.19 Where the loss of significance of any heritage asset has been justified by the Applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider: • imposing a requirement in the Development Consent Order • requiring the Applicant to enter into an obligation 5.9.20 That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed. 5.9.21 Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction. Secretary of State decision making **Secretary of State decision making** 5.9.22 In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of: • relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	• any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales. • historic landscape character records • the relevant Historic Environment Record(s), and similar sources of information • representations made by interested parties during the examination process • expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it 5.9.23 The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010. 5.9.24 In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal. 5.9.25 The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets. 5.9.26 The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting). 5.9.27 When considering the impact of a proposed development on the significance of a designated		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. 5.9.28 The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. 5.9.29 Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional. 5.9.30 Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional. 5.9.31 Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply: • the nature of the heritage asset prevents all reasonable uses of the site • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation • conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible • the harm or loss is outweighed by the benefit of bringing the site back into use		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.9.32 Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use. 5.9.33 In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. 5.9.34 Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm or less than substantial harm under paragraph 5.9.29 or less than substantial harm under paragraph 5.9.30, or less than substantial harm under paragraph 5.9.32, as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole. 5.9.35 Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision. 5.9.36 When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
Landscape and Visual **Part 5.10**	5.10.1 The landscape and visual effects of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development. In this context, references to landscape should be taken as covering seascape and townscape where appropriate. 5.10.2 Among the features which are common to a number of different thermal combustion technologies, cooling towers and exhaust stacks and their plumes have the most obvious impact on landscape and visual amenity. Visual impacts may be not just the physical structures but also visible steam plumes from cooling towers. 5.10.3 Other types of cooling system, for example direct throughput where water is abstracted, used for cooling then returned to source, or air-cooled condensers, will have less visible impacts as the structures are considerably lower than natural draught cooling towers and exhibit no visible steam plumes. Further, modern hybrid cooling systems – for example mechanical draught – do not generally exhibit visible steam plumes except in exceptional adverse weather conditions. These systems are normally considered as the “Best Available Techniques” (BAT). However there may be losses of electricity output owing to the need for energy to operate hybrid cooling or air-cooled condenser systems. 5.10.4 Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement. 5.10.5 Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation. 5.10.6 Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant	In response to paras 5.10.1 – 5.10.28: The landscape (in this case townscape) and visual effects of the Proposed Scheme have been assessed in **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** and considered across the rest of the **ES (Document Reference 6.1 - 6.4)**. The chapter provides an assessment of the likely significant effects of the Proposed Scheme on the townscape character and visual impact during construction and operation, including effects on townscape character, locally designated views, and visual amenity. Throughout the design process measures have been taken to reduce as far as practicable the Proposed Scheme’s townscape and visual effects during construction and operation. Methods of mitigation and control have been utilised and are outlined in the **Outline CoCP (Document Reference 7.4)**, **Outline LaBARDS (Document Reference 7.9)**, **Design Principles and Design Codes (Document Reference 5.7)** and the **Design Approach Document (Document Reference 5.6)** to reduce the visual impact of the Proposed Scheme. With considered features of design and with measures of mitigation and control in place, it is still considered that the Proposed Scheme will have significant townscape and visual effects at a localised level, to the PRoWs and Accessible Open Land in the immediate vicinity of the Proposed Scheme, being the type of impact the NPS expects. Consideration of the lighting design to avoid excessive lighting levels and to reduce adverse effects on the surrounding environment are presented in the **Outline Lighting Strategy (Document Reference 7.3)**, secured through a requirement in the **Draft DCO (Document Reference 3.1)**. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and the **Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on the landscape and visual.	The response is supplemented by updates to the **Outline LaBARDS (AS-094)** and **Design Principles and Design Code (REP5-009)** made in response to submissions made by Interested Parties, or to reflect changes to the Proposed Scheme as appropriate. Both documents are agreed with LBB (**SoCG, Rev F (AS-096)**) including the provision for ongoing design advice and verification. Interested Parties, particularly SCNR, have questioned the validity of defining land within the MOL as Accessible or Non-Accessible. In response, the Applicant has acknowledged (for example, in the **Applicant’s Response to Interested Parties’ Deadline 1 Submissions (REP2-019))** that the Non-Accessible Open Land has value in planning terms, and has been explicitly considered in both the **Planning Statement (APP-040)** at section 5 and in **Chapter 10: Townscape and Visual of the ES (APP-058)**. The **Outline Lighting Strategy (REP5-012)** has also been updated to make discrete reference to water voles.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate. 5.10.7 National Parks, the Broads and AONBs have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints. For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. 5.10.8 The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate, and proportionate to the type and scale of the development. 5.10.10 Heritage Coasts are defined areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors. 5.10.11 Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area. 5.10.12 Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However,	Regarding cumulative impacts, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on landscape and visual as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Part 5.10 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development. 5.10.13 All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. 5.10.14 The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. 5.10.15 Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast. **Applicant assessment** 5.10.16 The Applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues. 5.10.17 The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The Applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales. 5.10.18 For seascapes, Applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them. 5.10.19 The Applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the Applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	benefits or enhancement have been recognised incorporated into the design, delivery and operation of the scheme. 5.10.20 The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an Areas of Outstanding Natural Beauty the assessment should include effects on the natural beauty and special qualities of these areas'. 5.10.21 The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation. 5.10.22 The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised. 5.10.23 Applicants are expected to justify BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower explaining why the application of modern hybrid cooling technology or other technologies is not reasonably practicable. 5.10.24 Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality. 5.10.25 In considering visual effects it may be helpful for Applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on equally sensitive		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development. **Mitigation** 5.10.26 Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function - for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function. 5.10.27 Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site, and wider setting. The careful consideration of colours and materials, will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings. 5.10.28 Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista. Secretary of State decision making **Secretary of State decision making** 5.10.29 The Secretary of State should take into consideration the level of detailed design which the Applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals. 5.10.30 The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.10.31 When considering visual impacts of thermal combustion generating stations, the Secretary of State should presume that the adverse impacts would be less if a hybrid or direct cooling system is used. The Secretary of State should therefore expect information in the application justifying BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower, and be satisfied that the application of modern hybrid cooling technology or other technologies is not reasonably practicable before giving consent to a development with natural draught cooling towers. 5.10.32 When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: • the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; • the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3; and • any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. 5.10.33 For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary. 5.10.34 The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent. 5.10.35 The scale of energy projects means that they will often be visible across a very wide area.. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project. 5.10.36 In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable. 5.10.37 The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation. 5.10.37 The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
Land Use, Including Open Space, Green Infrastructure, and Green Belt **Part 5.11**	5.11.1 An energy infrastructure project will have a direct effect on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development. Given the likely locations of energy infrastructure projects there may be particular effects on open space including green and blue infrastructure. 5.11.2 Green Belts, defined in a local authority's development plan in England or regional strategic development plans in Wales, are situated around certain cities and large built-up areas. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. For further information on the purposes of Green Belt policy see chapter 13 of the NPPF, or any successor to it. 5.11.3 Although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure. 5.11.4 Development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Indirect impacts may also arise from changes in the local water regime, organic matter content, soil biodiversity and soil process. 5.11.5 Where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum. 5.11.6 The government's policy is to ensure there is adequate provision of high quality open space and sports and recreation facilities to meet the needs of local communities. Connecting people with open spaces, sports and recreational facilities all help to	In response to paras 5.11.1 – 5.11.30: Open Space The Applicant has identified that there is land within the Order limits that can be considered as 'public open space' for Planning Act 2008 purposes – this is informal land used for recreation purposes. This has been identified as 'Accessible Open Land' throughout the **ES (Document Reference 6.1 - 6.4)**, and matches the land shown as Special Category Land on the **Special Category Land Plan (Document Reference 2.8)**. This land, and some land that is not accessible to public (and so the Applicant considers not to be 'public open space' and so is termed 'Non-Accessible Land'), are designated as open space in London Borough of Bexley's local plan and form part of the South East London Green Chain. Part of the Non-Accessible Open Land is to be lost to the Proposed Scheme, but no part of the Accessible Open Land is lost. In the context of paragraph 5.11.32, the Applicant considers that the lost land is not 'open space' notwithstanding LBB's policy. However, if the Secretary of State considers differently, it is considered that the need for the Proposed Scheme, further to its CNP status, its benefits as set out in the **Project Benefits Report (Document Reference 5.4)** and the improvements that are proposed in the **Outline LaBARDS (Document Reference 7.9)** to the Accessible Open Land, outweigh that small loss of inaccessible land. In terms of effects to the users of the Accessible Open Land, **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on users of Accessible Open Land. It has been identified that the Proposed Scheme will have a residual direct, temporary, short-term Moderate Adverse (significant) effect during the construction phase on Accessible Open Land within the Site. This is due to a temporary loss in amenity as a result of increases in noise and air pollution, and changes in views within the Accessible Open Land during construction of the Proposed Scheme. **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1**) provides an assessment	There has been substantial discussion on matters of Metropolitan Open Land, Accessible/Non-Accessible Open Land and Green Infrastructure throughout the Examination. However, no update is required other than to note that the **Outline LaBARDS (AS-094)** has been revised in response to Interested Parties' submissions as appropriate. The relevant planning authority, London Borough of Bexley supports the Proposed Scheme (**LBB, SoCG, Rev F (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: *'Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on*. ... *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.'

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	underpin people's quality of life and have a vital role to play in promoting healthy living. 5.11.7 Green and blue infrastructure can also enable developments to provide positive environmental, social, health and economic benefits. Green infrastructure includes green space such as parks and woodlands but also other environmental features such as street trees, hedgerows and green walls and roofs. It also includes blue infrastructure such as canals, rivers, streams, ponds lakes and their borders. Well designed and managed green and blue infrastructure provides multiple benefits at a range of scales. It can contribute to biodiversity recovery, sequester carbon, absorb surface water, cleanse pollutants, absorb noise and reduce high temperatures. The Green Infrastructure Framework – Principles and Standards for England can be used to consider green infrastructure in development and plan for good quality and targeted creation or improvement. **Applicant assessment** 5.11.8 The ES (see Section 4.3) should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, the Applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this. 5.11.9 Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, Applicants should consider providing new or additional open space including green and blue infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals	of the likely significant effects of the Proposed Scheme on Townscape and Visual Impact (TVIA). It concludes a Moderate Adverse (Significant) effect is anticipated on the change in character and visual amenity from Accessible Open Land during construction, and a Large Adverse (significant) (year 1) and a Moderate-large adverse (significant) (year 15) effect are anticipated on the change in character and visual amenity from Accessible Open Land during operation. However proposed planting will establish over time and that will help to integrate the Proposed Scheme into the landscape and partially screen views from some receptors. In addition to the above, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** identifies a Moderate Adverse (Significant) intra-project effect on users of Accessible Open Land during the construction and operation of the Proposed Scheme. This is by virtue of their close location to the Proposed Scheme, but it is considered that the overall experience will improve in the long-term in light of the improvements proposed in the **Outline LaBARDS (Document Reference 7.9).** <u>Green Belt/Metropolitan Open Land</u> The Proposed Scheme does not fall within Green Belt; however, it does fall within Metropolitan Open Land which is designated under development plan policy that confirms it is afforded the same status and level of protection as Green Belt, and would constitute 'inappropriate development' for those purposes. The **Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to Metropolitan Open Land. It recognises there is some net loss but demonstrates both very special circumstances to justify and material benefits that outweigh this limited and local level of harm. In respect of both MOL and Open Space, the reasonable alternatives that have been considered in respect of seeking to avoid impacts to these areas, whilst still seeking to achieve the objectives for the Proposed Scheme are presented in the **TSAR (Document Reference 7.5)** and in **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** which sets out the main reasons for the Applicant's choice, taking into account environmental, social and economic effects and	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	for green infrastructure, Applicant's should refer to the Green Infrastructure Framework. 5.11.10 Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements. 5.11.11 During any pre-application discussions with the Applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. 5.11.12 Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5). 5.11.13 Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed. 5.11.14 Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination. 5.11.15 Developments should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. 5.11.16 Development should, wherever possible, help to improve local environmental conditions such as air	including, where relevant, technical and commercial feasibility. PRoWs **Chapter 14: Population, Health and Land Use of the ES Volume 1 (Document Reference 6.1.14)** provides and assessment of potential significant effects to walkers and cyclists who are users of these rights of way. The construction of the Proposed Scheme will lead to changes in amenity experienced by users of these walker and cyclist routes. For example, the construction works could lead to increased noise levels, dust generation and changes to views from walker and cyclist routes. Engagement with users and clear signage of diversions will be in place during construction, and where possible works will be screened to minimise adverse effects on the amenity value and enjoyment. The assessment concludes that during the construction phase there will be a Moderate Adverse (Significant) effect on the England Coast Path, NCN1, FP2, FP3 and FP4, a Minor Adverse (not significant) effect on FP1 and FP242. It is anticipated that once operational, the majority of PRoW within the Study Area will remain largely unaffected by the Proposed Scheme and all temporary construction diversions would be removed, although FP2 would have been permanently diverted (this would be a very localised diversion). There may be some long term permanent reductions in amenity due to changes in visual amenity and operational noise, but this is unlikely to deter users due to the existing industrial location of the Site. The **Design Approach Document (Document Reference 5.6)** and **Outline LaBARDS (Document Reference 7.9)** set out plans to improve and enhance signage and surfacing of all PRoW within the Site Boundary, removing overgrown vegetation as well as reviewing the removal of some obstacles such as gates. Raised walkways are also intended to be provided so that Crossness LNR remains accessible during wet periods. This is likely to result in beneficial effects for users of the PRoWs. In addition, a new permissive paths and waymarked circular active routes route will be provided within the Norman Road Field land parcel and Crossness LNR, providing better	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	and water quality, taking into account relevant information such as river basin management plans. 5.11.17 Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. 5.11.18 For developments on previously developed land, Applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, Applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage. 5.11.19 Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place. 5.11.20 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.11.36 below). 5.11.21 However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria on such developments in Green Belts. 5.11.22 Moreover an Applicant may be able to demonstrate that particular energy infrastructure, such	access across the LNR as well as Southmere Park. The assessment concludes that during the operation of the Proposed Scheme there will be a Minor Beneficial (not significant) effect to permissive paths and way marked circular active routes, and a Negligible (not significant) effect to the England Coast Path, NCN1 and FP242, and a Minor Adverse (not significant) effect on FP1, FP2, FP3, and FP4. In addition to the above, **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the Proposed Scheme on visual amenity. The visual assessment is concerned with the views that are available to people who may be affected by the Proposed Scheme, including their perception and response to changes in these views, and visual amenity. The assessment concludes that a Moderate Adverse (Significant) effect is anticipated on the change in visual amenity for users of PRoW within and in the vicinity of the Site Boundary (FP1/FP2/FP4) during construction, and a Moderate Adverse (significant) (year 1 and Year 15) effect is anticipated on the change in visual amenity for users of PRoW within and in the vicinity of the Site Boundary (FP1/FP2/FP4) during operation. The Proposed Scheme includes access improvements such as the provision of improved access, interpretation, and activation on PRoW within accessible open spaces for all seasons, encouraging active and healthy lifestyles, points of engagement and benefit local people, and improved use and amenity value. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on PRoWs, and landscape and visual as identified above. <u>Land Use</u> The Proposed Scheme will involve the demolition of one existing business, Munster Joinery, whose site cannot be avoided, when balancing all factors, as set out in the **TSAR (Document Reference 7.5)**. The Applicant has been engaging with Munster Joinery to seek to agree a relocation package. The Proposed Scheme does not prevent development of other Local	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	as an underground pipeline, may be considered an "engineering operation" and regarded as not inappropriate in Green Belt. This is provided it preserves the openness of the Green Belt and does not conflict with the purposes of Green Belt designation. It may also be possible for an Applicant to show that the physical characteristics of a proposed overhead line in a particular location would not have so harmful an impact as to conflict with the purposes of Green Belt designation, or with other protections of rural landscape. **Mitigation** Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) Applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project and the protection of soils during construction. 5.11.23 Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes. 5.11.24 The Secretary of State should also consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility.	Plan allocations, and is in fact consistent with allocation for industrial facilities at this location. It also adds to the sustainability credentials of the Safeguarded Wharf that is Middleton Jetty (i.e. the EfW uses of it will become carbon negative). <u>Soils</u> There is no agricultural land within the Site. **Chapter 17: Ground and Soils (Volume 1) of the ES (Document Reference 6.1)** outlines the impact of the Proposed Scheme on ground and soils through its construction phase. It determines that the Proposed Scheme through construction will have no impact on ground or soils. **This demonstrates that the Proposed Scheme complies with Part 5.11 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.11.25 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. 5.11.26 Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. 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. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured. 5.11.27 Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources. 5.11.28 Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas. 5.11.29 Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect Applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use,		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	character, attractiveness, and convenience of the right of way. 5.11.30 The Secretary of State should consider whether the mitigation measures put forward by an Applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent. **Secretary of State decision making** 5.11.31 The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the Applicant to provide new, improved or compensatory land or facilities. 5.11.32 The loss of playing fields should only be allowed where Applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location. 5.11.33 The Secretary of State should ensure that Applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. 5.11.34 In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect Applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	route around the coast, as provided for in the Marine and Coastal Access Act 2009. 5.11.35 When located in the Green Belt, energy infrastructure projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances. 5.11.37 In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach. 5.11.36 Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process.		
Noise and Vibration **Part 5.12**	5.12.1 Excessive noise can have wide-ranging impacts on the quality of human life and, health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality. 5.12.2 The Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to the assessment of impacts of vibration. 5.12.4 Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine	In response to paras 5.12.1 – 5.12.13: **Chapter 6: Noise and Vibration (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on noise and vibration on receptors during construction and operation. The chapter also considers the key policies relevant to the Proposed Scheme including Noise Policy Statement for England (NPSE) 2010. This chapter concludes that construction noise impact will be mitigated through the BPM and other specific mitigation measures (such as piling restrictions) set out in the **Outline CoCP (Document Reference 7.4)** secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, as are construction working hours. With these measures in place, no significant effects are identified. During operation, mitigation measures are recommended to reduce noise impact notwithstanding that no likely significant effects are identified. A Noise Mitigation Plan will be prepared and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)** prior to the operation of the Proposed Scheme to detail the final mitigation	In the SoCG **(AS-096)** London Borough of Bexley agrees that the controls for noise set out in the **Draft DCO (as updated as part of this submission)** and **Outline Code of Construction Practice (REP5-013)** are appropriate.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production. 5.12.5 Factors that will determine the likely noise of a proposed development impact include: • the inherent operational noise from the proposed development, and its characteristics • the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces) • the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality • the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species • the potential presence of unexploded ordnance on the seabed **Applicant assessment** 5.12.6 Where noise impacts are likely to arise from the proposed development, the Applicant should include the following in the noise assessment: • a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise • identification of noise sensitive receptors and noise sensitive areas that may be affected • the characteristics of the existing noise environment • a prediction of how the noise environment will change with the proposed development ▪ in the shorter term, such as during the construction period ▪ in the longer term, during the operating life of the infrastructure	measures to demonstrate that any impacts will not be significant. The DCO requires that noise limits are achieved at relevant sensitive receptors. One of the following measures will be included in an **Operational Environmental Management Plan**, as secured through a requirement of the **Draft DCO (Document Reference 3.1)**: Selecting quieter ASHP fans, locating plant further away and behind the water heating facility from sensitive receptors, erecting an acoustic barrier around the ASHP fans. In this way, the Applicant has avoided significant adverse impacts and sought to mitigate and minimise other adverse impacts. In response to paras 5.12.13 – 5.12.16: **Chapter 7: Terrestrial Biodiversity and Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** report on the effect of noise and vibration on habitats and species and recommends mitigation measures presented in the **Mitigation Schedule (Document Reference 7.8)**, including how they will be secured. This includes the use of noise mitigation and noise abatement technologies during construction and operation. Regarding cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on noise and vibration as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Part 5.12 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	▪ at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year • an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life /well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas • if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise • all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life 5.12.7 The nature and extent of the noise assessment should be proportionate to the likely noise impact. 5.12.8 Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation. 5.12.9 Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies. 5.12.10 Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e. physical design and location of development). The Applicant should consult the EA and/or the SNCB, and other relevant bodies, such the MMO or NRW, as necessary, and in particular regarding assessment of		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered. 5.12.11 In the marine environment, Applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities. 5.12.12 Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation. **Mitigation** 5.12.13 The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and Planning Practice Guidance on Noise. 5.12.14 Mitigation measures may include one or more of the following: • engineering: reducing the noise generated at source and/or containing the noise generated • lay-out: where possible, optimising the distance between the source and noise sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings • administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	seasonality of wildlife in nearby designated sites • insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building. 5.12.15 The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission). 5.12.16 A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government's associated planning guidance on noise. In Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan. **Secretary of State decision making** 5.12.17 The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise: • avoid significant adverse impacts on health and quality of life from noise • mitigate and minimise other adverse impacts on health and quality of life from noise • where possible, contribute to improvements to health and quality of life through the effective management and control of noise 5.12.18 When preparing the development consent order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.		
Socio-Economic Impacts **Part 5.13**	5.13.1 The construction, operation and decommissioning of energy infrastructure may have socio-economic impacts at local and regional levels. Parts 2 and 3 of this NPS set out some of the national level socio-economic impacts. **Applicant assessment** 5.13.2 Where the project is likely to have socio-economic impacts at local or regional levels, the Applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3). 5.13.3 The Applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the Applicant can gain a better understanding of local or regional issues and opportunities. 5.13.4 The Applicant's assessment should consider all relevant socio-economic impacts, which may include: • the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero • the contribution to the development of low-carbon industries at the local and regional level as well as nationally • the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities • any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains • effects(positive and negative) on tourism and other users of the area impacted • the impact of a changing influx of workers during the different construction, operation	The socioeconomic impact of the Proposed Scheme in **Chapter 15: Socio-Economics (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on socio-economics during construction and operation. The employment generation (direct, indirect, and induced) as a result of the construction and operation of the Proposed Scheme has also been assessed. Additionally, a **Skills and Employment Plan** will be prepared prior to the Proposed Scheme commencing operation and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** The Applicant undertook early engagement with key stakeholders to gather relevant information to inform the socio-economic assessment, details of this engagement is set out in the **Consultation Report (Document Reference 5.1)** and **Chapter 15: Socio-Economics (Volume 1) of the ES (Document Reference 6.1).** <u>In response to paras 5.13.4 – 5.13.7:</u> The assessment concludes that by applying an average benchmark of £108,841 GVA per construction employee in Greater London, it is anticipated that the estimated 874.8 net construction jobs generated by the Proposed Scheme represent an additional £95,214,107 in GVA to the Greater London economy. By applying the average benchmark of £82,309 GVA per construction employee outside of Greater London to the estimated 291.6 net construction job generation from the Proposed Scheme, it is estimated that there would be an additional £24,001,304 GVA to the wider economy. As Munster Joinery UK Limited will be demolished as part of the Proposed Scheme. As a relocation site has not been identified or secured at the time of writing, the potential job losses associated with the demolition of the building on the site it part occupies have been considered within the assessment.	An **Outline Skills and Employment Plan** was submitted during Examination (**REP2-022**) and is agreed by LBB (as per the **SoCG (AS-096)**. The **Draft DCO (as updated as part of this submission)** requires a detailed skills and employment plan to be approved by LBB in substantial accordance with the outline. The **Outline Code of Construction Practice (REP5-013)** also includes skills and employment measures. In its Examination submissions, Landsul and Munster Joinery sought to cast doubt on the Applicant's assessment of the impacts to its landholdings and business as a result of the Proposed Scheme. The Applicant has refuted these concerns in its **Response to Landsul and Munster Joinery's Deadline 1 Submissions [REP2-021]** and its **Response to Landsul and Munster Joinery's Deadline 5 Submissions (REP6-038)**. The fundamental contention of the Applicant is that it has assessed the impacts of the loss of jobs at the Landsul/Munster site but has also offered to assist in the relocation of the business, which has not been taken up. Landsul and Munster Joinery have not demonstrated that the jobs and tasks undertaken at Norman Road could not be undertaken elsewhere. As set out in **Paragraph 3.1.2** of the **Applicant's Response to Landsul and Munster Joinery's Deadline 1 Submission (REP2-021)**, the Applicant's fundamental position is that pursuant to the **Statement of Reasons (APP-020)** and **Planning Statement (APP-040)**: • the compelling case in the public interest for the Proposed Scheme outweighs the worst case loss of Munster Joinery/Landsul's land and operations; and • that the benefits of the Proposed Scheme outweigh the socio-economic impacts of the loss of Munster Joinery's site, no matter how they are characterised. During Examination, Save Crossness LNR and Ridgeway Users have also sought to suggest that the Applicant has not properly considered the impacts to graziers from the Proposed Scheme.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development • cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region 5.13.5 Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies. 5.13.6 Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain. 5.13.7 Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required. **Mitigation** 5.13.8 The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can	In a worst case scenario where the jobs at Munster Joinery UK Limited would be considered as an overall net loss to employment, there would be a net loss of GVA generated as a result of the Proposed Scheme. By applying an average benchmark of £60,333 GVA per operational employee in Greater London to the estimated 22.1 net operational jobs lost due to the Proposed Scheme, it is anticipated there would be a net loss of £1,333,359 GVA to the Greater London economy. When applying the average benchmark of £58,526 GVA per operational employee outside of Greater London, it is anticipated that the 7.4 net operational jobs that would be lost would lead to a reduction of £433,092 GVA to the wider economy. However, if Munster Joinery UK Limited was relocated within an area that would support existing business operations the Proposed Scheme would lead to additional GVA. When considering the net operation employment generation estimated by the Applicant, the Proposed Scheme would lead to an additional £1,556,591 GVA to the Greater London economy, which has been estimated by applying an average benchmark of £60,333 GVA per operational employee in Greater London to the estimated 25.8 net operational jobs generated by the Proposed Scheme. By applying the average benchmark of £58,526 GVA per operational employee outside of Greater London, it is anticipated that the 8.6 net operational jobs would lead to an additional £503,324 GVA to the wider economy The **Project Benefits Report (Document Reference 5.4)** provides further context of the environmental, economic and social benefits of delivering the Proposed Scheme. Regarding cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on socio-economic receptors as a result of in-combination effects with other plans and projects.	As set out in Appendix A to its **Written Summary of Oral Submissions at CAH1 (REP1-028),** building on what was included within the ES **(APP-064),** the Applicant has engaged with and considered the impacts to graziers. With the proposed mitigation measures in place (as included in the **Outline LaBARDS (AS-094)**, and as secured by Requirement 12 of the **Draft DCO (as updated as part of this submission)**, both of which have been further developed in response to commentary within the Examination), no differentiated or disproportionate impacts on the graziers, as a group with protected characteristics under the Equalities Act 2010, is predicted as a result of the Proposed Scheme. See also the Applicant's responses to Save Crossness LNR and Ridgeway Users throughout the Examination.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	improve the visual and environmental experience for visitors and the local community alike. **Secretary of State decision making** 5.13.9 The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by the Applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. 5.13.10 The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS). 5.13.11 The Secretary of State should consider any relevant positive provisions the Applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts. 5.13.12 The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.	In response to para 5.13.8: As set out in **Chapter 15: Socio-Economics (Volume 1) of the ES (Document Reference 6.1)** no additional design, mitigation or enhancement measures are proposed for socio-economics above and beyond the commitment to develop a skills and employment plan and to seek to continue to relocate Munster Joinery. **This demonstrates that the Proposed Scheme complies with Part 5.13 of EN-1.**	
Traffic and Transport **Part 5.14**	5.14.1 The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects. 5.14.2 Environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution as well as greenhouse gas emissions.	In response to paras 5.14.1 – 5.14.16: **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** and **Appendix 18-1 Transport Assessment (Document Reference 6.2)** reports the assessment of the likely significant effects of the Proposed Scheme on landside transport during construction and operation. The assessment concludes that the Proposed Scheme will not result a significant impact on landside transport (road traffic, highways safety, public transport, non-motorised uses) during the construction and operation phase. All abnormal indivisible loads and terrestrial works HGV movements would be delivered by road and construction transport for the Proposed Jetty (i.e. steel	The Applicant has had positive discussions with National Highways (NH), Dartford Borough Council (DBC) and Kent County Council (KCC) in relation to the potential impacts of construction activities associated with the Proposed Scheme on the local and strategic highway networks as detailed in the following: • **Dartford Borough Council Statement of Common Ground (REP2-013);** • **Kent County Council Statement of Common Ground (Revision C);** and • **National Highways Statement of Common Ground (REP5-022).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.14.3 Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal. 5.14.4 The consideration and mitigation of transport impacts is an essential part of Government's wider policy objectives for sustainable development as set out in Section 2.6 of this NPS. **Applicant assessment** 5.14.5 If a project is likely to have significant transport implications, the Applicant 's ES (see Section 4.3) should include a transport appraisal. The DfT's Transport Analysis Guidance (TAG) and Welsh Governments WelTAG provides guidance on modelling and assessing the impacts of transport schemes. 5.14.6 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. and Applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted. 5.14.7 The Applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The Applicant should also provide details of proposed measures to improve access by active, public and shared transport to: • reduce the need for parking associated with the proposal; • contribute to decarbonisation of the transport network; and • improve user travel; options by offering genuine modal choice. 5.14.8 The assessment should also consider any possible disruption to services and infrastructure (such as road, rail and airports). 5.14.9 If additional transport infrastructure is needed or proposed, it should always include good quality	piles, precast concrete units and marine equipment such as fenders) is anticipated to be primarily via the River Thames, where practicable. **A Framework Construction Traffic Management Plan (Framework CTMP) (Document Reference 7.12)** outlines monitoring requirements during construction to mitigate construction effects, including the development of a Construction Workforce Travel Plan (CWTP). Development of these is secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The assessments within **Chapter 18: Landside Transport and Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** presents evidence that the Proposed Scheme would not have an unacceptable impact on highway safety, or severe cumulative impacts on the road network. The **Outline LaBARDS (Document Reference 7.9)** proposes improvements to the public rights of way network both on-site (secured by DCO Requirement) and off-site (secured by section 106 Agreement). **This demonstrates that the Proposed Scheme complies with Part 5.14 of EN-1.**	Following this engagement, the **Framework Construction Traffic Management Plan (REP5-015)** has been updated throughout the Examination and is agreed with the above parties. The **Outline LaBARDS (AS-094)** has also been updated in Examination in relation to public access in the Mitigation and Enhancement Area**.** The above response is supplemented by the following document updated as part of the Examination: • **Draft DCO (as updated as part of this submission).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision. 5.14.10 Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued[269] which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time. **Mitigation** 5.14.11 Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to: • reduce the need to travel by consolidating trips, • locate development in areas already accessible by active travel and public transport, • provide opportunities for shared mobility, • re-mode by shifting travel to a sustainable mode that is more beneficial to the network, • retime travel outside of the known peak times, • reroute to use parts of the network that are less busy. 5.14.12 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 encourage 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. 5.14.13 Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.14.14 The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that: • control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements • make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions • ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force. 5.14.15 The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures. Applicants should consider the DfT policy guidance "Water Preferred Policy Guidelines for the movement of abnormal indivisible loads" when preparing their application. 5.14.16 If an Applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the Secretary of State of any obligations or requirements needed to secure the mitigation. **Secretary of State decision making** 5.14.17 A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development and by		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	enhancing active, public and shared transport provision and accessibility. 5.14.18 Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. 5.14.19 Development consent should not be withheld provided that the Applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure. 5.14.20 The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.		
Resource and Waste Management **Part 5.15**	5.15.1 Government policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible and disposal is required as a last resort, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health. 5.15.2 Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): • prevention • preparing for reuse • recycling • other recovery, including energy recovery • disposal	In response to paras 5.15.5 – 5.13.13: **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on material consumption, waste generation and disposal, during construction and operation. It concludes that with mitigation measures, as set out in the **Mitigation Schedule (Document Reference 7.8)** and secured through the **Outline CoCP (Document Reference 7.4)**, no significant effects on materials and waste are anticipated. Waste during the construction and operation will be properly managed, appropriate measures will be taken to minimise waste arisings, site arisings will not have an adverse effect on the capacity of existing waste management facilities, and the waste hierarchy will be followed to minimise the volume of waste risings sent for disposal.	No update required, however supplemented by the following documents updated as part of the Examination: • **Draft DCO (as updated as part of this submission);** • **Outline Code of Construction Practice (REP5-013);** and • **Mitigation Schedule (REP1-010).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.15.3 Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome. 5.15.4 All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an Applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements. **Applicant assessment** 5.15.6 Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste. 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. 5.15.8 The Applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities. 5.15.9 The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. 5.15.10 The Applicant is encouraged to refer to the 'Waste Prevention Programme for England'.	Methods of best practice surrounding effects relating to waste have been secured as part of the **Outline CoCP (Document Reference 7.4)** to minimise the effects of the Proposed Scheme through the construction phase. An **Outline Site Waste Management Plan (SWMP) (Document Reference 7.10)** has been submitted and it ensures that the management of materials and waste generated during the construction of the Proposed Scheme is undertaken in accordance with legal and best practice requirements and this will be developed into a full **Site Waste Management Plan**, as secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Further a Materials Management Plan (MMP) will be developed, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, prior to construction commencing (post-consent) to help planning for, acquire and monitor materials required to construct the Proposed Scheme. Regarding cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on materials and waste as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Part 5.15 of EN-1.**	

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales'. 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. 5.15.11 If the Applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through reuse in the construction process. 5.15.12 The UK is committed to moving towards a more 'circular economy'. 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. 5.15.13 Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused. **Secretary of State decision making** 5.15.14 The Secretary of State should consider the extent to which the Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. 5.15.15 The Secretary of State should be satisfied that: • any such waste will be properly managed, both on-site and off-site. • the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area. • adequate steps have been taken to 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. 5.15.16 Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. 5.15.17 The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent. 5.15.18 Where the project will be subject to the Environmental Permitting regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply. 5.15.19 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 or wider goals set out in the government's Environmental Improvement Plan 2023.		
Water Quality and Resources **Part 5.16**	5.16.1 Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters. 5.16.2 During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental	**Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)**, alongside its appendices such as **Appendix 11-1 Water Framework Directive - Impact Assessment (Volume 3) of the ES (Document Reference 6.3)**, reports on the assessment of the likely significant effects of the Proposed Scheme on surface water features, groundwater features, WFD designated water bodies, coastal processes, flood risk, and potable water during construction and operation, and concludes that no likely significant effects arise with the implementation of mitigation measures. The full list of mitigation measures proposed to minimise impact to the water environment during construction and operation, and details of how these	The Water Framework Directive (WFD) Assessment for the Proposed Scheme presented in **Appendix 11-1: Water Framework Directive Assessment of the Environmental Statement (Volume 3) (APP-106)** has been supplemented by the **Sediment Sampling Technical Note (REP5-031)** following additional sediment sampling undertaken in December 2024. The Technical Note contains an explanation of how these results validate the conclusions of the WFD Assessment. The Environment Agency reviewed the **Sediment Sampling Technical Note (REP5-031)** and confirmed it is content that the Proposed Scheme is WFD compliant for water quality (and as such will not cause a deterioration in status of any of the scoped in WFD waterbodies). This position is reflected in the **Environment Agency Statement of Common Ground (REP6-034)**.

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010. **Applicant assessment** 5.16.3 Where the project is likely to have effects on the water environment, the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.32 and 4.10). 5.16.4 The Applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements. 5.16.5 Where possible, Applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g., from car parks or other areas of hard standing, during operation. 5.16.6 Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones - this could include, for example, the use of protective barriers. 5.16.7 The ES should in particular describe: • the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges • existing water resources affected by the proposed project and the impacts of the	will be secured, is provided within the assessment and the **Mitigation Schedule (Document Reference 7.8).** The assessment concludes that once the mitigation measures are implemented, the likely effects will not be significant. They are secured via the **Outline CoCP (Document Reference 7.4)** and the **Outline Drainage Strategy (Document Reference 7.2).** The Proposed Scheme design will include appropriate drainage systems and attenuation, this is detailed in the **Outline Drainage Strategy (Document Reference 7.2)**. Any wastewater generated by the Proposed Scheme will be treated at the Wastewater Treatment Plant proposed as part of the Proposed Scheme. The **Consultation Report (Document Reference 5.1)** shows that the relevant water undertakers have been consulted from an early stage throughout the development of the Proposed Scheme. Regarding cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on the water environment as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Part 5.16 of EN-1.**	The above response is supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** and • **Outline Drainage Strategy (AS-027).**

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance • existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics • any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions • how climate change could impact any of the above in the future • any cumulative effects **Mitigation** 5.16.8 The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the project application. A construction management plan may help codify mitigation at that stage. 5.16.9 The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked. 5.16.10 The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. If a development needs new water infrastructure, significant supplies or impacts other water supplies, the Applicant should consult with the local water company and the EA or NRW.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	Secretary of State decision making 5.16.11 Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters. 5.16.12 The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. 5.16.13 The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government's Environmental Improvement Plan 2023. 5.16.14 The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.		

Overarching National Policy Statement for Energy (EN-1) Designated January 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPS EN-1**	**Examination Update**
	5.16.15 The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans. 5.16.16 The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the Applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary.		

Table 1-2: Accordance with Marine Management Organisation (MMO): South-East Inshore Marine Plan

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
Chapter 2- Vision, objective and policies			
Topic: InfrastructurePolicies of the South- East Inshore Marine Plan **Policy Code: SE-INF-1**	Proposals for appropriate marine infrastructure which facilitates land-based activities, or land-based infrastructure which facilitates marine activities (including the diversification or regeneration of sustainable marine industries), should be supported.	In response to Policy SE-INF-1: The **Planning Statement (Document Reference 5.2)** details that the Proposed Scheme would align with the vision, objectives and policies of the South East In-Shore Marine Plan through the proposed construction of a carbon capture storage facility to capture carbon dioxide from energy from waste facilities Riverside 1 and Riverside 2 at the Cory Riverside Campus, located adjacent to the River Thames at Belvedere in the London Borough of Bexley (LBB). The Proposed Scheme would support the achievement of sustainable development by supporting the UK's transition to zero carbon, by delivering negative emissions associated with electricity generation to offset the sectors which it is more difficult to decarbonise (e.g., agriculture and aviation). **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)** outlines that the Proposed Scheme is located within the Belvedere Industrial Area, a designated Strategic Industrial Location (SIL) by both the London Plan and the Bexley Local Plan. The site is a Safeguarded Warf (designated in the Bexley Local Plan Policy SP11). Compliance with the Bexley Local Plan is discussed in **Section 8** of the **Planning Statement (Document Reference 5.2)**. For construction of the Proposed Jetty (i.e., steel piles, precast concrete units and marine equipment such as fenders) transport will primarily be via the River Thames. Once the Proposed Scheme is operational the Proposed Jetty will provide the riverside access point to be used for the export of CO_2. Up to five marine vessels will call at the Proposed Jetty each week to collect and transport LCO_2 to meet the annual throughput. **This demonstrates that the Proposed Scheme complies with SE-INF-1.**	No update required and no revisions to existing documents.
Topic: Co-existence **Policy Code: SE-CO-1**	Proposals that optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities will be supported Proposals that may have significant adverse impacts on, or displace, existing	In response to Policy SE-CO-1: The **Planning Statement (Document Reference 5.2)** explains that the Proposed Scheme is located within the Bexley Riverside Opportunity Area. It is also located within the Belvedere Industrial Area, a designated Strategic Industrial Location (SIL) by both the Bexley Local Plan and the London Plan. Hailey Road Industrial Estate, also a	No update required, however supplemented by the updated **Preliminary Navigational Risk Assessment (AS-092),** which the Port of London Authority have confirmed they are content with in their **SoCG (AS-097).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
	activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.	designated SIL, is located approximately 60m south of the Order Limits. The site is a Safeguarded Warf (designated in the Bexley Local Plan Policy SP11). Compliance with the Bexley Local Plan is discussed in **Section 8** of the **Planning Statement (Document Reference 5.2)**. For construction of the Proposed Jetty (i.e., steel piles, precast concrete units and marine equipment such as fenders) transport will primarily be via the River Thames. Once the Proposed Scheme is operational the Proposed Jetty will provide the riverside access point to be used for the export of CO_2. Up to five marine vessels will call at the Proposed Jetty each week to collect and transport LCO_2 to meet the annual throughput. **Chapter 19: Marine Navigation (Volume 1) of the ES (Document Reference 6.1)** reports the baseline analysis and findings of the hazards related to the Proposed Scheme on marine navigation, based on the Preliminary Navigational Risk Assessment (pNRA) (**Appendix 19-1: Preliminary Navigational Risk Assessment (Volume 3) of the ES (Document Reference 6.3)**, undertaken by NASH Maritime, as well as the risks associated with these hazards and the mitigation measures identified. The Applicant considers that the Proposed Scheme contributes to the goals of optimising the use of the borough's industrial land to meet the current and future demands for industrial and related functions. **This demonstrates that the Proposed Scheme complies with Policy SE-CO-1.**	
Topic: Dredging and dispersal **Policy Code: SE-DD-1**	In areas of authorised dredging activity, including those subjects to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.	In response to Policy SE-DD-1: Section 2.4 and 2.6 of **Chapter 2: Site and Proposed Scheme (Volume 1) of the ES (Document Reference 6.1)**, describes the proposed works in the marine environment, including dredging requirements and the proposed dredging regime, during the construction and operation phases. The dredge arisings will be managed in accordance with relevant legislation and would be disposed of offsite if deemed unsuitable for reuse. **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on materials consumption, waste generation and disposal, during construction and operation. This chapter provides details on the reuse and potential disposal method of dredged arisings.	The Applicant notes that the Port of London Authority has confirmed that it is content with the contents of the **Draft DCO (as updated as part of this submission)**, the **Outline Code of Construction Practice (REP5-013) and the Preliminary Navigational Risk Assessment (AS-092)** in **SoCG (AS-097).** These documents codify the relationship between the Applicant and the Port of London Authority in its role as harbour authority for the Port of London, which include the ability for it to undertake dredging and authorise other parties to dredge.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		Chapter 19: Marine Navigation (Volume 1) of the ES (Document Reference 6.1), reports the baseline analysis and findings of the hazards related to the Proposed Scheme on marine navigation, based on the Preliminary Navigational Risk Assessment (pNRA) **(Appendix 19-1 Preliminary Navigational Risk Assessment (Volume 3) of the ES (Document Reference 6.3)**, undertaken by NASH Maritime, as well as the risks associated with these hazards and the mitigation measures identified. This chapter and the associated appendix considers that the design of the Proposed Scheme ensures safe navigation by minimising the volume of dredging required. **This demonstrates that the Proposed Scheme complies with Policy SE-DD-1.**	
Topic: Dredging and dispersal **Policy Code: SE-DD-2**	Proposals that cause significant adverse impacts on licensed disposal sites should not be supported. Proposals that may have significant adverse impacts on licensed disposal sites must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding.	In response to Policy SE-DD-2: **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on materials consumption, waste generation and disposal, during construction and operation of the Proposed Scheme. This chapter concludes that the disposal of waste generated by the Proposed Scheme (using a reasonable worst-case scenario) would result in a negligible magnitude of impact, as waste generated by the Proposed Scheme will reduce regional landfill void capacity baseline by <1% (this equates to <630,000m^3). Mitigation measures in place during operation (as set out in the **Mitigation Schedule (Document Reference 7.8)**) will include the use of existing onsite waste prevention, minimisation and management processes and procedures to drive good practice behaviour and contracts, to maximise action in the highest tiers of the waste hierarchy and adherence to the proximity principle. Waste hierarchy will be followed to minimise the volume of waste sent for recovery or disposal. it is noted that the Applicant has produced a Coastal Modelling Study **(Appendix 11-4 of the ES (Volume 2) (Document Reference 6.3))** to consider the sediment impacts of dredging associated with the Proposed Jetty. This concludes, that with appropriate mitigation measures in place, no significant impacts are predicted to any receptor. **This demonstrates that the Proposed Scheme complies with Policy SE-DD-2.**	**Appendix A: Coastal Processes Modelling Technical Note** of the **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** provides additional clarity to that provided in **Appendix 11-4: Coastal Modelling Studies of the Environmental Statement (Volume 1) (APP-109)** regarding sediment impacts of dredging associated with the Proposed Jetty. The Marine Management Organisation and the Environment Agency have confirmed that they are content with the conclusions of these documents, as recorded in their SoCGs. This response is also supplemented by the **Outline Code of Construction Practice (REP5-013)** updated as part of the Examination. In addition, and as recorded in the **SoCG** with the **Port of London Authority (AS-097), t**he Applicant has constrained the methodology for dredging and its environmental assessment to backhoe dredging for the Proposed Scheme (both capital and maintenance) through embedded mitigations. The Applicant acknowledges that if any other methodology were to be used, this would require further assessment and a number of approvals, including from the PLA.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
Topic: Dredging and dispersal **Policy Code: SE-DD-3**	Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, including alternative use sites, proposals should be supported if they conform to best practice and guidance.	In response to Policy SE-DD-3: **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)**, reports the assessment of the likely significant effects of the Proposed Scheme on materials consumption, waste generation and disposal, during construction and operation of the Proposed Scheme. The chapter concludes that the effects would not be significant. It also considers the waste hierarchy to determine the suitability of the Proposed Scheme to dispose of dredged materials. The best practice design and construction measures to minimise impacts are also outlined in the chapter. Material resource efficiency and waste management measures, will be included in the **Outline Code of Construction Practise (Outline CoCP) (Document Reference 7.4)**, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. These measures will lead to the development of the (post-consent) Materials Management Plan (MMP) which will be submitted by the Construction Contractor(s) during the construction phase of the Proposed Scheme. The Applicant has submitted an **Outline Site Waste Management Plan (Outline SWMP) (Document Reference 7.10)**, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The Applicant will seek to adhere to the principles of the waste hierarchy in seeking opportunities to segregate and recover (reuse and recycle) operational wastes. **This demonstrates that the Proposed Scheme complies with Policy SE-DD-3.**	No update required, however supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission).**
Topic: Ports, harbours, and shipping **Policy Code: SE-PS-1**	In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported. Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour	In response to Policy SE-PS-1: **Chapter 19: Marine Navigation (Volume 1) of the ES (Document Reference 6.1)** and its relevant appendices reports the baseline analysis and findings of the hazards related to the Proposed Scheme on marine navigation, based on the Preliminary Navigational Risk Assessment (pNRA) **Appendix 19-1: Preliminary Navigational Risk Assessment (Volume 3) of the ES (Document Reference 6.3)**, undertaken by NASH Maritime, as well as the risks associated with these hazards and the mitigation measures identified. The chapter includes consideration regarding the assessment of the likely effects of the Proposed Scheme on the port, harbours, and shipping activities. The chapter concludes that the additional movements associated with the Proposed Scheme have a negligible impact upon navigational safety. Additionally the effects during the construction and operation phase are deemed to be broadly acceptable or tolerable and As	The PLA, the harbour and navigational authority for the river Thames, in which the Proposed Jetty will sit, has confirmed that it is content with the contents of the **Draft DCO (as updated alongside as part of this submission)**, the **Outline Code of Construction Practice (REP5-013) and the Preliminary Navigational Risk Assessment (AS-092)**, as set out in its **SoCG (AS-097).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
	activities, must demonstrate that they will, in order of preference a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Low As Reasonably Practicable (ALARP) and are deemed not significant. **This demonstrates that the Proposed Scheme complies with Policy SE-PS-1.**	
Topic: Ports, harbours, and shipping **Policy Code: SE-PS-2**	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within or encroaching upon International Maritime Organization routeing systems unless there are exceptional circumstances.	In response to Policy SE-PS-2: In response to Policy SE-PS-2: The Site does not fall in or encroaches upon International Maritime Organization routeing system; therefore, the Applicant considers SE-PS-2 is not relevant to the Proposed Scheme.	No update required and no revisions to existing documents.
Topic: Ports, harbours, and shipping **Policy Code: SE-PS-3**	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.	In response to Policy SE-PS-3: **Chapter 19: Marine Navigation (Volume 1) of the ES (Document Reference 6.1)** reports the baseline analysis and findings of the hazards related to the Proposed Scheme on marine navigation, based on the Preliminary Navigational Risk Assessment (pNRA) **Appendix 19-1: Preliminary Navigational Risk Assessment (Volume 3) of the ES (Document Reference 6.3)**, undertaken by NASH Maritime, as well as the risks associated with these hazards and the mitigation measures identified. The chapter details operational limits during the construction phase including minimum under keel clearance within channel and berth pocket. The chapter outlines that the design of the Proposed Scheme is not such that there is a requirement to require static sea surface infrastructure or significantly reduce under-keel clearance. **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on the water environment and flood risk during construction and operation. The chapter considers the impact of the Proposed Scheme on wave climate, finding the effect to be minimal compared to current shipping activity. **This demonstrates that the Proposed Scheme complies with Policy SE-PS-3.**	The PLA, the harbour and navigational authority for the river Thames, in which the Proposed Jetty will sit, has confirmed that it is content with the contents of the **Draft DCO (as updated as part of this submission)**, the **Outline Code of Construction Practice (REP5-013) and the Preliminary Navigational Risk Assessment (AS-092)**, as set out in its **SoCG (AS-097**).

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
Topic: Heritage assets **Policy Code: SE-HER-1**	Proposals that demonstrate they will conserve and enhance the significance of heritage assets will be supported. Where proposals may cause harm to the significance of heritage assets, proponents must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - any harm to the significance of heritage assets. If it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.	In response to Policy SE-HER-1: **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant environmental effects of the Proposed Scheme on the Historic Environment during construction and operation. The Historic Environment assesses the impact of the Proposed Scheme against known or potential buried heritage assets (archaeological and paleoenvironmental remains) and above ground heritage assets (structures and landscapes of heritage interest) within or immediately around the Proposed Scheme. It also includes, where appropriate, the setting of significant heritage assets and how they are understood and appreciated. No designated heritage assets are affected by the Proposed Scheme either directly or indirectly. There is no substantial harm to heritage assets to be considered. The location of heritage assets in the vicinity of the Site have been shown in **Environmental Features Plan Sheet 4: Heritage Features (Document Reference 2.7)**. The Belvedere Power Station Jetty (disused) is within the Order Limits, a non-designated asset of local importance. It is currently unknown if this asset will be lost to the Proposed Scheme. Should it be demolished a Historic England Level 2 Historic Building Recording will be undertaken. This will ensure that an accurate record of the Belvedere Power Station Jetty is archived with the GLHER and Archaeology Data Service for future research and understanding of heritage value. Alternatively, the Belvedere Power Station (disused) may be retained (with modifications). **Chapter 9 Historic Environment (Volume 1) of the ES (Document Reference: 6.1)** concludes that with the mitigation set out in the **Mitigation Schedule (Document Reference 7.8)** there are no anticipated significant effects to heritage assets, either if Belvedere Power Station Jetty (disused) is demolished, or retained as part of the Proposed Scheme. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on combined and cumulative effects. This chapter concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on the heritage assets as a result of in-combination effects with other plans and projects. The Applicant has carried out early engagement with key stakeholders on the Proposed Scheme, which included a non-statutory consultation and a statutory consultation, both involving the local community. Engagement with key stakeholders including Historic England is ongoing. More detail on the engagement and consultation activities carried out, and how	The **Outline Code of Construction Practice (REP5-013)** was updated to provide additional clarity in regard to the timeframes of the Historic England Level 2 Historic Building Recording, whereby the complete record will be deposited with the Greater London Historic Environment Record and Archaeology Data Service, and confirmation of the deposit provided in writing to London Borough of Bexley (as the relevant local planning authority) within six months of the date of the commencement of the demolition or modifications. The above response is supplemented by the following document updated as part of the Examination: • **Mitigation Schedule (REP1-010).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		feedback has influenced the Proposed Scheme can be found in the **Consultation Report (Document Reference 5.1).** **This demonstrates that the Proposed Scheme complies with Policy SE-HER-1.**	
Topic: Seascape and landscape **Policy Code: SE-SCP-1**	Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area. The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape. Proposals that may have a significant adverse impact on the seascape and landscape of the area should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area. Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.	In response to Policy SE-SCP-1: As detailed in Section 2 of the **Planning Statement (Document Reference 5.2)** the Proposed Scheme is located within Belvedere Strategic Industrial Area, a designated SIL. Hailey Road Industrial Estate, also a designated SIL, is located approximately 60m south of the Order Limits. As the Proposed Scheme is located in four National Character Areas, including NCA 81, where characteristic features include major developments such as ports, waste disposal, marine dredging, and prominent power stations plus numerous other industry-related activities, this demonstrates the Proposed Scheme would sit relative to the existing landscape. **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on townscape character and visual impact (TVIA) during construction and operation of the Proposed Scheme. The chapter concludes that with the application of mitigation measures (as outlined within the **Mitigation Schedule (Document Reference 7.8)**) the Proposed Scheme is likely to cause slight moderate adverse, slight adverse and moderate adverse visual effects. The Applicant considers that despite these effects that on balance the benefits of the Proposed Scheme outweigh the disbenefits of visual impact. **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** includes the alternatives assessed and details of how the site within the Order Limits and the Proposed Scheme layout have been chosen. Throughout the design process measures have been taken to reduce as far as practicably possible the Proposed Scheme's landscape and visual effects during construction and operation. Relevant design, mitigation, enhancement measures and improvements are identified in the **Outline LaBARDS (Document Reference 7.9)** and the **Design Approach Document (Document Reference 5.6)** to reduce the visual impact of the Proposed Scheme. The design evolution of the Proposed Scheme is described in the **Design Approach Document (Document Reference 5.6)**. This document provides a full account of the design process demonstrating good design and relevant interactions to inform the design. The **Design Approach Document (Document Reference 5.6)** outlines specific design commitments for approval in the form of Design Principles which are structured to	No update required, however supplemented by the following documents updated as part of the Examination: • **Draft DCO** (as updated as part of this submission); • **Outline LaBARDS (AS-094);** • **Design Principles and Design Code (REP5-009);** and • **Mitigation Schedule (REP1-010**).

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the Proposed Scheme. The **Design Approach Document (Document Reference 5.6)** is not intended to be a certifiable DCO document. The illustrative material contained in the **Design Approach Document (Document Reference 5.6)** is an expression of how the Proposed Scheme could be implemented, when applying the Principles and Codes as per a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The **Design Principles and Design Code (Document Reference 5.7)** is submitted for approval. Design Principles have been developed to inform the ongoing design evolution up to the DCO application submission and align with the guidance prepared by the National Infrastructure Commission (NIC). The Design Principles are where relevant, further underpinned by the Design Codes. Compliance with the Design Codes through the requirements in Schedule 2 of the **Draft DCO (Document Reference 3.1)** will ensure a good design outcome is achieved. The Proposed Scheme will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)**. The Applicant considers that disbenefits of the Proposed Scheme's in terms of its landscape and visual impacts are outweighed by its benefits of national importance, making significant benefits to the UK Government's environmental objectives. Further detail regarding the benefits of the proposed scheme is provided within the **Project Benefits Report (Document Reference 5.4)**. **This demonstrates that the Proposed Scheme complies with Policy SE-SCP-1.**	
Topic: Employment **Policy Code: SE-EMP-1**	Proposals that result in a net increase in marine-related employment will be supported, particularly where they meet one or more of the following: 1) are aligned with local skills strategies and support the skills available 2) create a diversity of opportunities	In response to Policy SE-EMP-1: **Chapter 15: Socio-Economics (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on socio-economics during construction and operation. The assessment concludes that by applying an average benchmark of £108,841 GVA per construction employee in Greater London, it is anticipated that the estimated 874.8 net	An **Outline Skills and Employment Plan** was submitted during Examination (**REP2-022**) and is agreed by LBB (as per the **SoCG (AS-096)**. The Draft DCO requires a detailed skills and employment plan to be approved by LBB in substantial accordance with the outline. The **Outline Code of Construction Practice (REP5-013)** also includes skills and employment measures.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
	3) create employment in locations identified as the most deprived 4) implement new technologies - in, and adjacent to, the south east marine plan area.	construction jobs generated by the Proposed Scheme represent an additional £95,214,107 in GVA to the Greater London economy. By applying the average benchmark of £82,309 GVA per construction employee outside of Greater London to the estimated 291.6 net construction job generation from the Proposed Scheme, it is estimated that there would be an additional £24,001,304 GVA to the wider economy. As Munster Joinery UK Limited will be demolished as part of the Proposed Scheme. As a relocation site has not been identified or secured at the time of writing, the potential job losses associated with the demolition of the building on the site it part occupies have been considered within the assessment. In a worst case scenario where the jobs at Munster Joinery UK Limited would be considered as an overall net loss to employment, there would be a net loss of GVA generated as a result of the Proposed Scheme. By applying an average benchmark of £60,333 GVA per operational employee in Greater London to the estimated 22.1 net operational jobs lost due to the Proposed Scheme, it is anticipated there would be a net loss of £1,333,359 GVA to the Greater London economy. When applying the average benchmark of £58,526 GVA per operational employee outside of Greater London, it is anticipated that the 7.4 net operational jobs that would be lost would lead to a reduction of £433,092 GVA to the wider economy. However, if Munster Joinery UK Limited was relocated within an area that would support existing business operations the Proposed Scheme would lead to additional GVA. When considering the net operation employment generation estimated by the Applicant, the Proposed Scheme would lead to an additional £1,556,591 GVA to the Greater London economy, which has been estimated by applying an average benchmark of £60,333 GVA per operational employee in Greater London to the estimated 25.8 net operational jobs generated by the Proposed Scheme. By applying the average benchmark of £58,526 GVA per operational employee outside of Greater London, it is anticipated that the 8.6 net operational jobs would lead to an additional £503,324 GVA to the wider economy. **The Planning Statement (Document Reference 5.2)** provides details on employment generation due to the Proposed Scheme. The Applicant would recruit locally, wherever practicable, and enable access to training and career development. Additionally, a Skills and Employment Plan will be prepared prior to the Proposed Scheme commencing operation and secured through a	In its Examination submissions, Landsul and Munster Joinery sought to cast doubt on the Applicant's assessment of the impacts to its landholdings and business as a result of the Proposed Scheme. The Applicant has refuted these concerns in its **Response to Landsul and Munster Joinery's Deadline 1 Submissions (REP2-021)** and its **Response to Landsul and Munster Joinery's Deadline 5 Submissions (REP6-038)**. The fundamental contention of the Applicant is that it has assessed the impacts of the loss of jobs at the Landsul/Munster site but has also offered to assist in the relocation of the business, which has not been taken up. Landsul and Munster Joinery have not demonstrated that the jobs and tasks undertaken at Norman Road could not be undertaken elsewhere. The above response is supplemented by the following document updated as part of the Examination: • **Draft DCO (as updated as part of this submission).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** The **Project Benefits Report (Document Reference 5.4)** also presents the socio-economic benefits of the Proposed Scheme. **This demonstrates that the Proposed Scheme complies with SE-EMP-1.**	
Topic: Climate Change **Policy Code: SE-CC-1**	Proposals that conserve, restore or enhance habitats that provide flood defence or carbon sequestration will be supported. Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated	In response to Policy SE-CC-1: Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction and operation of the Proposed Scheme on potentially sensitive receptors. The Flood Zones are shown in **Sheet 2: Flood Zones of the Environmental Features Plans (Document Reference 2.7))**. However, there are Flood Defence Owner maintained flood defences located along the River Thames, parts of which are within the Site. These currently provide the Site with a reduction in local flood risk. **Appendix 11-2: Flood Risk Assessment (FRA) (Volume 3) of the ES (Document Reference 6.3)** has been prepared in accordance with NPS EN -1 and the NPPF providing a quantitative analysis of flood risk to support this Application. It has been informed by the **Works Plans (Document Reference 2.3)** and is supported by the **Outline Drainage Strategy (Document Reference 7.2)** and discussions with the Environment Agency and the Lead Local Flood Authority. It concludes that the Proposed Scheme passes all policy tests with regards to flooding, including the Sequential Test, pursuant to a number of mitigation measures, which, alongside the measures in the **Outline Code of Construction Practice (Document Reference 7.4)** and the **Outline Emergency Preparedness and Response Plan (Document Reference 7.11)** (dealing with flood warnings and emergencies), are secured by DCO Requirement. An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that foul and surface water drainage has been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage and will inform spatial planning across the development. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy**	The Site is located in Flood Zone 3. **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** provides additional clarity to that provided in **Appendix 11-2: Flood Risk Assessment (Revision B) (AS-023)** regarding the application of the Exception Test in accordance with NPS EN-1, National Planning Policy Framework, and the Flood Risk and Coastal Change Planning Practice Guidance. The above response is supplemented by the following documents updated as part of the Examination: • **Draft DCO (as updated as part of this submission);** • **Works Plans (REP6-003);** • **Outline Drainage Strategy (AS-027);** • **Outline Code of Construction Practice (REP5-013);** and • **Outline Emergency Preparedness and Response Plan (REP4-014).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		(Document Reference 7.2) will be used to inform the full drainage design that will be undertaken at the detailed design stage of the Proposed Scheme and presented in the detailed drainage strategy brought forward for approval, as secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** **This demonstrates that the Proposed Scheme complies with SE-CC-1.**	
Topic: Climate Change **Policy Code: SE-CC-2**	Proposal in the south east marine plan area should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.	In response to Policy SE-CC-2: **Chapter 12: Climate Resilience (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of climate change on the Proposed Scheme (rather than the effects of the Proposed Scheme on climate) during construction and operation. The assessment concludes that no additional design, mitigation or enhancement measures are proposed for climate resilience during the construction phase. During operation, the implementation of a series of mitigation measures will result in the residual effects being not significant. Mitigation measures have been embedded in the design of the Proposed Scheme (as set out in the **Mitigation Schedule (Document Reference 7.8)**) to enhance its resilience. With the inclusion of mitigation measures there are no significant effects anticipated on the Proposed Scheme due to climate change. **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on surface water features, groundwater features, WFD designated water bodies, coastal processes, flood risk, and potable water during construction and operation. The assessment concludes that during operation, the Proposed Scheme will be safe from flooding subject to mitigation which may include: • increasing the height of the platform; • additional flood defence walls; and • inclusion of flood resistance measures for periods when high water levels are forecast in the River Thames which could result in a breach of the defences inundating the platform. **This demonstrates that the Proposed Scheme complies with Policy SE-CC-2.**	**Appendix A: Coastal Processes Modelling Technical Note** of the **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** provides additional clarity to that provided in **Appendix 11-4: Coastal Modelling Studies of the Environmental Statement (Volume 1) (APP-109)** regarding sediment impacts of dredging associated with the Proposed Jetty. It is noted that the Marine Management Organisation confirmed in their Deadline 1 Submission (REP5-031) that the Applicant had responded to its concerns on this topic and that it had no further comments on the topic. **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** provides additional clarity to the flood modelling provided in **Appendix 11-2: Flood Risk Assessment (Revision B) (AS-023)** and both account for climate change allowances. Requirement 4 of the **Draft DCO (as updated alongside this submission)** also secures that the detailed design of the Proposed Scheme must take account of the climate variables considered in the ES. The above response is supplemented by the following document updated as part of the Examination: • **Mitigation Schedule (REP1-010).**
Topic: Climate Change **Policy Code: SE-CC-3**	Proposals in the south east marine plan area, and adjacent marine plan areas, that are likely to have significant adverse impacts on coastal change, or on climate change adaptation measures inside and	In response to Policy SE-CC-3: Consideration of the requirement to adapt to climate change has been considered throughout the design and selection process of the Proposed Scheme.	**Appendix A: Coastal Processes Modelling Technical Note** of the **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** provides additional clarity to that provided in **Appendix 11-4: Coastal Modelling Studies of the Environmental Statement**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
	outside of the proposed project areas, should only be supported if they can demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant	**Chapter 12: Climate Resilience (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of climate change on the Proposed Scheme (rather than the effects of the Proposed Scheme on climate) during construction and operation. The assessment concludes that no additional design, mitigation or enhancement measures are proposed for climate resilience during the construction phase. During operation, the implementation of a series of mitigation measures will result in the residual effects being not significant. The application of climate resilient design is secured by an explicit Requirement of the DCO. Mitigation measures have been embedded in the design of the Proposed Scheme (as set out in the **Mitigation Schedule (Document Reference 7.8)**) to enhance its resilience. With the inclusion of mitigation measures there are no significant effects anticipated on the Proposed Scheme due to climate change. **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on surface water features, groundwater features, WFD designated water bodies, coastal processes, flood risk, and potable water during construction and operation. The assessment concludes that during operation, the Proposed Scheme will be safe from flooding subject to mitigation which may include: • increasing the height of the platform; • additional flood defence walls; and • inclusion of flood resistance measures for periods when high water levels are forecast in the River Thames which could result in a breach of the defences inundating the platform. **This demonstrates that the Proposed Scheme complies with Policy SE-CC-3.**	**(Volume 1) (APP-109)** regarding sediment impacts of dredging associated with the Proposed Jetty. It is noted that the Marine Management Organisation confirmed in their Deadline 1 Submission (REP5-031) that the Applicant had responded to its concerns on this topic and that it had no further comments on the topic. No significant adverse impacts on coastal change are therefore expected as a result of the Proposed Scheme. The above response is supplemented by the following document updated as part of the Examination: • **Mitigation Schedule (REP1-010).**
Topic: Air quality and emissions **Policy Code: SE-AIR-1**	Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases. Proposals that are likely to result in increased air pollution or increased emissions of greenhouse gases must demonstrate that they will in, in order of preference. a)avoid b)minimise c)mitigate -air pollution and/or greenhouse gas	In response to Policy SE-AIR-1: The EIA has considered the impacts of the Proposed Scheme on Air Quality, demonstrated in **Chapter 4: EIA Methodology (Volume 1) of the ES (Document Reference 6.1). Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1)** assesses the potential impacts on air quality as a result of the Proposed Scheme. This is in light of the fact that the Proposed Scheme is not proposed near a sensitive receptor site. The assessment identified that some effects arising from construction dust during construction and changes to emissions during operation could occur. However, with appropriate	No update required, however supplemented by the following documents updated as part of the Examination: • **Draft DCO (as updated as part of this submission); and** • **Outline Code of Construction Practice (REP5-013).** The Proposed Scheme will ultimately lead to a substantial reduction in GHGs from the Riverside Campus.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
	emissions in line with current national and local air quality objectives and legal requirements.	mitigation methods and controls in place during the construction and operation phases of the Proposed Scheme, it has been determined that the residual effect on Air Quality in both phases is not significant. Mitigation measures for construction dust impacts is included within the **Outline CoCP (Document Reference 7.4)** for the Proposed Scheme and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Operational measures are secured through the parameters secured through the Draft DCO and through the proposed Environmental Permit. The Proposed Development will not lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a noncompliant area to achieve compliance. Air quality modelling has been undertaken and the conclusions demonstrate compliance with environmental limits, particularly regarding the amine degradation products in the flue gas. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on Combined and Cumulative Effects. This chapter concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on air quality as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Policy SE-AIR-1.**	
Topic: Water quality **Policy code: SE-WQ-1**	Proposals that protect, enhance and restore water quality will be supported. Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference. a)avoid b)minimise c)mitigate -deterioration of water quality in the marine environment.	In response to Policy SE-WQ-1: The WFD Assessment presented in **Appendix 11-1: Water Framework Directive Assessment ES (Volume 3) (Document Reference 6.3)**, has been prepared to address the Environment Agency's comments in regard to water quality. The WFD provides an assessment in relation to water quality including direct and indirect impacts relating to the biological, hydromorphological and chemical quality indicators within the River Thames. **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on the water environment during construction and operation. The WFD assessment and Chapter 11 concludes that the impacts on groundwater or surface water quality and quantity resulting from the water supply options during construction and operation are considered likely to be insignificant. Further, with mitigation measures, no significant effects are anticipated to the water environment during construction and operation.	The Water Framework Directive (WFD) Assessment for the Proposed Scheme presented in **Appendix 11-1: Water Framework Directive Assessment of the Environmental Statement (Volume 3) (APP-106)** has been supplemented by the **Sediment Sampling Technical Note (REP5-031)** following additional sediment sampling undertaken in December 2024. The Technical Note contains an explanation of how these results validate the conclusions of the WFD Assessment. The Environment Agency reviewed the **Sediment Sampling Technical Note (REP5-031)** and confirmed it is content that the Proposed Scheme is WFD compliant for water quality (and as such will not cause a deterioration in status of any of the scoped in WFD waterbodies). This position is reflected in the **Environment Agency Statement of Common Ground (REP6-034)**. The above response is supplemented by the updates to the **Outline Code of Construction Practice (REP5-013)** throughout the Examination.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		Regarding cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on the water environment as a result of in-combination effects with other plans and projects. The **Mitigation Schedule (Document Reference 7.8)** details the embedded avoidance, mitigation and compensation measures that will be in place during construction and operation of the Proposed Scheme, and how these measures will be secured. Mitigation required during construction has been recorded in an **Outline Code of Construction Practise (OCoCP) (Document Reference 7.4)**. **The above demonstrates that water quality can be actively managed in accordance with SE-WQ-1.**	
Topic: Access **Policy Code: SE-ACC-1**	Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported. Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	In response to Policy SE-ACC-1: **Chapter 14: Population, Health and Land Use of the Environmental Statement (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on existing recreational areas. It has been identified that the Proposed Scheme will have residual Moderate Adverse effects during the construction phase on Accessible Open Land. There will be ongoing engagement with users to mitigate these impacts. Clear signage and directions for any alternative routes and appropriate alternative diversions would be provided and diversions clearly publicised to maintain access as per the **Mitigation Schedule (Document Reference 7.8)**. The offsite access improvements referenced in the **Outline LaBARDS (Document Reference 7.9)** would include provision of improved access, interpretation, and activation on PRoW within accessible open spaces for all seasons, encouraging active and healthy lifestyles, points of engagement and benefit local people, and improved use and amenity value. **Chapter 14: Population, Health and Land Use of the Environmental Statement (Volume 1) of the ES (Document Reference 6.1)** states that the Proposed Scheme includes a Mitigation and Enhancement Area, which will result in improvements such as user/ visitor information facilities and amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks).	No update required, however supplemented by the **Outline LaBARDS (AS-094)** which has been updated to provide more information on access improvements in the area, which will ultimately help to improve access to the Coast Path from Belvedere.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		Additionally, it is anticipated in **Chapter 14: Population, Health and Land Use of the Environmental Statement (Volume 1) of the ES (Document Reference 6.1)** that once operational, the majority of PRoW within the Study Area will remain largely unaffected by the Proposed Scheme and all temporary construction diversions would be removed, therefore during the operation phase no significant effects are anticipated to users. The Applicant considers that despite the adverse effects that on balance the overall benefits of the Proposed Scheme (as set out in the **Project Benefits Report (Document Reference 5.4)** outweigh the disbenefits of impacts to recreational space and walkers and cyclists during the construction phase. With the inclusion of mitigation measures (as set out in the **Mitigation Schedule (Document Reference 7.8)**), no other significant effects to recreation, recreational users, cyclists and walkers were identified during the construction phase, or the operational phase of the Proposed Scheme. **This demonstrates that the Proposed Scheme complies with Policy SE-ACC-1.**	
Topic: Social benefits **Policy Code: SE-SOC-1**	Those bringing forward proposals should consider and demonstrate how their development shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.	In response to Policy SE-SOC-1: The Applicant has sought to enhance public knowledge, understanding, appreciation and enjoyment of the marine environment through undertaking early engagement with key stakeholders on the Proposed Scheme. Non-statutory consultation and statutory consultation, both involving the local community, has taken place. Engagement with stakeholders and the local community is ongoing. More detail on the engagement and consultation activities carried out, and how feedback has influenced the Proposed Scheme can be found in the **Consultation Report (Document Reference 5.1).** The Proposed Scheme will enable the delivery of the social, environmental and economic benefits as outlined in the **Project Benefits Report (Document Reference 5.4).** **This demonstrates that the Proposed Scheme complies with SE-SCO-1.**	The **Outline LaBARDS (AS-094)** includes for the potential for improvements to the user experience of the Coast Path.
Topic: Defence **Policy Code: SE-DEF-1**	Proposals in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence	In response to Policy SE-DEF-1: **The Site does not fall in or affect Ministry of Defence areas; therefore, the Applicant considers SE-DEF-1 is not relevant to the Proposed Scheme.**	No update required and no revisions to existing documents.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
Topic: Marine protected areas **Policy Code: SE-MPA-1**	Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts, with due regard given to statutory advice on an ecologically coherent network.	In response to Policy SE-MPA-1: **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on marine biodiversity during construction and operation. Mitigation and enhancement measures have been identified for both construction and operational phases. 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 (as set out in the **Mitigation Schedule (Document Reference 7.8)**), there would be no anticipated significant effects to marine biodiversity during construction or operation. Medway Estuary has been identified as the only MCZ located approximately 10 km southeast of the Site. **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** considers the Proposed Scheme's impact to the MCZ and concludes that no likely significant effects arise. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that this is also the case when the Proposed Scheme is considered cumulatively with other projects, **This demonstrates that the Proposed Scheme complies with Policy SE-MPA-1.**	No update required, however supplemented by updates to the following documents as part of the Examination: • **Outline Code of Construction Practice (REP5-013)** in response to comments from the Marine Management Organisation, Port of London Authority and Environment Agency; and • **Mitigation Schedule (REP1-010).**
Topic: Marine protected areas **Policy Code: SE-MPA-2**	Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of marine protected area network, will be supported. Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change, and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference: a)avoid b)minimize c)mitigate -adverse impacts	In response to Policy SE-MPA-2: **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on marine biodiversity during construction and operation. Mitigation and enhancement measures have been identified for both construction and operational phases. 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, as set out in the **Mitigation Schedule (Document Reference 7.8)**, there would be no anticipated significant effects to marine biodiversity during construction or operation. **This demonstrates that the Proposed Scheme complies with Policy SE-MPA-2.**	No update required, however supplemented by the following document updated as part of the Examination: • **Mitigation Schedule (REP1-010).**
Topic: Marine protected areas Policy Code: SE-MPA-3	Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.	In response to Policy SE-MPA-3: **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on marine biodiversity during construction and operation. Mitigation and enhancement measures have been identified for both construction and operational phases. The assessment concludes that, subject to the implementation of these measures, that with mitigation measures (as set out in the	No update required, however supplemented by the following document updated as part of the Examination: • **Mitigation Schedule (REP1-010).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		Mitigation Schedule (Document Reference 7.8)), there would be no anticipated significant effects to marine biodiversity during construction or operation. **This demonstrates that the Proposed Scheme complies with Policy SE-MPA-3.**	
Topic: Marine protected areas **Policy Code: SE-MPA-4**	Proposals that may have significant adverse impacts on designated geodiversity must demonstrate that they will, in order of preference. a)avoid b)minimise c)mitigate -adverse impacts so they are no longer significant	In response to Policy SE-MPA-4: **Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document reference 6.1)** reports the assessment of the likely potential significant effects of the Proposed Scheme on terrestrial biodiversity, during construction and operation. **Chapter 17: Ground Conditions (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on ground conditions and soils during construction and operation. It concludes that there would be no significant effect to site users, construction staff, or third-party neighbours from ground contamination during the construction phase of the Proposed Scheme. Measure to mitigate risks to human health will be implemented via the **Outline Code of Construction Practise (Outline CoCP) (Document Reference 7.4)** which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. **This demonstrates that the Proposed Scheme complies with Policy SE-MPA-4.**	The following response is supplemented by the following documents submitted as part of the Examination: • **Draft DCO (as updated as part of this submission);** and • **Outline Code of Construction Practice (REP5-013).** There are no Geological Heritage Sites located within the Study Areas assessed in **Chapter 17: Ground Conditions (Volume 1) of the ES (Document Reference 6.1)** and therefore the Proposed Scheme will not have a significant impact on sites of geological heritage.
Topic: Biodiversity **Policy Code: SE-BIO-1**	Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated. .	In response to Policy SE-BIO-1: **Chapter 7: Terrestrial Biodiversity, Chapter 8: Marine Biodiversity, Chapter 10: Townscape and Visual and (Arboriculture) (Volume 1) of the ES (Document Reference 6.1), and the Information to Inform a HRA (Appendix 7-3) (Volume 3) of the ES (Document Reference 6.3)** contain the biodiversity assessments undertaken for the Proposed Scheme. Onsite and offsite habitat creation enhancement is proposed as part of the Proposed Scheme to mitigate any impacts to biodiversity, and a programme of habitat management will be implemented during operation of the Proposed Scheme, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. **Chapter 7: Terrestrial Biodiversity** and **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** consider impacts to terrestrial and marine habitats and species, including SSSIs, MCZs, ancient woodland, ancient trees and regional and local sites (no Marine Protected Areas are relevant). A Mitigation and Enhancement Area is being designed to deliver improvements such as user/visitor information facilities and	The Applicant's response to ExA question 2.3.4 (**REP5-033)** summarises and explains the Applicant's approach to impacts to, and mitigation for, priority species. This confirms that the measures in the **Outline LaBARDS (AS-094)** and the requirements of DCO Requirement 12 (in the **Draft DCO (as updated as part of this submission)** will ensure that impacts to priority species and habitats will be mitigated to ensure no significant adverse effects are caused. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks). Further information is provided in the **Outline LaBARDS (Document Reference 7.9)** and **Design Approach Document (Document Reference 5.6)**. A BNG assessment contained within **Appendix 7-1: Biodiversity Net Gain Report (Terrestrial and Marine) (Volume 1) of the ES (Document Reference 6.3)** for the Proposed Scheme is submitted as part of the application for development consent, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Order Limits. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). **This demonstrates that the Proposed Scheme complies with Policy SE-BIO-1.**	
Topic: Biodiversity **Policy Code: SE-BIO-2**	Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported. Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated.	In response to Policy SE-BIO-2: The Site includes parts of Erith Marshes Site of Importance to Nature Conservation (SINC), River Thames and Tidal Tributaries SINC, and Belvedere Dykes SINC, and 18 other SINCs are located within 2km of the Site. Onsite and offsite habitat creation enhancement is proposed as part of the Proposed Scheme to mitigate any impacts to biodiversity, and a programme of habitat management will be implemented during operation of the Proposed Scheme, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. **Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely potential significant effects of the Proposed Scheme on terrestrial biodiversity during construction and operation. The assessment concludes that during construction, the Proposed Scheme will have a significant effect on habitat loss and fragmentation. During operation, **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** concludes that proposed planting will establish over time and to a small extent help integrate the Proposed Scheme into the landscape and screen views. Despite the changes in amenity, the enhancements being designed for the	No update required, however supplemented by the following documents updated as part of the Examination: • **Draft DCO (as updated as part of this submission);** • **Outline LaBARDS (AS-094);** and • **Biodiversity Net Gain - Trading Rules (REP3-031).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		Mitigation and Enhancement Area will deliver opportunities to improve the overall amenity, resulting in no significant effect. A Mitigation and Enhancement Area is being designed to deliver improvements such as user/visitor information facilities and amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks). Further information is provided in the **Outline LaBARDS (Document Reference 7.9)** and **Design Approach Document (Document Reference 5.6).** A BNG assessment contained within **Appendix 7-1: Biodiversity Net Gain Report (Terrestrial and Marine) (Volume 1) of the ES (Document Reference 6.3)** for the Proposed Scheme is submitted as part of the application for development consent, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Order Limits. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). **This demonstrates that the Proposed Scheme complies with Policy SE-BIO-2.**	
Topic: Biodiversity **Policy Code: SE-BIO-3**	Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, will be supported. Proposals must take account of the space required for coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate d) compensate for net habitat loss.	In response to Policy SE-BIO-3: The Site includes parts of Erith Marshes Site of Importance to Nature Conservation (SINC), River Thames and Tidal Tributaries SINC, and Belvedere Dykes SINC, and 18 other SINCs are located within 2km of the Site. Onsite and offsite habitat creation enhancement is proposed as part of the Proposed Scheme to mitigate any impacts to biodiversity, and a programme of habitat management will be implemented during operation of the Proposed Scheme, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1**). **Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely potential significant effects of the Proposed Scheme on terrestrial biodiversity during construction and operation. The assessment concludes that during construction, the Proposed Scheme will have a significant effect on habitat loss and fragmentation. During operation, **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document**	**Appendix A: Coastal Processes Modelling Technical Note** of the **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** provides additional clarity to that provided in **Appendix 11-4: Coastal Modelling Studies of the Environmental Statement (Volume 1) (APP-109)** regarding sediment impacts of dredging associated with the Proposed Jetty. It is noted that the Marine Management Organisation confirmed in their Deadline 1 Submission that the Applicant had responded to its concerns on this topic and that it had no further comments on the topic. The above response is supplemented by the following document updated as part of the Examination: • **Draft DCO (as updated as part of this submission);**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		Reference 6.1) concludes that proposed planting will establish over time and to a small extent help integrate the Proposed Scheme into the landscape and screen views. Despite the changes in amenity, the enhancements being designed for the Mitigation and Enhancement Area will deliver opportunities to improve the overall amenity, resulting in no significant effect. A Mitigation and Enhancement Area is being designed to deliver improvements such as user/visitor information facilities and amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks). Further information is provided in the **Outline LaBARDS (Document Reference 7.9)** and **Design Approach Document (Document Reference 5.6).** **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on marine biodiversity during construction and operation. Mitigation and enhancement measures have been identified for both construction and operational phases. 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. have concludes that with mitigation measures (as set out in the **Mitigation Schedule (Document Reference 7.8)**), there would be no anticipated significant effects to marine biodiversity during construction or operation. A BNG assessment contained within **Appendix 7-1: Biodiversity Net Gain Report (Terrestrial and Marine) (Volume 1) of the ES (Document Reference 6.3)** for the Proposed Scheme is submitted as part of the application for development consent, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Order Limits. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). **This demonstrates that the Proposed Scheme complies with Policy SE-BIO-3.**	• **Outline LaBARDS (AS-094);** and • **Mitigation Schedule (REP1-010).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
Topic: Invasive non-native species **Policy Code: SE-INNS-1**	Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported. Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species, particularly when: 1) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another 2) introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area.	In response to Policy SE-INNS-1: The Site includes parts of Erith Marshes Site of Importance to Nature Conservation (SINC), River Thames and Tidal Tributaries SINC, and Belvedere Dykes SINC, and 18 other SINCs are located within 2km of the Site. Onsite and offsite habitat creation enhancement is proposed as part of the Proposed Scheme to mitigate any impacts to biodiversity, and a programme of habitat management will be implemented during operation of the Proposed Scheme, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. **Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely potential significant effects of the Proposed Scheme on terrestrial biodiversity during construction and operation. The assessment concludes that during construction, the Proposed Scheme will have a significant effect on habitat loss and fragmentation. During operation, **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** concludes that proposed planting will establish over time and to a small extent help integrate the Proposed Scheme into the landscape and screen views. Despite the changes in amenity, the enhancements being designed for the Mitigation and Enhancement Area will deliver opportunities to improve the overall amenity, resulting in no significant effect. A Mitigation and Enhancement Area is being designed to deliver improvements such as user/visitor information facilities and amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks). Further information is provided in the **Outline LaBARDS (Document Reference 7.9)** and **Design Approach Document (Document Reference 5.6)**. A BNG assessment contained within **Appendix 7-1: Biodiversity Net Gain Report (Terrestrial and Marine) (Volume 1) of the ES (Document Reference 6.3)** for the Proposed Scheme is submitted as part of the application for development consent, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Order Limits. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme.	No update required, however supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013)** includes INNS mitigation measures (such as a Biosecurity Management Plan); and • **Outline LaBARDS (AS-094).**

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
		The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). **This demonstrates that the Proposed Scheme complies with Policy SE-INNS-1.**	
Topic Disturbance **Policy Code: SE-DIST-1**	Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	In response to Policy SE-DIST-1: **Chapter 8: Marine Biodiversity (Volume 1) of the (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on marine biodiversity during construction and operation. Mitigation and enhancement measures have been identified for both construction and operational phases. 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 (as set out in the **Mitigation Schedule (Document Reference 7.8)**), there would be no anticipated significant effects to marine biodiversity during construction or operation. **This demonstrates that the Proposed Scheme complies with Policy SE-DIST-1.**	No update required, however supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** and • **Mitigation Schedule (REP1-010).**
Topic: Underwater noise **Policy Code: SE-UWN-6**	Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11.	In response to Policy SE-UWN-6: Underwater noise and vibration effects have been considered within the ES, the detailed assessment is presented in **Appendix 6-4: Underwater Noise Assessment of Volume 3 of the ES (Document Reference 6.3)**, with the resultant impacts on marine species presented in **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** which concludes that no likely significant effects are expected to arise. **Chapter 6: Noise and Vibration (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme noise and vibration on receptors during construction and operation. It concludes no significant environmental effects for noise or vibrations have been identified for the Proposed Scheme on nearby sensitive receptors regarding construction or operation subject to the implementation of mitigation measures. Any noise arising from the construction phase would be temporary, and suitably mitigated through the **Outline CoCP (Document Reference 7.4)**, which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** **This demonstrates that the Proposed Scheme complies with Policy SE-UWN-1.**	During the course of the Examination, the Applicant updated the wording in relation to mitigation measures for migratory fish in the **Outline Code of Construction Practice (REP5-013)** following comments by the Marine Management Organisation. The Marine Management Organisation confirmed in their **Deadline 4 Submission (REP4-037)** that they have no further concerns regarding fisheries and fish ecology impacts in relation to the Proposed Scheme, including in relation to underwater.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
Topic: Underwater noise **Policy Code: SE-UWN-2**	Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts on highly mobile species so they are no longer significant.	In response to Policy SE-UWN-2: **Chapter 6: Noise and Vibration (Volume 1) of the ES (Document Reference 6.1)** considers the effect of noise and vibration as a result of the Proposed Scheme through construction and operation. Underwater noise and vibration effects have been considered within the ES, the detailed assessment is presented **in Appendix 6-4: Underwater Noise Assessment of Volume 3 of the ES (Document Reference 6.3)**, with the resultant impacts on marine species presented in **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** which concludes that no likely significant effects are expected to arise. It has been determined that the Proposed Scheme will not have a residual impact on fish and marine animals through noise and vibration. **This demonstrates that the Proposed Scheme complies with Policy SE-UWN-2.**	During the course of the Examination, the Applicant updated the wording in relation to mitigation measures for migratory fish in the **Outline Code of Construction Practice (REP5-013)** following comments by the Marine Management Organisation. The Marine Management Organisation confirmed in their **Deadline 4 Submission (REP4-037)** that they have no further concerns regarding fisheries and fish ecology impacts in relation to the Proposed Scheme, including in relation to underwater.
Topic: Cumulative Effects **Policy Code: SE-CE-1**	Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse cumulative and/or in-combination effects so they are no longer significant.	In response to Policy SE-CE-1: **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document reference 6.1)** assesses the likely significant cumulative effects of the Proposed Scheme, namely its inter-project and intra-project effects. The inter project effects assessment identified no significant effect of the Proposed Scheme. The intra-project effects assessment identified Moderate Adverse (Significant) effects on users of Accessible Open Land in both construction and operation phases. No additional practicable mitigation measures have been identified to mitigate this effect as all practicable mitigation measures have been considered in the respective chapters **(Chapter 5: Air Quality (Volume 1), Chapter 10: Townscape and Visual (Volume 1) and Chapter 14: Population, Health and Land Use (Volume 1)** of the **ES (Document Reference 6.1)**. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and the **Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts to users of Accessible Open Land. **Appendix 21-2 Inter-Project Effects Assessment** and **Appendix 21-1 Inter-Project Effects Assessment (Volume 3) of the ES (Document Reference 6.3)** provides full details on the assessment and the residual effect outcomes of the Proposed Scheme. **This demonstrates that the Applicant has complied with Policy SE-CE-1.**	**Natural England Statement of Common Ground (REP6-035)** reflects that Natural England agree with the Applicant's conclusions that the Proposed Scheme does not cause any adverse effects to integrity of any National Site Network site, both alone or in combination with other plans and projects. That SoCG also sets out Natural England's agreement that the Proposed Scheme does not cause any adverse effects to any SSSI, both alone or cumulatively with other plans and projects, meaning that paragraph 4.2.17 does not need to be engaged.

Marine Management Organisation (MMO): South-East Inshore Marine Plan June 2021			
Policy	**Policy Text**	**Compliance with South-East Inshore Marine Plan**	**Examination Update**
Topic: Cross-border-operation **Policy Code: SE-CBC-1**	Proposals must consider cross-border impacts throughout the lifetime of the proposed activity. Proposals that impact upon one or more marine plan areas or terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.	In response to Policy SE-CBC-1: The Applicant has undertaken early engagement with key stakeholders on the Proposed Scheme to fulfil its duty to consult with bodies, both prescribed and non-prescribed. Engagement with stakeholders and the local community is ongoing. Detail on the engagement and consultation activities which have been carried out, the feedback received, and the Applicant's response is detailed in the **Consultation Report (Document Reference 5.1).** **This demonstrates that the Proposed Scheme complies with Policy SE-CBC-1.**	The Applicant has continued to engage with key stakeholders throughout the Examination, with substantial agreement achieved with all the statutory consultees. The level, type and outcomes of the engagement undertaken is outlined in the submitted Statements of Common Ground and **Statement of Commonality (as updated as part of this submission)**.

Table 1-3: Accordance with National Planning Policy Framework[a]

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
2. Sustainable Development	7. The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.	The NPPF sets out the presumption in favour of sustainable development, highlighting the need to support economic, social and environmental objectives. In response to paras 8: The **Planning Statement (Document Reference 5.2)** reports on the likely benefits of the Proposed Scheme. The Applicant has taken into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. The **Planning Statement (Document Reference 5.4)** also sets out the overall planning balance and policy support for the Proposed Scheme. The urgent need for the Proposed Scheme and its role in contributing to the UK government's environmental aspirations are also set out in the **Project Benefits Report (Document Reference 5.4)**. In response to para 8a: The Proposed Scheme adheres to the requirements of financial and technical viability as required within the NPPF. **The Funding Statement (Document Reference 4.2)**	Throughout Examination, SCNR has sought to suggest that the Proposed Scheme has not followed the mitigation hierarchy. The **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** is one place in which the Applicant has set out, in some detail, how it has applied the mitigation hierarchy, both in relation to biodiversity assets and MOL policy (see Tables 2.3.4 and 2.9.5). The Applicant responded to queries in respect of the funding position at CAH1 (**REP1-028)** and CAH2 (**REP4-048**). LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*

[a] It should be noted that the National Planning Policy Framework was also amended on 7 February 2025 to correct cross-references from footnotes 7 and 8, and amend the end of the first sentence of paragraph 155 to make its intent clear. For the avoidance of doubt the amendment to paragraph 155 is not intended to constitute a change to the policy set out in the Framework as published on 12 December 2024.

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.	shows that funding of the Proposed Scheme will not be an impediment to its delivery. In response to para 8b: **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1**) provides an assessment of the employment and economic impact of the Proposed Scheme. It is considered that the Proposed Scheme would generate economic growth and opportunities for employment. In response to para 8c: The **ES Volume 1 (Document Reference 6.1)** assesses the potential environmental impact and any residual impact of the Proposed Scheme. It and the **Terrestrial Sites Alternatives Report (TSAR) (Document Reference 7.6)** demonstrate that the Applicant has applied the mitigation hierarchy and limited impacts to MOL, Accessible Open Land, Crossness LNR and the Erith Marshes SINC. Impacts to these aspects are to be mitigated and compensated for pursuant to the measures set out in the **Outline LaBARDS (Document Reference 7.9)**, which is secured through the **Draft DCO (Document Reference 3.1)**. In response to paras 9-11: **The Planning Statement (Document Reference 5.2)** considers policy compliance whilst the **ES (Document Reference 6.1 - 6.4)** assesses the potential environmental impact and any residual impact of the Proposed Scheme taking account of the Mitigation Hierarchy. The Proposed Scheme's approach to mitigation is detailed in **Chapter 4: EIA Methodology (Volume 1) of the ES (Document Reference 6.1)**. The Proposed Scheme would support sustainable development by providing the infrastructure necessary to meet national net zero targets with local enhancements. The Proposed Scheme would also generate employment opportunities and provide a positive contribution to socio-economic wellbeing.	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. 10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) **The presumption in favour of sustainable development** 11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects; b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and	**Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** describes that the site-won materials will be reused where suitable, to adopt a sustainable approach for waste management. Waste hierarchy will be followed to manage the waste produced. Additionally, Sustainable Drainage Systems (SuDS) will be adopted to provide an adequate level of pollution control from the Proposed Scheme, as detailed in **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1).** **This demonstrates that the Proposed Scheme complies with Policy 2. Sustainable Development.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	other uses, as well as any needs that cannot be met within neighbouring areas, unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area[7]; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. 12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. 13. The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.		

National Planning Policy Framework **Published December 2024**			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	14. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply: a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).		
4. **Decision-making**	39. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with Applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible. **Pre-application engagement and front-loading** 40. Early engagement has significant potential to improve the efficiency and	In response to paras 39–47: The Applicant has carried out early engagement with key stakeholders on the Proposed Scheme, which included non-statutory consultation and statutory consultation, both involving the local community. Two stages of consultation have been carried out, alongside ongoing engagement with key stakeholders. Full details of the engagement and consultation activities carried out, and how feedback has influenced the Proposed Scheme is set out in the **Consultation Report (Document Reference 5.1).** The Applicant has engaged with the local planning authority. Consideration has been given to the accordance of the Proposed Scheme with relevant local policies within the Bexley Local Plan and the London Plan in this **Policy Accordance Tracker (Document Reference 5.3)**.	The Applicant has put forward planning obligations to support the commitments made under Requirement 12 of the **Draft DCO (as updated as part of this submission)**. The Applicant has set out the final position on the Deeds of Obligation at the end of Examination.

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community. 42. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that Applicants do not experience unnecessary delays and costs. 43. The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible. 44. The right information is crucial to good decision-making, particularly where formal	The **Draft DCO (Document Reference 3.1)** includes necessary requirements, which the **Explanatory Memorandum (Document Reference 3.2)** explains are all relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. <u>In response to paras 48–59:</u> The **Planning Statement (Document Reference 5.2)** identifies the relevant legislation and policy applicable to the Proposed Scheme and assesses the proposals against this policy context. This demonstrates how the Applicant has taken account of relevant planning policy, notably the energy NPS, and the extent to which the Proposed Scheme complies with these policies. It also considers other matters which are "important and relevant" to the relevant Secretary of State's determination of this Application including UK Government energy and climate change policy, Energy NPS, the National Planning Policy Framework (NPPF) and local planning documents. The Applicant has included a number of requirements within Schedule 2 of the **Draft DCO (Document Reference 3.1)** in respect to the detailed design of the Proposed Scheme, as well as its construction, operation and decommissioning, in order to appropriately mitigate and manage adverse effects throughout the lifetime of the scheme. The **ES (Document Reference 6.1 - 6.4)** and other documents submitted with this Application (including this **Policy Accordance Tracker (Document Reference 5.2)**), explain the role of and provide justification for the proposed requirements in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The requirements are drafted to provide the relevant controls to ensure that Proposed Scheme is constructed, operated and is decommissioned in accordance with the measures proposed to ensure that impacts arising from the Proposed Scheme do not	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, Applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible. 47. Applicants and local planning authorities should consider the potential for voluntary planning performance agreements, where this might achieve a faster and more effective application process. Planning performance agreements are likely to be needed for applications that are particularly large or complex to determine. **Determining applications** 48. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the Applicant in writing. 49. Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);	give rise to effects any worse than those set out in the **ES (Document Reference 6.1 - 6.4)**. **This demonstrates that the Proposed Scheme complies with Policy 4. Decision Making.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). 50. However, in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both: a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area. 51. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process. **Planning conditions and obligations** 57. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. 58. Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. 59. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	viable. It is up to the Applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available.		
6. **Building a strong, competitive economy**	85. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential. 87. Planning policies and decisions should recognise and address the specific	<u>In response to para 85:</u> It is considered that the Proposed Scheme would generate economic growth and opportunities for employment. The Applicant has taken into account environmental, social, and economic benefits and adverse impacts, at national, regional and local levels. The **Planning Statement (Document Reference 5.2)** reports on the likely benefits of the Proposed Scheme. The Planning Statement also reports on the overall planning balance and policy support for the Proposed Scheme. The urgent need for the Proposed Development and its role in contributing to the UK government's environmental aspirations is also set out in the **Project Benefits Report (Document Reference 5.4)**. It is considered that the Proposed Scheme would generate economic growth and opportunities for employment. **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the employment and economic impact of the Proposed Scheme. It has been identified that the	An **Outline Skills and Employment Plan (REP2-022**) was submitted during Examination and is agreed by LBB (see **SoCG (AS-096)**). The **Draft DCO (as updated as part of this submission)** requires a detailed skills and employment plan to be approved by LBB in substantial accordance with the outline. The **Outline Code of Construction Practice (REP5-013)** also includes skills and employment measures. The only other update required to the above response is to note the previous Government's 'CCUS: non-pipeline transport and cross border CO2 networks – call for evidence consultation' (submitted to the Examination as **Appendix G to the Applicant's Response to Relevant Representations (AS-044)**) which advised that '*NPT will unlock CCS as a potential decarbonisation route for capture projects outside the CCUS industrial clusters or in clusters without direct access to an offshore pipeline. Unlocking CCS in these locations will be essential for the UK to reach its decarbonisation goals*.'

National Planning Policy Framework **Published December 2024**			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	locational requirements of different sectors. This includes making provision for: a) clusters or networks of knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres and grid connections); b) storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation; and c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience.	Proposed Scheme will create a total net additional 874.8 jobs in Greater London during the construction phase per annum, and during the operation phase a total net additional 25.8 jobs in Greater London. The Proposed Scheme is anticipated to generate £95,214,107 in GVA to the Greater London economy during the construction phase, and £1,333,359 GVA to the Greater London economy during the operational phase of the Proposed Scheme. In response to para 87: The Proposed Scheme is located within the Belvedere Industrial Area, a designated Strategic Industrial Location (SIL) in both the London Plan and the Bexley Local Plan, and substantially uses land with that allocation. The Proposed Scheme would support sustainable development by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector to support future economic growth and resilience. The Applicant considers that the Proposed Scheme contributes to the goals of meeting London's current and future demands for industrial and related functions. **This demonstrates that the Proposed Scheme complies with Policy 6. Building a strong, competitive economy.**	
8. **Promoting healthy and safe communities**	96. Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;	In response to paras 96–102: **Chapter 14: Population, Health and Land Use of the ES (Volume 1) of the ES (Document Reference 6.1)** concludes that no significant effect to human health, or mental health and wellbeing have been identified for the local population with regard to construction or operation subject to the implementation of mitigation measures (set out in the **Mitigation Schedule (Document Reference 7.8)**). There will be ongoing engagement with the local community through project information boards surrounding the site and updates on operational activities via the Applicant's website as stated by **Chapter 14**. The Proposed Scheme is carefully designed with safety being one of the considerations given to the placement of plant and it will be a controlled site with appropriate access arrangements (including discrete control room and gatehouse)	Part of the Non-Accessible Open Land is to be lost to the Proposed Scheme, but no part of the Accessible Open Land is lost. It is considered that the need for the Proposed Scheme, further to its CNP status, its benefits as set out in the **Project Benefits Report (APP-042)** and the improvements that are proposed in the **Outline LaBARDS (AS-094)** to the Accessible Open Land, outweigh that small loss of inaccessible land, even if it was to be considered 'open space' for the purposes of this policy. There has been substantial discussion on matters of Metropolitan Open Land, Accessible/Non-Accessible Open Land and Green Infrastructure throughout the Examination.

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities– for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. 102. Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a) anticipating and addressing possible malicious threats and other hazards (whether natural or man-made), especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications.	minimising public interface and ensuring there is suitable management in place for malicious threats. The design and operating procedures inherent to the Proposed Scheme have been developed to ensure ongoing safety for both staff and visitors to the site as well as third parties. The HSE was consulted as part of the Statutory Consultation process as detailed in the **Consultation Report (Document Reference 5.1)**. The Applicant will continue to engage with the HSE to ensure that the Proposed Scheme adheres and complies with relevant health and safety legislation. **Chapter 2: Site and Proposed Scheme Description of the ES Volume 1 (Document Reference 6.1)** sets out other security measures which will be implemented in the Proposed Scheme. The Proposed Scheme will have security fencing installed around the Carbon Capture Facility. Site lighting infrastructure including lighting columns will be installed, as will security infrastructure including closed-circuit television (CCTV). Additional information on these security measures are included in the **Design Approach Document (Document Reference 5.6)**. **Chapter 20: Major Accidents and Disasters (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the vulnerability of the Proposed Scheme to major accidents and disasters (MA&D) during construction and operation. The Applicant has committed to constructing and managing the Proposed Scheme in accordance with the following non-exclusive list of standards and systems: • Programme of hazard studies of the Carbon Capture Facility to produce an inherently safe design and to ensure residual risks are managed to be as low as reasonably practicable (ALARP); • Environmental, Health & Safety Management systems; • CDM Health & Safety Plan; (relevant to construction phase only);	However, no update is required other than to note that the **Outline LaBARDS (AS-094)** has been revised in response to Interested Parties' submissions as appropriate. The relevant planning authority, London Borough of Bexley supports the Proposed Scheme (**LBB, SoCG, Rev F (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: *'Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on*. ... *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.' This response is supplemented by the following documents updated as part of the Examination: • **Outline Code of Code of Construction Practice (REP5-013);** • **Outline Emergency Preparedness and Response Plan (REP4-014);** and • **Appendix 19-1: Preliminary Navigation Risk Assessment (AS-092).**

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security. The safety of children and other vulnerable users in proximity to open water, railways and other potential hazards should be considered in planning and assessing proposals for development; and b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area. **Open space and recreation** 103. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate. 104. Existing open space, sports and recreational buildings and land, including	• Supplier management environmental, health & safety standards (e.g., Construction Skills Certification Scheme); • Risk management systems; • **Outline CoCP (Document Reference 7.4)** for construction phase environmental mitigation; • **Outline Emergency Preparedness and Response Plan (Document Reference 7.11)** for operational phase emergency preparedness and response planning; and • **Appendix 19-1: Preliminary Navigational Risk Assessment (Volume 3) of the ES (Document Reference 6.3)** for construction and operational phase navigational risk management. In response to paras103–107: **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on existing recreation areas. It has been identified that the Proposed Scheme will have a Moderate Adverse effect on walkers and cyclists on the England Coast Path, NCN1, FP2, FP3 and FP4. There will also be Moderate Significant effect on the terrestrial recreation on the Accessible Open Land during the construction phase of the Proposed Scheme. There will be ongoing engagement with users to mitigate these impacts. The **Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to open space and green infrastructure at **Chapter 6** of the **Planning Statement (Document Reference 5.2)**. It recognises there is some net loss and demonstrates material benefits that outweigh this limited and local level of harm which is discussed in detail in **Project Benefits Report (Document Reference 5.4).** Further, there is no loss of Accessible Open Land. **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** considers provisions for the Mitigation and Enhancement Area during the construction phase	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	playing fields and formal play spaces, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. 105. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails. 106. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be	recognising that areas that are currently accessible to the public will remain so during construction of the Proposed Scheme where practicable. Mitigation measures are also proposed to address temporary and permanent diversions of PRoW. Where possible, construction works will be screened to minimise adverse effects on the amenity value and enjoyment of these areas. Relevant measures are set out in the **Mitigation Schedule (Document Reference 7.8).** **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on the townscape character and visual impact (TVIA) during construction and operation, including effects on townscape character, locally designated views, and visual amenity. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts set out above. **This demonstrates that the Proposed Scheme complies with Policy 8. Promoting healthy and safe communities.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	capable of enduring beyond the end of the plan period. 107. The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.		
9. **Promoting sustainable transport**	109. Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities; b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places; c) understanding and addressing the potential impacts of development on transport networks; d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage	In response to paragraphs 109 and 115(a & d): The Project Vision 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. The Proposed Jetty is an integral element of the Proposed Scheme, responding to the context of the site and using shipping for the export of carbon dioxide which minimises operational road traffic and consequent adverse impact. The first of the Project Objectives recognises the importance of efficient connection to the Proposed Jetty, which is an important element of the good design and sustainability of the Proposed Scheme. In response to paras109–117: **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on Landside Transport. There are no significant effects anticipated during construction or operation of the Proposed Scheme on the local transport network, pedestrians and cyclists, or the public transport network. The Applicant has considered the worst-case trip attraction within **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** as	No update required, however supplemented by the following documents submitted as part of the Examination: • **Framework Construction Traffic Management Plan (REP5-015);** and • **Draft DCO (as updated as part of this submission).**

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	– for example in relation to the scale, location or density of development that can be accommodated; e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. 110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. 112. If setting local parking standards for residential and non-residential development, policies should take into account: a) the accessibility of the development; b) the type, mix and use of development;	a result any other scenarios tested would likely present a betterment. All reasonable alternatives have been considered, not least as demonstrated by the level of agreement reached through the SoCG with the relevant highways authorities. The Proposed Jetty has also been an integral element of the Proposed Scheme from the start, featuring in early discussion with stakeholders and local communities. **Framework Construction Traffic Management Plan (Framework CTMP) (Document Reference 7.7)** has been produced and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, for the construction phase to set out measures to mitigate construction effects, including the development of a Construction Workforce Travel Plan (CWTP). <u>In response to para 118:</u> For the operational phase, a Workforce Travel Plan (WTP) will be prepared and secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** **This demonstrates that the Proposed Scheme complies with Policy 9. Promoting sustainable transport.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	c) the availability of and opportunities for public transport; d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. 113. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists. 114. Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use. **Considering development proposals**		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach. 116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network , following mitigation, would be severe, taking into account all reasonable future scenarios. 117. Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. 118. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.		
11. **Making effective use of land**	124. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and	In response to para124–127: The Applicant has identified that there is land within the Order limits that can be considered as 'public open space' for Planning Act 2008 purposes – this is informal land used for recreation purposes. This has been identified as 'Accessible Open Land' throughout the **ES**	The Applicant's approach to alternatives has been the subject of scrutiny during the Examination process by Interested Parties. The Applicant has responded to these, including in particular:

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. 125. Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops,	**(Document Reference 6.1-6.4)** and some land that is not accessible to public (and so the Applicant considers not to be 'public open space' and so is termed 'Non-Accessible Land), are designated as open space. Part of the Non-Accessible Open Land is to be lost to the Proposed Scheme, but no part of the Accessible Open Land is lost. It is considered that the need for the Proposed Scheme, further to its CNP status, its benefits as set out in the **Project Benefits Report (Document Reference 5.4)** and the improvements that are proposed in the **Outline LaBARDS (Document Reference 7.9)** to the Accessible Open Land, outweigh that small loss of inaccessible land. **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on population, health and land use during construction and operation phases. It has been identified that the Proposed Scheme will have a residual Major Adverse effect on the terrestrial business Munster Joinery Ltd., Moderate Adverse effect on walkers and cyclists, and on Accessible Open Land during the construction phase. There will be ongoing engagement with users to mitigate these impacts including relocation of the impacted business, provision of signages of diversions for the walkers and cyclists. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on Munster Joinery and walkers and cyclists. **The Planning Statement (Document Reference 5.2)** states that the Carbon Capture Facility uses land allocated in the development plan as SIL, all of which has received consent for economic development; with access and utilities placed within the public highway. Over two thirds of the land area required for the Carbon Capture Facility does not fall within the designated MOL.	• in Appendix H to its **Response to Relevant Representations (AS-053)** and accompanying drawing **AS-062**, which demonstrates that there is no configuration of the East Zone which would be appropriate for the Proposed Scheme; • at ISH1 and in the written summary following **(REP1-025 to REP-027)**, the Applicant set explained how it had taken into account economic considerations as part of the alternatives process, how it had considered connectivity to the East Zone and the constraints on-site which restrict flexibility for the flue gas ductwork; and • in its response to Interested Parties Deadline 1 submissions (**REP2-020)** and Deadline 2 submissions (**REP4-033)**, explained why the Veridion Park location proposed by TWUL is not a reasonable alternative (agreed by LBB in the **SoCG (AS-096)**), particularly in light of NPS paragraphs 4.3.28 and 4.3.29. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	and building on or above service yards, car parks, lock-ups and railway infrastructure); and e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs - where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers. A condition of simultaneous development should not be imposed on an application for multiple upward extensions unless there is an exceptional justification. 127. Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan: a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and b) in the interim, prior to updating the plan, applications for alternative uses on the	Further information regarding the enhancement of green infrastructure to decarbonise this process and make effective use of the limited land availability of land in this area is discussed in **Planning Statement (Document Reference 5.2)**. In addition to this, the Proposed Scheme will not impact any National Park (formerly referred to as Area of Outstanding Natural Beauty). **This demonstrates that the Proposed Scheme complies with Policy 11. Making effective use of land.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.		
12. Achieving well-designed places	131. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between Applicants, communities, local planning authorities and other interests throughout the process. 135. Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);	<u>In response to paras 131 – 135:</u> The Proposed Scheme will utilise best practise through available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated in **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)**. The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and in good practice mitigation. Good design has been at the forefront of the evolution of the Proposed Scheme. This has included at the siting stage – the **TSAR (Document Reference 7.5)** explains how the Applicant sought to consider impacts to MOL, public open space and nature reserve in choosing the most appropriate development zone. **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** includes details of why the Site and layout have been chosen. The design of the Proposed Scheme has been developed with thought from pre planning and optioneering to submission. The **Design Approach Document (Document Reference 5.6)** provides a full account of the design process demonstrating good design and relevant interactions to inform the design, explaining how the Applicant has considered functionality, aesthetics, operational, safety and security requirements and taken account of the iterative EIA process. It outlines specific design commitments for approval in the form of the Design Principles which are structured to align with the National Infrastructure's Commission's guidance and a Design Code that will guide the preparation and final detail design of the proposals.	This response is supplemented by reference to the revised **Design Principles and Design Codes (REP5-009)** and **Outline LaBARDS (AS-094).** The **Design Principles and Design Codes (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. Reinforcing the Applicant's commitment to Good Design the **Design Principles and Design Codes (REP5-009)** has been updated to include commitment to providing a board level design champion who's brief on the Project Board is to ensure that good design, and the specific Design Principles and Design Codes are embraced by the Principal Contractor(s) and reflected in the final detailed design. The role will ensure that design reviews take place at appropriate intervals and that the outcomes of the reviews are properly implemented. In addition, the **Design Principles and Design Codes (REP5-009)** now commits to independent design review to ensure ongoing scrutiny of the design process as the Proposed Scheme evolves to construction, through appointment of a third-party master planning consultancy to undertake a supporting role through detailed design, advising the team and ensuring the Design Principles and Design Code are appropriately integrated into the detailed design. Further, the consultancy will review compliance with the Design Principles and Design Code before that detailed design is submitted to London Borough of Bexley under either Requirement 4 or 12 of the DCO. The results of that review will be provided as part of the statement of

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. 136. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.	In response to para 136: **Appendix 10-3: Arboricultural Impact Assessment (Volume 3) of the ES (Document Reference 6.3)** identifies all trees which may be affected by the Proposed Scheme, assesses the impact of the Proposed Scheme upon those trees and recommended necessary protection measures to ensure the health of retained trees. The assessment confirms no record of TPOs, conservation areas, ancient/veteran trees, traditional orchards nor ancient woodland within the Arboriculture Study Area (extent of the Order Limits plus up to a further 15m). The Proposed Scheme would result in the removal of 12 low quality trees and one very low-quality tree. The **Outline LaBARDS (Document Reference 7.9)** describes the long-term management and maintenance measures for the landscaping. In response to para 137: The Applicant carried out early engagement with key stakeholders on the Proposed Scheme, which included non-statutory consultation and statutory consultation, both involving the local community. Engagement with stakeholders and the local community is ongoing. More detail on the engagement and consultation activities carried out, and how feedback has influenced the Proposed Scheme can be found in the **Consultation Report (Document Reference 5.1).** In response to paras 137, and 139 – 141: The **Design Approach Document (Document Reference 5.6)** provides a full account of the design process demonstrating good design and relevant interactions to inform the design and how the design takes into account local and national policy on design (including in relation to NIC design principles). It also provides the basis upon which the information submitted to discharge requirements in Schedule 2 of the **Draft DCO (Document Reference 3.1)** can be determined by London Borough of Bexley. The design development process included the identification of mitigation	compliance that would be submitted for approval under Requirements 4 and 12 of the DCO. This approach has been agreed with London Borough of Bexley. Further, the **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site. The **Outline LaBARDS (AS-094)** alongside and informed by the **Design Principles and Design Code (REP5-009)** ensures the Proposed Scheme, critical national priority infrastructure, is appropriately delivered within its local context.

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	137. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between Applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should, where applicable, provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy, and should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot. 139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or	commitments, both for mitigation embedded in the design and good practice mitigation. **This demonstrates that the Proposed Scheme complies with Policy 12. Achieving well-designed places.**	

National Planning Policy Framework **Published December 2024**			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. 141. The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.		
13. Protecting Green Belt land	142. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. 143. Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment;	<u>In response to paras 142 – 143:</u> The Proposed Scheme does not fall within Green Belt, it does fall within Metropolitan Open Land (MOL) which is designated under development plan policy that confirms it is afforded the same status and level of protection as Green Belt. The **Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to Metropolitan Open Land, open space and green infrastructure in Section 5. It recognises there is some net loss and demonstrates both very special circumstances to justify and material benefits that outweigh this limited and local level of harm. In respect of both MOL and Open Space, the reasonable alternatives that have been considered in respect of seeking to avoid impacts to these areas, whilst still seeking to achieve the objectives for the Proposed Scheme are presented in the **TSAR (Document Reference 7.5)** and in **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** which sets out the main reasons for the Applicant's choice, taking	The relevant planning authority, London Borough of Bexley supports the Proposed Scheme (**LBB, SoCG, Rev F (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: '*Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on.* *…* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.'

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. **Proposals affecting the Green Belt** 153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. 154. Development in the Green Belt is inappropriate unless one of the following exceptions applies: a) buildings for agriculture and forestry; b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt	into account environmental, social and economic effects and including, where relevant, technical and commercial feasibility. <u>In response to para 153:</u> It is important and relevant to confirm that the policy designation that applies within the Order limits is Metropolitan Open Land (MOL) not Green Belt. However, recognising that MOL, as designated under development plan policy and which applies within the Order limits, is afforded the same status and level of protection as Green Belt and should be considered in policy terms to be the same, relevant policy of the NPPF and local development plans is primarily considered in Section 5 of the **Planning Statement (APP-040)**, with openness specifically addressed at section 5.4. In short, the Planning Statement concludes that due to the comprehensive design and layout of the Proposed Scheme, the Proposed Scheme will have a limited impact on the primary purpose of MOL: to keep land open and provide a break within a built-up area. Whilst a small area of MOL will be lost (c.2.5ha), the remaining MOL will continue to provide this primary function. The retention and tangible improvements to the accessible parts of the MOL for visitors and local residents is therefore relevant because it is consistent with the wider intention and purposes of MOL policy, which goes beyond the simple aim of Green Belt policy to preserve the openness of land. Openness is further considered, at **section 3.4**, of the **Applicant's Response to Relevant Representations (AS-043)** and in its D2 and D3 submissions, not least in response to the ExA's First Written Questions numbered 1.13.0.1 to 1.13.0.3 (**Document Ref: 9.18**). The **Planning Statement (Document Reference 5.2)** details the nature with which the Proposed Scheme aligns with the 'Very Special Circumstances' in which Green Belt development is permitted. The potential impact on MOL land and the 'Very Special Circumstances' are also reported in the **Design**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	and do not conflict with the purposes of including land within it; c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt. h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are: i. mineral extraction; ii. engineering operations; iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location; iv. the re-use of buildings provided that the buildings are of	**Approach Document (Document Reference 5.6)** and the **TSAR (Document Reference 7.5).** <u>In response to paras154, 155 and 160:</u> **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme will have a residual Moderate Adverse (significant) effect during the construction phase on MOL as parts of the site will be lost to the Proposed Scheme. There will be ongoing engagement with users to mitigate these impacts. As per the **Mitigation Schedule (Document Reference 7.8)** where possible, those areas of MOL that fall within, or close to, the Order Limits that are currently accessible to the public will remain so during construction of the Proposed Scheme and construction works will be screened to minimise adverse effects on the amenity value and enjoyment of these areas. Notwithstanding the above, the Applicant considers that the need for the Proposed Scheme and its benefits as set out in the **Project Benefits Report (Document Reference 5.4)** and the improvements that are proposed in the **Outline LaBARDS (Document Reference 7.9)** to the MOL that is accessible to the public, outweigh that small loss of inaccessible MOL. In response to paragraph 155: As is set out in the **Planning Statement (APP-040)**, at **section 3.4**, of the **Applicant's Response to Relevant Representations (AS-043)** and in response to the ExA's first written questions 1.13.0.1 to 1.13.0.3 **(Document Ref: 9.18)**. the Proposed Scheme does not undermine the relevant purpose of the Green Belt, maintains the fundamental aim of the MOL designation and will deliver tangible improvements to the accessible parts of the MOL for visitors and local residents, consistent with the wider intention and purposes of MOL policy, which goes beyond the simple aim of Green Belt policy to preserve the openness of land. As a carbon capture plant, with new jetty for its export to final storage destination, the Proposed Scheme is recognised as critical national priority infrastructure in NPS EN-1 and is demonstrably delivering an unmet need.	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	permanent and substantial construction; v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order. 155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where: a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; b. There is a demonstrable unmet need for the type of development proposed; c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below. 160. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed.	Further, the Proposed Scheme is situated in a sustainable location, not least as defined by reference to paragraphs 110 to 115 of the NPPF as set out below. In respect of NPPF paragraph 110: The Proposed Scheme is situated in an area allocated for growth and at a location that offers sustainable river transport (which is built into the Proposed Scheme). In respect of NPPF paragraph 111: It is one part of an appropriate mix of uses, as it is supporting infrastructure for sustainable waste management infrastructure and offers the potential to optimise heat opportunities. It offers sustainable transport routes and provides for attractive and well-designed walking and cycling networks through the Outline LaBARDS. In respect of NPPF paragraphs 112 and 113: Appropriate parking provision is incorporated within the indicative site layout, including provision for cycle parking and ELV charging points (elements that the Applicant already provides across its operational sites). In respect of NPPF paragraph 114: There is not expected to be a significant demand for overnight lorry parking as a consequence of the Proposed Scheme, but appropriate provision can be accommodated within the indicative site layout. In respect of NPPF paragraph 115: Sustainable transport modes have been prioritised, through a vision led approach, not least through the Proposed Jetty being an integral element of the Proposed Scheme; safe and suitable access to the Site is an important and relevant element of the Proposed Scheme, not least resulting in provision of a discrete control room and gate house; appropriate design of roadways within the built footprint of the Carbon Capture Facility is set out within the indicative site layout; and there are no significant impacts from the development on the transport network. In respect of NPPF paragraphs 156 and 157, the Golden Rules apply only to major development involving the provision of housing. Consequently, they are not relevant to the Proposed Scheme. **The 'Very Special Circumstances' detailed in the Planning Statement (Document Reference 5.2) demonstrate how the**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.	**Proposed Scheme aligns with Policy 13 Protecting Green Belt Land.**	
14. **Meeting the challenge of climate change, flooding and coastal change**	161. The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. **Planning for climate change** 163. The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts. 164. New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and	In response to paras161–168: The Applicant considers that the Proposed Scheme directly contributes to meeting the UK's Net Zero 2050 target. Once operational the Proposed Scheme will capture a minimum of 95% of carbon dioxide (CO_2) emissions, which is equivalent to approximately 1.3Mt CO_2 per year. It will be one of the largest carbon capture projects in the UK. It is confirmed a form of low carbon infrastructure that is sought by NPS EN-1. As new CCS facilities it forms a critical national priority (as per paragraph 3.5.8 of NPS EN-1) and being low carbon energy infrastructure brought into the Planning Act 2008 regime by section 35 Direction. The application is supported by the **Project Benefits Report (Document Reference 5.4)** which presents further context for the environmental, economic and social benefits of delivering the Proposed Scheme, and how it will align with the wider UK Government ambitions for energy infrastructure. **The Planning Statement (Document Reference 5.2)** demonstrates that development consent should be granted for the Proposed Scheme due to its compliance with planning policy. The policy context alongside its assessment show that the Applicant has fully taken into account the relevant policy considerations and guidance contained within the relevant NPS, national, regional and local planning policy. The **Policy Accordance Trackers (Document Reference 5.3)** provide an in-depth analysis of the development plans and other documents in the local development framework based on which the Proposed Scheme has been considered to be in accordance with them. **Chapter 13: Greenhouse Gas (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely	In respond to paras 157 – 163: **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** confirms an acceptable level of flood risk and the Environment Agency have confirmed they are content with these conclusions. In response to para 175: The **Outline Drainage Strategy (AS-027)** is supplemented by Annex C or **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**. In relation to coastal change generally: **Appendix A: Coastal Processes Modelling Technical Note** of the **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** provides additional clarity to that provided in **Appendix 11-4: Coastal Modelling Studies of the Environmental Statement (Volume 1) (APP-109)** regarding sediment impacts of dredging associated with the Proposed Jetty. It is noted that the Marine Management Organisation confirmed in their Deadline 1 Submission (REP5-031) that the Applicant had responded to its concerns on this topic and that it had no further comments on the topic. The above response is supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** • **Draft DCO (as updated as part of this submission);** and • **Outline Emergency Preparedness and Response Plan (REP4-014).**

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the Government's policy for national technical standards. 166. In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the Applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. 168. When determining planning applications for all forms of renewable and low carbon energy development and their associated infrastructure, local planning authorities should: a) not require Applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future; b) recognise that small-scale and community-led projects provide a valuable	significant effects of the Proposed Scheme on greenhouse gases during construction and operation. As detailed above the Proposed Scheme would have significant beneficial effect on GHG emissions during operation. Construction emissions will be minimised through design optimisation, therefore no significant effects on GHG emissions are anticipated during construction. **Chapter 12: Climate Resilience (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the full range of potential climate change impacts on the Proposed Scheme. The chapter describes climate resilience embedded design, mitigation, and enhancement measures. Measures for managing risk from these climate variables will be managed through the **Outline CoCP (Document Reference 7.4)**, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The **Outline Emergency Preparedness and Response Plan (Outline EPRP) (Document Reference 7.11)** submitted with this Application and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, will incorporate responses to extreme weather events. It will also include measures to manage extreme weather events and consequences such as risk of fire from overheating and flooding. The operational procedures, including maintenance, will be set out in an **Operational Environmental Management Plan (OEMP)** and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, which will be prepared prior to the Proposed Scheme commencing operation and will be in accordance with the measures set out in the **Mitigation Schedule (Document Reference 7.8)**. In response to paras170–180: **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on the water environment and flood risk. The flood risk information, including that adopted for the assessment,	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	contribution to cutting greenhouse gas emissions; c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site. **Planning and flood risk** 170. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. 173. A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding, by following the steps set out below. 174. Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. 175. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk	is presented in **Appendix 11-2: Flood Risk Assessment (FRA) of the ES (Document Reference 6.3)** prepared for the Proposed Scheme, which also detail the mitigation measures (including floodplain compensation). Since, mitigation measures have been incorporated into the Proposed Scheme, therefore, no significant effects on the water environment and flood risk are anticipated. In response to para 182: An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, which ensures that foul and surface water drainage have been considered from an early stage of design. This complies with national and local policies relevant to flood risk and drainage and informs spatial planning across the Proposed Scheme. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy (Document Reference 7.2)** will be used to inform the full drainage design that will be undertaken at the detailed design stage of the Proposed Scheme and presented in the detailed drainage strategy brought forward for approval and as secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** The **Outline Drainage Strategy (Document Reference 7.2) and Outline LaBARDS (Document Reference: 7.9)** present the multifunctional benefits of the Proposed Scheme's drainage system, including habitat enhancement and flood water storage. **This demonstrates that the Proposed Scheme complies with Policy 14. Meeting the challenge of climate change, flooding and coastal change.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk). 176. Applications for some minor development and changes of use should also not be subject to the sequential test, nor the exception test set out below, but should still meet the requirements for site-specific flood risk assessments set out in footnote 63 177. Having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3. 178. The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. 179. Both elements of the exception test should be satisfied for development to be allocated or permitted. 180. Where planning applications come forward on sites allocated in the development plan through the sequential test, Applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan- making stage, or if more recent information about existing or potential flood risk should be taken into account. 182. Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.		
15. Conserving and enhancing the natural environment	187. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;	In response to paras187–195: The Applicant references all biodiversity features (terrestrial and marine) within the DCO Application, particularly at **Chapter 7: Terrestrial Biodiversity** and **Chapter 8: Marine Biodiversity** of the **ES (Document Reference 6.1)**. A BNG assessment is contained within **Appendix 7-1: Biodiversity Net Gain Report of the ES (Document Reference 6.3)** for the Proposed Scheme, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Site as secured through the **Outline LaBARDS (Document Reference 7.9)**, which is secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity in the terrestrial and marine environments both on-site and offsite is 10.03% for Area Habitat Biodiversity Units (AHBU), and 13.47% for Watercourse Biodiversity Units (WBU). **Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely potential significant effects of the Proposed Scheme on terrestrial biodiversity. Onsite and offsite habitat creation enhancement is proposed as part of the Proposed Scheme to mitigate any impacts to biodiversity, and a programme of habitat management	The Applicant has undertaken positive discussions with Natural England as detailed in the **Natural England Statement of Common Ground (REP6-035)**. The Applicant and Natural England have agreed on the following matters: • An in-combination assessment for Epping Forest SAC would not address the key issue at this SAC which is impact from vehicle emissions. It is considered that the Proposed Scheme would have a low risk of undermining the conservation integrity of the site in combination with other projects (including those much closer to the SAC, such as adjacent vehicle emissions), so an in-combination assessment at the SAC is not required. • Emissions Limit Values (ELVs) can be considered as appropriate embedded mitigation and will be secured by Requirement 14 of the **Draft DCO (as updated as part of this submission)**. • Natural England confirmed agreement with the findings of the cumulative impact assessment for the Inner Thames Marshes SSSI, presented as a Technical Note. In particular, Natural England and the Applicant agree that no significant effects on the Inner Thames Marshes SSSI are likely to occur as a result of the Proposed Scheme, when considered alongside other committed developments. In addition, the Applicant received a Letter of No Impediment (Natural England Reference: DAS 457982) in

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. **Habitats and biodiversity** 193. When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national	will be implemented during operation of the Proposed Scheme, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. **Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document Reference 6.1)** concludes no likely significant effects is with the exception of potential significant localised effects as a result of air quality disposition in the operational phase where likely significant effects are reported to localised habitats and the Crossness Local Nature Reserve, Erith Marshes SINC, Belvedere Dykes SINC, River Thames and Tidal Tributaries MSINC and 18 further SINCs outside the Order limits. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and the **Project Benefits Report (Document Reference 5.4**)) outweigh the disbenefits of impacts on ecological receptors. **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)** states that a BNG Opportunity Area has been identified within land at the former Thamesmead Golf Course located approximately 1km to the west of the Order Limits. The BNG Opportunity Area is displayed on **Figure 7-7: Biodiversity Net Gain Opportunity Area (Volume 2) of the ES (Document Reference 6.2)**. The provision of these works will be secured via a Development Consent obligation pursuant to s106 of the Town & Country Planning Act 1990 (as amended). <u>In response to paras196–201:</u> The Site use land that has been previously developed and there is the potential for contaminated ground. Ground investigations will take place, and, if required, remediation, will be completed as part of the detailed design of the Proposed Scheme. This is detailed in **Chapter 17: Ground Conditions and Soils (Volume 1) of the ES (Document Reference 6.1)**. It determines that the Proposed Scheme through construction will have no impact on ground or soils.	relation to licensing for water voles on 25th February 2025. The letter of No Impediment is presented in **Appendix A** of the **Applicant's Response to Examining Authorities Second Written Questions (REP5-033)** and detailed in **Natural England Statement of Common Ground (REP6-035).** Throughout Examination, the Applicant's assessment and mitigation proposals have been scrutinised and probed by TWUL, Save Crossness LNR and the ExA. The Applicant's responses are set out in its response to those parties' representations (including relevant representations) at each deadline, its summary of oral submissions at both ISHs and its responses to both sets of ExA's written questions. LBB has confirmed in the **SoCG (AS-096)** that *"the Outline LaBARDS, including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved".* The above response is supplemented by the following documents updated as part of Examination: • **Outline LaBARDS (AS-094);** • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission).**

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate. 194. The following should be given the same protection as habitats sites: a) potential Special Protection Areas and possible Special Areas of Conservation; b) listed or proposed Ramsar sites; and c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites. 195. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate	Consultation has been undertaken with the relevant pollution control authorities as is detailed in the **Consultation Report (Document Reference 5.1), the EIA Scoping Opinion Responses (Appendix 4-2: of (Volume 3) of the ES Document Reference 6.3)** and also within each relevant **ES Chapter (Volume 1) (Document Reference 6.1).** **Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1**) confirms that the construction phase of development will have no significant effect on local air quality subject to the implementation of mitigation measures. The **ES Volume 1 (Document Reference 6.1)** demonstrates that there are no existing sources of pollution in and around the Order Limits which would make the development unacceptable when considered cumulatively alongside the Proposed Scheme. In addition, the **Outline CoCP (Document Reference 7.4)** which is secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, seeks to control emissions and pollution during construction. **This demonstrates that the Proposed Scheme complies with Policy 15. Conserving and enhancing the natural environment.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. **Ground conditions and pollution** 196. Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments. 197. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. 198. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health,		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. 199. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	Management Areas and Clean Air Zones is consistent with the local air quality action plan. 200. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the Applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed. 201. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities		

National Planning Policy Framework **Published December 2024**			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
16. Conserving and enhancing the historic environment	202. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. **Proposals affecting heritage assets** 207. In determining applications, local planning authorities should require an Applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. 208. Local planning authorities should identify and assess the particular	In response to paras202–220: **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** provides and assessment of the effect of the Proposed Scheme on the Historic Environment. Crossness Conservation Area is located approximately 680m to the west of the Order Limits. The Historic Environment assesses the impact of the Proposed Scheme against known or potential buried heritage assets (archaeological and paleoenvironmental remains) and above ground heritage assets (structures and landscapes of heritage interest) within or immediately around the Proposed Scheme. It also includes, where appropriate, the setting of significant heritage assets and how they are understood and appreciated. The location of these assets is shown in **Environmental Features Plan Sheet 4: Heritage Features (Document Reference 2.7)**. The Belvedere Power Station Jetty (disused) is within the Order Limits, a non-designated asset of local importance. It is currently unknown if this asset will be lost to the Proposed Scheme. Should it be demolished a Historic England Level 2 Historic Building Recording will be undertaken. This will ensure that an accurate record of the Belvedere Power Station Jetty is archived with the GLHER and Archaeology Data Service for future research and understanding of heritage value. Alternatively, the Belvedere Power Station (disused) may be retained (with modifications). **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** concludes that with the mitigation set out in the **Mitigation Schedule (Document Reference 7.8)** there are no anticipated significant effects to heritage assets, either if Belvedere Power Station Jetty (disused) is demolished, or retained as part of the Proposed Scheme The assessment concludes that despite no significant effects identified through construction, additional surveys and specific Written Scheme of Investigation are recommended and these are secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. In response to the operation phase, effects on paleoenvironmental and submerged remains, no	The **Outline Code of Construction Practice (REP5-013)** was updated to provide additional clarity in regard to the timeframes of the Historic England Level 2 Historic Building Recording, whereby the complete record will be deposited with the Greater London Historic Environment Record and Archaeology Data Service, and confirmation of the deposit provided in writing to London Borough of Bexley (as the relevant local planning authority) within six months of the date of the commencement of the demolition or modifications.

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. 209. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision. 210. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. 211. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or	additional design, mitigation or enhancement measures are proposed as these will be delivered through the construction phase measures. In addition, given the maintenance dredging would be no deeper than the original construction phase capital dredge, there would be no additional impact to submerged remains. The Applicant carried out early engagement with key stakeholders on the Proposed Scheme, and statutory consultation took place over a period of 6 weeks in October and November 2023. Engagement with key stakeholders, including those who specialise in historic assets, is ongoing. More detail on the engagement and consultation activities carried out, and how feedback has influenced the Proposed Scheme can be found in the **Consultation Report (Document Reference 5.1)**. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on the historic environment as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Policy 16. Conserving and enhancing the historic environment.**	

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal. **Considering potential impacts** 212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. 213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use. 215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. 216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect		

National Planning Policy Framework Published December 2024			
Policy	**Policy Text**	**Proposed Scheme Compliance with NPPF**	**Proposed Scheme Compliance with NPPF**
	non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. 220. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.		

Table 1-4: Accordance with The London Plan

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
Chapter 1 – Planning London's Future – Good Growth			
Policy GG1 **Building strong and inclusive communities (Paragraphs 1.1.1 – 1.1.5)**	Good growth is inclusive growth. To build on the city's tradition of openness, diversity and equality, and help deliver strong and inclusive communities, those involved in planning and development must: **A** encourage early and inclusive engagement with stakeholders, including local communities, in the development of proposals, policies and area-based strategies **B** seek to ensure changes to the physical environment to achieve an overall positive contribution to London **C** provide access to good quality community spaces, services, amenities and infrastructure that accommodate, encourage and strengthen communities, increasing active participation and social integration, and addressing social isolation **D** seek to ensure that London continues to generate a wide range of economic and other opportunities, and that everyone is able to benefit from these to ensure that London is a fairer, more inclusive and more equal city **E** ensure that streets and public spaces are consistently planned for people to move around and spend time in comfort and safety, creating places where everyone is welcome, which foster a sense of belonging, which encourage community buy-in, and where communities can develop and thrive **F** promote the crucial role town centres have in the social, civic, cultural and economic lives of Londoners, and plan for places that provide important opportunities for building relationships during the daytime, evening and night time. **I** support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have	<u>In response to Policy GG1(A):</u> The Applicant has undertaken early engagement with key stakeholders on the Proposed Scheme, which included a non-statutory consultation and a statutory consultation, both involving the local community. Further engagement with stakeholders and the local community is ongoing. More detail on the engagement and consultation activities carried out, and how feedback has influenced the Proposed Scheme can be found in the **Consultation Report (Document Reference 5.1).** <u>In response to Policy GG1(B) and (C):</u> The Applicant has identified that there is land within the Order limits that can be considered as 'public open space' for Planning Act 2008 purposes – this is informal land used for recreation purposes. This has been identified as 'Accessible Open Land' throughout the ES, and matches the land shown as Special Category Land on the **Special Category Land Plan (Document Reference 2.8)**. Impact to Accessible Open Land could result in a change to the physical environment, access to community space. **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on users of Accessible Open Land and PRoWs. It has been identified that the Proposed Scheme will have a residual direct, temporary, short-term Moderate Adverse (significant) effect during the construction phase on Accessible Open Land within the Site. This is due to a temporary loss in amenity as a result of increases in noise and air pollution, and changes in views within the Accessible Open Land during construction of the Proposed Scheme. Additionally, it has been identified that the Proposed Scheme will have a direct, temporary, short-term, Moderate Adverse (significant) effect during the construction phase on the England Coast Path, NCN1, FP2, FP3 and FP4, this is due to increased noise levels, dust generation and changes to views from walker and cyclist routes. The appointed Construction Contractor(s) will prepare a Community Engagement Plan for the construction phase of the Proposed Scheme. The Plan will provide the overall approach to community engagement and a detailed guide to the enquiries and complaints procedure. Engagement with users and clear signage	During Examination, Save Crossness LNR and Ridgeway Users have also sought to suggest that the Applicant has not properly considered the impacts to graziers from the Proposed Scheme. As set out in Appendix A to its **Written Summary of Oral Submissions at CAH1(REP1-028),** building on what was included within the ES **(APP-064),** the Applicant has engaged with and considered the impacts to graziers. With the proposed mitigation measures in place (as included in the **Outline LaBARDS (AS-094)**, and as secured by Requirement 12 of the **draft DCO (as updated as part of this submission)**, both of which have been further developed in response to commentary within the Examination), no differentiated or disproportionate impacts on the graziers, as a group with protected characteristics under the Equalities Act 2010, is predicted as a result of the Proposed Scheme. See also the Applicant's responses to Save Crossness LNR and Ridgeway Users throughout the Examination. It is noted that substantial agreement has been reached with the statutory consultees, including the relevant planning authority. The above response is supplemented by the following documents updated as part of the Examination: • **Design Principles and Design Code (REP5-009);** and • **Outline LaBARDS (AS-094).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face. **G** ensure that new buildings and the spaces they create are designed to reinforce or enhance the identity, legibility, permeability, and inclusivity of neighbourhoods, and are resilient and adaptable to changing community requirements **H** support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides, creating a welcoming environment that everyone can use confidently, independently, and with choice and dignity, avoiding separation or segregation.	of diversions will be in place during construction, and where possible works will be screened to minimise adverse effects on the amenity value and enjoyment of Accessible Open Land and PRoWs. These measures are to be secured as part of the **Outline CoCP (Document Reference 7.4)**. The Mitigation and Enhancement Area is being designed to deliver improvements such as user/visitor information facilities and amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks). Further information is provided in the **Outline LaBARDS (Document Reference 7.9)** and **Design Approach Document (Document Reference 5.6).** In light of this, it is considered that the overall experience of Accessible Open Land will improve in the long-term. **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** concludes that, during the operation phase of the Proposed Scheme there will be residual permanent, long-term Minor Beneficial (Not Significant) effect on the user amenity of Accessible Open Land and a permanent, long-term Minor Beneficial (not significant) effect to permissive paths and way marked circular active routes, and a Negligible (not significant) effect to the England Coast Path, NCN1 and FP242, and a Minor Adverse (not significant) effect on FP1, FP2, FP3, and FP4. No other significant effects to recreation, recreational users, cyclists and walkers were identified during the construction phase, or the operational phase of the Proposed Scheme within **Chapter 14**. **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1**) provides an assessment of the likely significant effects of the Proposed Scheme on Townscape and Visual Impact (TVIA). It concludes a Moderate Adverse (Significant) effect is anticipated on the change in character and visual amenity from Accessible Open Land during construction, and a Large Adverse (significant) (year 1) and a Moderate-large adverse (significant) (year 15) effect are anticipated on the change in character and visual amenity from Accessible Open Land during operation. However proposed planting will establish over time and that will help to integrate the Proposed Scheme into the landscape and partially screen views from some receptors.	

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
		The Applicant considers with the inclusion of mitigation measures within the Mitigation and Enhancement Area, as set out in the **Outline LaBARDS (Document Reference 7.9)**, the Proposed Scheme will provide beneficial change to the physical environment, having a positive contribution to London, and enhance access to a good quality recreational area. In response to Policy GG1(D): The Proposed Scheme would generate economic growth and opportunities for employment. **Chapter 15: Socio-economics (Volume 1) of the ES Document Reference 6.1)** reports the assessment of the employment and economic impact of the Proposed Scheme. The assessment concludes that when considering the operational net employment generation, the Proposed Scheme will create employment opportunities with an anticipated total net additional 874.8 jobs in Greater London during the construction phase per annum, and during the operation phase a total net additional 25.8 jobs in Greater London), and contribute to the economy as it is anticipated to generate £95,214,107 in GVA to the Greater London economy during the construction phase, and £1,556,591 GVA to the Greater London economy during the operational phase. This calculation is based on a scenario where Munster Joinery Limited was relocated within an area that would support existing business operations. In response to Policy GG1(E), (H), (I): The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (DAD) (Document Reference 5.6)**. It provides a full account of the design process demonstrating good design and relevant interactions to inform the design including details of how inclusivity has been considered. The **DAD** outlines specific design commitments for approval in the form of **Design Principles and Design Codes (Document Reference 5.7)** which are structured to align with the National Infrastructure Commission's guidance and that will guide the preparation and final detail design of the Proposed Scheme. **The above demonstrates the Proposed Scheme complies with Policy GG1.**	
Policy GG2 **Making the best use of land (Paragraphs 1.2.1 – 1.2.8)**	To create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must: **A** enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites	In response to Policy GG2 (A), (D), (E), (H): The Proposed Scheme is located within the Bexley Riverside Opportunity Area. The Proposed Scheme will develop 5.56ha of Strategic Industrial Location (SIL) (of approximately 8ha required for development), and provide opportunity to develop the Belvedere SIL as one coherent, strategic development, bringing substantial global and local benefits, and a high standard of design. The Applicant has considered reasonable alternatives for the Site of the Proposed Scheme, including assessing impact to existing land uses. These	The Applicant's approach to alternatives has been the subject of scrutiny during the Examination process by Interested Parties. The Applicant has responded to these, including in particular: • in Appendix H to its **Response to Relevant Representations (AS-053)** and accompanying

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	B prioritise sites which are well-connected by existing or planned public transport **C** proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling **D** applying a design–led approach to determine the optimum development capacity of sites **E** understand what is valued about existing places and use this as a catalyst for growth, renewal, and place-making, strengthening London's distinct and varied character **F** protect and enhance London's open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening, including aiming to secure net biodiversity gains where possible **G** plan for good local walking, cycling and public transport connections to support a strategic target of 80 per cent of all journeys using sustainable travel, enabling car-free lifestyles that allow an efficient use of land, as well as using new and enhanced public transport links to unlock growth **H** maximise opportunities to use infrastructure assets for more than one purpose, to make the best use of land and support efficient maintenance.	alternatives are discussed in the **TSAR (Document Reference 7.5)** which explains how the Applicant has sought to maximise development in the SIL whilst meeting the objectives for the Proposed Scheme. The design evolution of the Proposed Scheme is reported in the **Design Approach Document (Document Reference 5.6)**. It provides a full account of the design process demonstrating good design and relevant interactions to inform the design. The **Design Approach Document** outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the Proposed Scheme. <u>In response to Policy GG2(B):</u> The Order Limits has existing good public transport linkages as reported in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)**. The Proposed Scheme will make use of the existing waterway network. A Proposed Jetty will be constructed to provide riverside access point to be used for the export of CO_2 from the Proposed Scheme once operational. The Proposed Jetty will also facilitate the berthing of Riverside 1 and Riverside 2 tugs and be used to for the delivery of construction plant and materials for the Proposed Scheme. Construction materials for the Proposed Jetty will primarily be delivered using the existing waterway network. <u>In response to Policy GG2 (F):</u> The Proposed Scheme falls within MOL, and areas of open space including Crossness LNR and Erith Marshes SINC. The potential impact on these is presented are reported in the **Design Approach Document (Document Reference 5.6)** and the **Planning Statement (Document Reference 5.2)**. The **Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to MOL, Open Space and Green Infrastructure (Section 5 and 6). It recognises there is some net loss of MOL but demonstrates both very special circumstances to justify and material benefits that outweigh this limited and local level of harm, and that there will be no net loss of Accessible Open Land. The Applicant considers with the inclusion of mitigation measures within the Mitigation and Enhancement Area, as set out in the **Outline LaBARDS (Document Reference 7.9)**, the Proposed Scheme will enhance open space within the Site. Notwithstandin this, the Applicant considers that the benefits of the Proposed Scheme (as set out in the **Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on Open Space and Green Infrastructure.	drawing **AS-062**, which demonstrates that there is no configuration of the East Zone which would be appropriate for the Proposed Scheme; • at ISH1 and in the written summary following **(REP1-025 to REP-027)**, the Applicant set explained how it had taken into account economic considerations as part of the alternatives process, how it had considered connectivity to the East Zone and the constraints on-site which restrict flexibility for the flue gas ductwork; and • in its response to Interested Parties Deadline 1 submissions (**REP2-020)** and Deadline 2 submissions (**REP4-033)**, explained why the Veridion Park location proposed by TWUL is not a reasonable alternative (agreed by LBB in its the **SoCG (AS-096)**), particularly in light of NPS paragraphs 4.3.28 and 4.3.29. The relevant planning authority, London Borough of Bexley supports the Proposed Scheme ((**LBB, SoCG, Rev F (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: '*Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on.* *...* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.'

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
		A BNG assessment contained within **Appendix 7-1: Biodiversity Net Gain Report (Terrestrial and Marine) (Volume 3) of the ES (Document Reference 6.3)** for the Proposed Scheme is submitted as part of the application for development consent, notwithstanding that the statutory provisions for BNG are not yet in force. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Order Limits. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). In response to Policy GG2 (G): As detailed in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)**, the Proposed Scheme is not anticipated to attract a significant number of movements (by all modes) in the operation phase. Travel Plans for the construction and operational phases will be produced which will detail specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. The development of a Construction Work Force Travel Plan is included in the **Framework CTMP (Document Reference 7.7)**, and the Workforce Travel Plan for the operational phase will be incorporated into the existing Travel Plan for Riverside 1 and (once operational) Riverside 2, this will be provided alongside the EMP that is secured by requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)** **The above demonstrates the Proposed Scheme complies with Policy GG2**	
Policy GG3 **Creating a healthy city (Paragraphs 1.3.1 – 1.3.5)**	To improve Londoners' health and reduce health inequalities, those involved in planning and development must: **A** ensure that the wider determinants of health are addressed in an integrated and co-ordinated way, taking a systematic approach to improving the mental and physical health of all Londoners and reducing health inequalities **B** promote more active and healthy lives for all Londoners and enable them to make healthy choices **C** use the Healthy Streets Approach to prioritise health in all planning decisions **D** assess the potential impacts of development proposals and Development	In response to GG3 (A),(D) (F) and (G): The health of construction workers, operational workers, local residents and users of adjacent land has been considered and appropriately assessed on a following ES Chapters: **Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on air quality during construction and operation. It concludes the construction phase will have no significant effect on local air quality subject to the implementation of mitigation measures. These mitigation measures would be included in the **Outline Code of Construction Practise (Outline CoCP) (Document Reference 7.4),** which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The assessment also confirms that the operational phase of the Proposed Scheme will have no	No update required, however supplemented by the following documents submitted as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** • **Draft DCO (updated as part of this submission);** • **Outline LaBARDS (AS-094);** and • **Framework Construction Traffic Management Plan (REP5-015).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	Plans on the mental and physical health and wellbeing of communities, in order to mitigate any potential negative impacts, maximise potential positive impacts, and help reduce health inequalities, for example through the use of Health Impact Assessments **E** plan for appropriate health and care infrastructure to address the needs of London's changing and growing population **F** seek to improve London's air quality, reduce public exposure to poor air quality and minimise inequalities in levels of exposure to air pollution **G** plan for improved access to and quality of green spaces, the provision of new green infrastructure, and spaces for play, recreation and sports **H** ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold **I** seek to create a healthy food environment, increasing the availability of healthy food and restricting unhealthy options.	significant effect on local air quality with respect to human health, neither in isolation nor cumulatively. **Chapter 6: Noise and Vibration (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme noise and vibration on receptors during construction and operation. It concludes no significant environmental effects for noise or vibrations have been identified for the Proposed Scheme on nearby sensitive receptors regarding construction or operation subject to the implementation of mitigation measures. Any noise arising from the construction phase would be temporary, and suitably mitigated through the **Outline CoCP (Document Reference 7.4)**, which is secured by a requirement in Schedule 2 of **the Draft DCO (Document Reference 3.1).** **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on population, health and land use during construction and operation. It concludes that no residual significant effect to human health, or mental health and wellbeing have been identified for the local population with regard to construction or operation of the Proposed Scheme. The Proposed Scheme falls within areas of open space and green infrastructure (including PRoWs). The potential impact on these is presented are reported in the **Design Approach Document (Document Reference 5.6)** and the **Planning Statement (Document Reference 5.2)**. The **Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to Open Space and Green Infrastructure (Section 6). It recognises there will be a temporary adverse impact to amenity of these areas and PRoWs during construction, but there will be no net loss of Accessible Open Land. The Applicant considers with the inclusion of mitigation measures within the Mitigation and Enhancement Area, as set out in the **Outline LaBARDS (Document Reference 7.9)**, the Proposed Scheme will enhance open space within the Site. **Chapter 17: Ground Conditions (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on ground conditions and soils during construction and operation. It concludes that there would be no significant effect to site users, construction staff, or third-party neighbours from ground contamination during the construction phase of the Proposed Scheme. Measure to mitigate risks to human health will be implemented via the	

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
		Outline CoCP (Document Reference 7.4) which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. In response to Policy GG3 (B): As detailed in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** Travel Plans for the construction and operational phases will be produced which will detail specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. The development of a **Construction Work Force Travel Plan** is included in the **Framework CTMP (Document Reference 7.7)**, and the Workforce Travel Plan for the operational phase will be incorporated into the existing Travel Plan for Riverside 1 and (once operational) Riverside 2, this will be provided alongside the EMP that is secured by requirement of the **Draft DCO (Document Reference 3.1).** Policy (E), (H), (I): not relevant to the Proposed Scheme. **The above demonstrates the Proposed Scheme complies with Policy GG3.**	
Policy GG5 **Growing a good economy (Paragraphs 1.5.1 – 1.5.6)**	To conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must: **A** promote the strength and potential of the wider city region **B** seek to ensure that London's economy diversifies and that the benefits of economic success are shared more equitably across London **C** plan for sufficient employment and industrial space in the right locations to support economic development and regeneration **D** ensure that sufficient high-quality and affordable housing, as well as physical and social infrastructure is provided to support London's growth **E** ensure that London continues to provide leadership in innovation, research, policy and ideas, supporting its role as an international incubator and centre for learning	In response to Policy GG5 (A), (B), (C): The Proposed Scheme is located within the Bexley Riverside Opportunity Area. The Proposed Scheme will develop 5.56ha of Strategic Industrial Location (SIL) (of approximately 8ha required for development) and provide opportunity to develop the Belvedere SIL as one coherent, strategic development, bringing substantial global and local benefits, and a high standard of design. The Applicant has considered reasonable alternatives for the Site of the Proposed Scheme, including assessing impact to existing land uses. These alternatives are discussed in the **TSAR (Document Reference 7.5)**. The Applicant has sought to maximise development in the SIL whilst meeting the objectives for the Proposed Scheme. The Proposed Scheme would generate economic growth and opportunities for employment. **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1**) reports the assessment of the likely significant effects of the Proposed Scheme on socio-economics during construction and operation. The assessment concludes that when considering the operational net employment generation, the Proposed Scheme will create employment opportunities with an anticipated total net additional 874.8 jobs in Greater London during the construction phase per annum, and during the operation phase a total net additional 25.8 jobs in Greater London), and contribute to the economy as it is anticipated to generate £95,214,107 in GVA to the Greater London economy during the construction phase, and £1,556,591	This response is supplemented by the following documents submitted as part of the Examination: • **Framework Construction Traffic Management Plan (REP5-015);** • **Outline LaBARDS (AS-094);** • **Applicant's Response to Relevant Representations (AS-043) including:** – **Appendix E, Plan of Existing Riverside Campus (AS-044) and** – **Appendix H, TSAR Addendum (AS-044);** • **Written Summary of the Applicant's Oral Submissions at ISH1 (REP1-025), including:** – **Appendix B, TSAR Process Overview (REP1-026)** – **Appendix C, Flue Gas Ductwork Note (REP1-026)** – **Appendix D, East Zone Connectivity Note (REP1-026) and** – **Appendix E, Economic Considerations Approach Note (REP1-026);** and

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	F promote and support London's rich heritage and cultural assets, and its role as a 24-hour city **G** make the fullest use of London's existing and future public transport, walking and cycling network, as well as its network of town centres, to support agglomeration and economic activity **H** recognise and promote the benefits of a transition to a low carbon circular economy to strengthen London's economic success.	GVA to the Greater London economy during the operational phase. This calculation is based on a scenario where Munster Joinery Limited was relocated within an area that would support existing business operations. The **Planning Statement (Document Reference 5.2)** details that the Proposed Scheme would support sustainable development by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. In response to Policy GG5 (G): As detailed in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** Travel Plans for the construction and operational phases will be produced which will detail specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. The development of a Construction Work Force Travel Plan is included in the **Framework CTMP (Document Reference 7.7)**, and the Workforce Travel Plan for the operational phase will be incorporated into the existing Travel Plan for Riverside 1 and (once operational) Riverside 2, this will be provided alongside the EMP that is secured by requirement of the **Draft DCO (Document Reference 3.1)**. Policy GG5 (D), (E), (F) – not relevant to the Proposed Scheme. **The above demonstrates the Proposed Scheme complies with Policy GG5.**	• **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019) including: Appendices C and D in regard Veridion Park**.
Policy GG6 **Increasing efficiency and resilience (Paragraphs 1.6.1 – 1.6.7)**	To help London become a more efficient and resilient city, those involved in planning and development must: **A** seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero-carbon city by 2050 **B** ensure buildings and infrastructure are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect **C** create a safe and secure environment which is resilient the impact of emergencies including fire and terrorism	In response to Policy GG6 (A): Once operational the Proposed Scheme will capture a minimum of 95% of carbon dioxide (CO_2) emissions from Riverside 1 and 95% of CO_2 emissions from Riverside 2 (once operational), which is equivalent to approximately 1.3Mt CO_2 per year. The Proposed Scheme will be one of the largest carbon capture projects in the UK. Furthermore, with the feedstock to Riverside 1 and Riverside 2 comprising approximately 50% biogenic content, the Carbon Capture Facility would result in net-negative CO_2 emissions of approximately 0.6Mt per year of CO_2. As stated in **Chapter 13: Greenhouse Gases of the ES Volume 1 (Document Reference 6.1.13)**. between 2033 and 2037 there will be -7,886,104 of CO_2 which is a reduction of 0.81% for the UK sixth carbon budget, and from 2028 to 2032 there would be -3,095,422 of CO_2, which is a reduction of 17.2% for the London 2028 to 2032 carbon budget. With the potential to be operational as early as 2030, the Proposed Scheme will make an important and relevant contribution to achieving early milestones on the way to net zero	No update required, however supplemented by the following documents submitted as part of the Examination: • **Outline Emergency Preparedness and Response Plan (REP4-014);** • **Draft DCO (as updated as part of this submission)** (which includes a Requirement that the detailed design must take account of the climate variables considered in the ES); and • **Mitigation Schedule (REP1-010).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	D take an integrated and smart approach to the delivery of strategic and local infrastructure by ensuring that public, private, community and voluntary sectors plan and work together.	by 2050. Contributing to the Mayor's aspirations for London to be a zero-carbon city by 2050. In response to Policy GG6 (C): **Chapter 20: Major Accidents and Disasters (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the vulnerability of the Proposed Scheme to major accidents and disasters (MA&D) during construction and operation. The Applicant has committed to constructing and managing the Proposed Scheme in accordance with standards and systems such as Environmental, Health and Safety Management Systems and Risk Management Systems, an **Outline Emergency Preparedness and Response Plan (OEPRP) (Document Reference 7.11)** will be produced and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, and a programme of hazard studies of the Proposed Scheme will be undertaken to produce an inherently safe design, and to ensure residual risks are managed to be as low as reasonably practicable (ALARP). These mitigation measures are set out in the **Mitigation Schedule (Document Reference 7.8**). **The above demonstrates the Proposed Scheme complies with Policy GG6.**	
Chapter 2 Spatial Development Patterns			
Policy SD1 **Opportunity Areas (Paragraphs 2.1.1-2.1.73)**	To ensure that Opportunity Areas fully realise their growth and regeneration potential, the Mayor will: **1)** provide support and leadership for the collaborative preparation and implementation of planning frameworks that: a) set out a clear strategy for accommodating growth b) assist in delivering specific infrastructure requirements that unlock capacity for new homes and jobs c) support regeneration d) are prepared in an open and timely manner e) encourage the strategic remediation of contaminated land **2)** bring together the range of investment and intervention needed to deliver the vision and ambition for the area **3)** support and implement adopted planning frameworks, in order to give them appropriate material weight in planning decisions.	In response to Policy SD1(6): The Proposed Scheme is located within the Bexley Riverside Opportunity Area. The Proposed Scheme would generate economic growth and opportunities for employment. This area has been identified in the London Plan since 2004 with the potential provision for 6,000 new homes and 19,000 new jobs by 2041. **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on socio-economics during construction and operation. The assessment concludes that when considering the operational net employment generation, the Proposed Scheme will create employment opportunities with an anticipated total net additional 874.8 jobs in Greater London during the construction phase per annum, and during the operation phase a total net additional 25.8 jobs in Greater London, and contribute to the economy as it is anticipated to generate £95,214,107 in GVA to the Greater London economy during the construction phase, and £1,556,591 GVA to the Greater London economy during the operational phase. This calculation is based on a scenario where Munster Joinery Limited was relocated within an area that would support existing business operations. **The above demonstrates the Proposed Scheme complies with Policy SD1.**	No update required and no revisions to existing documents.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	4) ensure that his agencies (including Transport for London) work together and with others to promote and champion Opportunity Areas, and their growth potential **5)** ensure that Opportunity Areas maximise the delivery of affordable housing and create mixed and inclusive communities **6)** ensure that Opportunity Areas contribute to regeneration objectives by tackling spatial inequalities and environmental, economic and social barriers that affect the lives of people in the area, especially in Local and Strategic Areas for Regeneration. **7)** monitor progress in delivering homes, jobs and infrastructure, taking action where necessary to overcome any barriers to delivery **8)** ensure that development facilitates ambitious transport mode share targets.		
Chapter - 3 Design			
Policy D3 **Optimising site capacity through the design-led approach**	**The design-led approach** **A** All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D. **B** Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2 Infrastructure requirements for sustainable densities.	In response to Policy D3 (A),(B),(C),(D): The design evolution of the Proposed Scheme is reported in the **Design Approach Document (Document Reference 5.6)**. It provides a full account of the design process demonstrating good design and relevant interactions to inform the design including details of how inclusivity has been considered. The **Design Approach Document (Document Reference 5.6)** outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the Proposed Scheme, see **Design Principles and Codes (Document Reference 5.7).** The **Terrestrial Site Alternatives Report (Document Reference 7.5)** describes the rationale for the siting of the Carbon Capture Facility. This report also describes the pre-application work undertaken to inform stakeholder engagement (comprising project design development, non-statutory consultation, and statutory consultation on the Proposed Scheme under sections 42 and 47 of the PA2008) and the subsequent DCO application. It concludes that the Order Limits for the Carbon Capture Facility was selected for the following reasons to support the Design Principles:	This response is supplemented by reference to the revised **Design Principles and Design Codes (REP5-009)** and **Outline LaBARDS (AS-094)**. The **Design Principles and Design Codes (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. Reinforcing the Applicant's commitment to Good Design the **Design Principles and Design Codes (REP5-009)** has been updated to include commitment to providing a board level design champion who's brief on the Project Board is to ensure that good design, and the specific Design Principles and Design Codes are embraced by the Principal Contractor(s) and reflected in the final detailed design. The role will ensure that design reviews take place at appropriate intervals and that the outcomes of the reviews are properly implemented. In addition, **the Design Principles and Design Codes (REP5-009)** now commits to independent design review to ensure ongoing scrutiny of the design process as the

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	Where these locations have existing areas of high density buildings, expansion of the areas should be positively considered by Boroughs where appropriate. This could also include expanding Opportunity Area boundaries where appropriate. **C** In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 Small sites. **D** Development proposals should: **Form and layout** 1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions 2) encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and desire lines in the area 3) be street-based with clearly defined public and private environments 4) facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users **Experience** 5) achieve safe, secure and inclusive environments 6) provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest	• forms a single homogenous area with sufficient space for the necessary footprint of the Carbon Capture Facility; • close proximity to Riverside Campus for connection of the flue gas ducting and further utilities; • ability to restrict the direct loss of Crossness LNR land, Erith Marshes SINC land and land designated as MOL to a single area. It would avoid the creation of isolated areas such as Eastern Paddock being surrounded by development. The retention of these designated area as a single entity provides great opportunities for enhancement; and • avoids adverse environmental impacts associated with works within the River Thames. **The Jetty Site Alternatives Report (Document Reference 7.5)** describes the rationale for the siting of the new Jetty. This report also describes the pre-application work undertaken to inform stakeholder engagement (comprising project design development, non-statutory consultation, and statutory consultation on the Proposed Scheme under sections 42 and 47 of the PA2008) and the subsequent DCO application. It concludes that the Order Limits for the new Jetty was selected for the navigational and constructability reason to support the Design Principles. In addition to the above, **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** provides a description of the reasonable alternatives studied by the Applicant, detailing the main reasons for options chosen, taking into account the effect of the Proposed Scheme on the environment. The above documents demonstrate that a design-led approach has been taken. Details on how the Proposed Scheme design has considered local planning policy, including local context, and existing character of the location, is within the **Design Approach Document (Document Reference 5.6).** **The above demonstrates the Proposed Scheme complies with Policy D3.**	Proposed Scheme evolves to construction, through appointment of a third-party master planning consultancy to undertake a supporting role through detailed design, advising the team and ensuring the Design Principles and Design Code are appropriately integrated into the detailed design. Further, the consultancy will review compliance with the Design Principles and Design Code before that detailed design is submitted to London Borough of Bexley under either Requirement 4 or 12 of the DCO. The results of that review will be provided as part of the statement of compliance that would be submitted for approval under Requirements 4 and 12 of the DCO. This approach has been agreed with London Borough of Bexley. Further, the **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site. The **Outline LaBARDS (AS-094)** alongside and informed by the **Design Principles and Design Code (REP5-009)** ensures the Proposed Scheme, critical national priority infrastructure, is appropriately delivered within its local context. Following ongoing discussion and the submission of additional site optioneering evidence, agreement on these matters has been achieved with the relevant planning authority, LBB. In its Deadline 5 Submissions (REP5-042) LBB confirmed that: '*As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that*

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	7) deliver appropriate outlook, privacy and amenity 8) provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity 9) help prevent or mitigate the impacts of noise and poor air quality 10) achieve indoor and outdoor environments that are comfortable and inviting for people to use **Quality and character** 11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character 12) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well 13) aim for high sustainability standards (with reference to the policies within London Plan Chapters 8 and 9) and take into account the principles of the circular economy 14) provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water. **E** Where development parameters for allocated sites have been set out in a Development Plan, development proposals that do not accord with the site capacity in a site allocation can be refused for this reason.		*the application site, as a whole, is an appropriate location for this development.'* LBB has also confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
Policy D4 **Delivering good design**	**Design analysis and development certainty** **A** Masterplans and design codes should be used to help bring forward development and ensure it delivers high quality design and place-making based on the requirements set out in Part B of Policy D3 Optimising site capacity through the design-led approach. **B** Where appropriate, visual, environmental and movement modelling/ assessments should be undertaken to analyse potential design options for an area, site or development proposal. These models, particularly 3D virtual reality and other interactive digital models, should, where possible, be used to inform plan-making and decision-taking, and to engage Londoners in the planning process. **Design scrutiny** **C** Design and access statements submitted with development proposals should demonstrate that the proposal meets the design requirements of the London Plan. **D** The design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising the analytical tools set out in Part B, local evidence, and expert advice where appropriate. In addition, boroughs and Applicants should make use of the design review process to assess and inform design options early in the planning process. Development proposals referable to the Mayor must have undergone at least one design review early on in their preparation before a planning application is made, or demonstrate that they have undergone a local borough process of design scrutiny, based on the principles set out in Part E if they: 1) include a residential component that exceeds 350 units per hectare; or 2) propose a building defined as a tall building by the borough (see	The design evolution of the Proposed Scheme is reported in the **Design Approach Document (Document Reference 5.6)**. It provides a full account of the design process demonstrating good design and relevant interactions to inform the design including details of how inclusivity has been considered. The **Design Approach Document (Document Reference 5.6)** outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the Proposed Scheme, see **Design Principles and Codes (Document Reference 5.7)**. **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on Townscape and Visual Impact (TVIA). **Appendix 10-4: Photomontages (Volume 3) of the ES (Document Reference 6.3)** provides an illustration of the Proposed Scheme from various viewpoint. **The above demonstrates the Proposed Scheme complies with Policy D4.**	This response is supplemented by reference to the revised **Design Principles and Design Codes (REP5-009)** and **Outline LaBARDS (AS-094)**. The **Design Principles and Design Codes (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. Reinforcing the Applicant's commitment to Good Design the **Design Principles and Design Codes (REP5-009)** has been updated to include commitment to providing a board level design champion who's brief on the Project Board is to ensure that good design, and the specific Design Principles and Design Codes are embraced by the Principal Contractor(s) and reflected in the final detailed design. The role will ensure that design reviews take place at appropriate intervals and that the outcomes of the reviews are properly implemented. In addition, **the Design Principles and Design Codes (REP5-009)** now commits to independent design review to ensure ongoing scrutiny of the design process as the Proposed Scheme evolves to construction, through appointment of a third-party master planning consultancy to undertake a supporting role through detailed design, advising the team and ensuring the Design Principles and Design Code are appropriately integrated into the detailed design. Further, the consultancy will review compliance with the Design Principles and Design Code before that detailed design is submitted to London Borough of Bexley under either Requirement 4 or 12 of the DCO. The results of that review will be provided as part of the statement of compliance that would be submitted for approval under Requirements 4 and 12 of the DCO. This approach has been agreed with London Borough of Bexley. Further, the **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	Policy D9 Tall buildings), or that is more than 30m in height where there is no local definition of a tall building. **E** The format of design reviews for any development should be agreed with the borough and comply with the Mayor's guidance on review principles, process and management, ensuring that: 1) design reviews are carried out transparently by independent experts in relevant disciplines 2) design review comments are mindful of the wider policy context and focus on interpreting policy for the specific scheme 3) where a scheme is reviewed more than once, subsequent design reviews reference and build on the recommendations of previous design reviews 4) design review recommendations are appropriately recorded and communicated to officers and decision makers 5) schemes show how they have considered and addressed the design review recommendations 6) planning decisions demonstrate how design review has been addressed. **Maintaining design quality** **F** The design quality of development should be retained through to completion by: 1) ensuring maximum detail appropriate for the design stage is provided to avoid the need for later design amendments and to ensure scheme quality is not adversely affected by later decisions on construction, materials, landscaping details or minor alterations to layout or form of the development 2) ensuring the wording of the planning permission, and associated conditions and legal agreement,		The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site. The **Outline LaBARDS (AS-094)** alongside and informed by the **Design Principles and Design Code (REP5-009)** ensures the Proposed Scheme, critical national priority infrastructure, is appropriately delivered within its local context. Following ongoing discussion and the submission of additional site optioneering evidence, agreement on these matters has been achieved with the relevant planning authority, LBB. In its Deadline 5 Submissions (REP5-042) LBB confirmed that: '*As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development.'*

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	provide clarity regarding the quality of design 3) avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or referred matter 4) local planning authorities considering conditioning the ongoing involvement of the original design team to monitor the design quality of a development through to completion.		
Policy D5 **Inclusive design**	**A** Boroughs, in preparing their Development Plans, should support the creation of inclusive neighbourhoods by embedding inclusive design, and collaborating with local communities in the development of planning policies that affect them **B** Development proposal should achieve the highest standards of accessible and inclusive design. They should: 1) be designed taking into account London's diverse population 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment 4) be able to be entered, used and exited safely, easily and with dignity for all 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.	<u>In response to Policy D5 (B), (C):</u> The **Design Approach Document (Document Reference 5.6)** provides a full account of the design process demonstrating good design and relevant interactions to inform the design including details of how inclusivity has been considered. The **Design Approach Document (Document Reference 5.6)** outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the Proposed Scheme. The Design Principles and Design Codes include commitments to developing an inclusive design that is accessible to all sections of the community and prioritise pedestrian and active travel route safety and inclusivity. **The above demonstrates the Proposed Scheme complies with Policy D5 (B) (C)**	This response is supplemented by reference to the revised **Design Principles and Design Codes (REP5-009)** and **Outline LaBARDS (AS-094)**. The **Design Principles and Design Codes (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. Reinforcing the Applicant's commitment to Good Design the **Design Principles and Design Codes (REP5-009)** has been updated to include commitment to providing a board level design champion who's brief on the Project Board is to ensure that good design, and the specific Design Principles and Design Codes are embraced by the Principal Contractor(s) and reflected in the final detailed design. The role will ensure that design reviews take place at appropriate intervals and that the outcomes of the reviews are properly implemented. In addition, **the Design Principles and Design Codes (REP5-009)** now commits to independent design review to ensure ongoing scrutiny of the design process as the Proposed Scheme evolves to construction, through appointment of a third-party master planning consultancy to undertake a supporting role through detailed design, advising the team and ensuring the Design Principles and Design Code are appropriately integrated into the detailed design. Further, the consultancy will review compliance with the Design Principles and Design Code before that detailed design is submitted to London Borough of Bexley under either Requirement 4 or 12 of the DCO. The results of that

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	C Design and Access Statements, submitted as part of development proposals, should include an inclusive design statement.		review will be provided as part of the statement of compliance that would be submitted for approval under Requirements 4 and 12 of the DCO. This approach has been agreed with London Borough of Bexley (**SOCG (AS-096)**).
Policy D8 **Public realm**	Development Plans and development proposals should: **A** encourage and explore opportunities to create new public realm where appropriate **B** ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution **C** maximise the contribution that the public realm makes to encourage active travel and ensure its design discourages travel by car and excessive on street parking, which can obstruct people's safe enjoyment of the space. This includes design that reduces the impact of traffic noise and encourages appropriate vehicle speeds **D** be based on an understanding of how the public realm in an area functions and creates a sense of place during different times of the day and night, days of the week and times of the year. In particular, they should demonstrate an understanding of how people use the public realm, and the types, location and relationship between public spaces in an area, identifying where there are deficits for certain activities, or barriers to movement that create severance for pedestrians and cyclists **E** ensure both the movement function of the public realm and its function as a place are provided for and that the balance of	The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6)**, this includes details of how the public realm has been considered in the design. It outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the Proposed Scheme. The **Outline LaBARDS (Document Reference 7.9)** contains a comprehensive delivery strategy for biodiversity, access and recreational enhancement that will enhance the public realm. The Mitigation and Enhancement Area provides the opportunity to improve access to outdoor space and to extend the area managed as the Crossness Local Nature Reserve (LNR). Additionally, plans to improve and enhance signage and surfacing of all PRoW within the Site Boundary, remove overgrown vegetation as well as reviewing the removal of some obstacles such as gates, and provide raised walkways (so that Crossness LNR remains accessible during wet periods) will enhance the public realm. **The above demonstrates the Proposed Scheme complies with Policy D8**	The **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	space and time given to each reflects the individual characteristics of the area. The priority modes of travel for the area should be identified and catered for, as appropriate. Desire lines for people walking and cycling should be a particular focus, including the placement of street crossings, which should be regular, convenient and accessible **F** ensure there is a mutually supportive relationship between the space, surrounding buildings and their uses, so that the public realm enhances the amenity and function of buildings and the design of buildings contributes to a vibrant public realm **G** ensure buildings are of a design that activates and defines the public realm, and provides natural surveillance. Consideration should also be given to the local microclimate created by buildings, and the impact of service entrances and facades on the public realm **H** ensure appropriate management and maintenance arrangements are in place for the public realm, which maximise public access and minimise rules governing the space to those required for its safe management in accordance with the Public London Charter **I** incorporate green infrastructure such as street trees and other vegetation into the public realm to support rainwater management through sustainable drainage, reduce exposure to air pollution, moderate surface and air temperature and increase biodiversity **J** ensure that appropriate shade, shelter, seating and, where possible, areas of direct sunlight are provided, with other microclimatic considerations, including temperature and wind, taken into account in order to encourage people to spend time in a place **K** ensure that street clutter, including street furniture that is poorly located, unsightly, in poor condition or without a clear function is removed, to ensure that pedestrian		

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	amenity is improved. Consideration should be given to the use, design and location of street furniture so that it complements the use and function of the space. Applications which seek to introduce unnecessary street furniture should be refused **L** explore opportunities for innovative approaches to improving the public realm such as open street events and Play Streets **M** create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction during the daytime, evening and at night. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm **N** ensure that any on-street parking is designed so that it is not dominant or continuous, and that there is space for green infrastructure as well as cycle parking in the carriageway. Parking should not obstruct pedestrian lines **O** ensure the provision and future management of free drinking water at appropriate locations in the new or redeveloped public realm.		
Policy D11 **Safety, security and resilience to emergency**	**A** The Mayor uses his convening power to work with relevant partners and stakeholders to ensure and maintain a safe and secure environment in London that is resilient against emergencies including fire, flood, weather, terrorism and related hazards as set out in the London Risk Register. . **C** Development proposals should maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather, fire, flood and related hazards. Development should include measures to design out crime that – in proportion to the risk – deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are	In response to Policy D11(A): The **Outline Emergency Preparedness and Response Plan (OEPRP) (Document Reference 7.11)** provides an overview for operation phase emergency preparedness and response planning The **Outline Code of Construction Practice (OCoCP) (Document Reference 7.4)** details construction phase environmental mitigation, including emergency measures. **Appendix 19-1: Preliminary Navigational Risk Assessment (Volume 3) (Document Reference 6.3)** details construction and operational phase navigational risk management. These documents are being submitted as part of the Application to ensure and maintain a safe and secure environment in London that is resilient against emergencies including fire, flood, weather, terrorism and related hazards. In response to Policy D11(C): The Carbon Capture Facility will be a secured site and will have security fencing installed around the full Site Boundary, CCTV, site lighting infrastructure including lighting columns will be installed. Further details are contained in the **Design Approach Document (Document Reference 5.6)**.	No update required although it is noted that the **Outline Emergency Preparedness and Response Plan** was updated in Examination **(REP4-014)**.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	inclusive and aesthetically integrated into the development and the wider area.	**Chapter 20: Major Accidents and Disasters (Volume 1) of the ES (Document Reference 6.1)** considers flooding, industrial and urban accidents, transport accidents, engineering accidents and failures, and pollution accidents. The Applicant has committed to constructing and managing the Proposed Scheme in accordance with standards and systems such as Environmental, Health and Safety Management Systems and Risk Management Systems, an **Outline Emergency Preparedness and Response Plan (OEPRP) (Document Reference 7.11)** has been produced and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, a programme of hazard studies of the Proposed Scheme will be undertaken to produce an inherently safe design, and to ensure residual risks are managed to be as low as reasonably practicable (ALARP). Mitigation measures are set out in the **Mitigation Schedule (Document Reference 7.8)**. **The above demonstrates the Proposed Scheme complies with Policy D11(A) and Policy D11(C)**	
Policy D12 **Fire safety**	**A** In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they: 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures 3) are constructed in an appropriate way to minimise the risk of fire spread 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users 5) develop a robust strategy for evacuation which can be periodically updated and published,	<u>In response to Policy D12 (A), (B):</u> The **Outline Emergency Preparedness and Response Plan (Outline EPRP) (Document Reference 7.11)** provides the outline contingency plans in the event that an emergency event occurs onsite (including within the River Thames). It also details a series of emergency procedures which will form part of a comprehensive training package for operational staff. Section 5 of the **Outline EPRP (Document Reference 7.11)** provides the measures that will be in place for fire safety. The operational procedures, including maintenance, will be set out in an **Operational Environmental Management Plan (Operational EMP)**, which will be prepared prior to the Proposed Scheme commencing operation in accordance with the measures set out in the **Mitigation Schedule (Document Reference 7.8)**, as required through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The development of the **Operational EMP** will include a Fire Strategy (or equivalent) for the risk of fire, and appropriate measures to reduce the risk of fire throughout the Proposed Scheme. The **Outline EPRP (Document Reference 7.11)** is developed in line with the Applicant's Riverside Energy Campus's emergency management strategy. It is designed to complement the emergency plans and procedures of Riverside 1 and Riverside 2 facilities.	No update required although it is noted that the **Outline Emergency Preparedness and Response Plan** was updated in Examination (**REP4-014**).

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	and which all building users can have confidence in 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development. **B** All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function in terms of: 1) the building's construction: methods, products and materials used, including manufacturers' details 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures	**The above demonstrates the Proposed Scheme complies with Policy D12**	

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
Policy D13 **Agent of Change**	**A** The Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby. **B** Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them. **C** New noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses. **D** Development proposals should manage noise and other potential nuisances by: 1) ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area 2) exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations 3) separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures. **E** Boroughs should not normally permit development proposals that have not	In response to Policy D13 (C),(D): **Chapter 6: Noise and Vibration of the ES (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme noise and vibration on receptors during construction and operation. It concludes no significant environmental effects for noise or vibrations have been identified for the Proposed Scheme on nearby sensitive receptors regarding construction or operation subject to the implementation of mitigation measures. Any noise arising from the construction phase would be temporary and suitably mitigated through the **Outline CoCP (Document Reference 7.4)**, which is secured by a requirement in Schedule 2 of **the Draft DCO (Document Reference 3.1)**. A Noise Mitigation Plan and an Operational EMP will be prepared, secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, prior to operation of the Proposed Scheme to detail the final mitigation measures to demonstrate that only negligible to minor impacts would arise (Not Significant). Given that the ASHP fans of the Proposed Scheme are the greatest source of noise at Clydesdale Way and the Travelodge London Belvedere, consideration has been given to additional mitigation measures to minimise the impact. Mitigation measures include: • locating the ASHP fans further away and behind the water heating facility, such that the building acts as a barrier to the noise from the fans; or • selecting quieter ASHP fans to achieve a cumulative rating level of not more than 5 dB above the background sound level at 1m from any nearby sensitive receptor; or • erecting an acoustic barrier around the ASHP fans to achieve a cumulative rating level of not more than 5 dB above the background sound level at 1m from any nearby sensitive receptor. **The above demonstrates the Proposed Scheme complies with Policy D13.**	No update required, however supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission).** It is noted that LBB has indicated in the **SoCG (AS-096)** that it is content with the mitigation measures proposed for noise.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	clearly demonstrated how noise and other nuisances will be mitigated and managed.		
Policy D14 **Noise**	**A** In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by: 1) avoiding significant adverse noise impacts on health and quality of life 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity) 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.	**Chapter 6: Noise and Vibration (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme noise and vibration on receptors during construction and operation. It concludes no significant environmental effects for noise or vibrations have been identified for the Proposed Scheme on nearby sensitive receptors regarding construction or operation subject to the implementation of mitigation measures. Any noise arising from the construction phase would be temporary, and suitably mitigated through the **Outline CoCP (Document Reference 7.4),** which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** A Noise Mitigation Plan and an Operational EMP will be prepared, secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, prior to operation of the Proposed Scheme to detail the final mitigation measures to demonstrate that only negligible to minor impacts would arise (Not Significant). **The above demonstrates the Proposed Scheme complies with Policy D14 (1)(5)(6)**	No update required, however supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013)** • **Draft DCO (as updated as part of this submission)** It is noted that LBB has indicated in the **SoCG (AS-096)** that it is content with the mitigation measures proposed for noise.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	B Boroughs, and others with relevant responsibilities, should identify and nominate new Quiet Areas and protect existing Quiet Areas in line with the procedure in Defra's Noise Action Plan for Agglomerations.		
Chapter 6 Economy			
Policy E5 **Strategic Industrial Locations (SIL)**	**A** Strategic Industrial Locations should be managed proactively through a plan-led process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy. **B** Boroughs, in their Development Plans, should: 1) define the detailed boundary of SILs in policies maps having regard to the scope for intensification, co-location and substitution (set out in Policy E7 Industrial intensification, co-location and substitution) 2) develop local policies to protect and intensify the function of SILs and enhance their attractiveness and competitiveness (including improvements to access, public transport, digital connectivity and other related infrastructure) for the functions set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function 3) explore opportunities to intensify and make more efficient use of land in SILs in Development Plan reviews and through Opportunity Area Planning Frameworks in collaboration with the GLA and other planning authorities within and outside London (Policy E7 Industrial intensification, co-location and substitution). 4) strategically coordinate Development Plans to identify opportunities to substitute industrial capacity and function of Strategic	<u>In response to Policy E5 (C):</u> The Proposed Scheme partly falls within the Belvedere SIL and under the industrial-type activities as outlined within Part A of Policy E4. The Applicant considers that the Proposed Scheme contributes to the goals of meeting London's current and future demands for industrial and related functions. The Munster Joinery (UK) Limited site, which is located within the Site boundary, would be demolished, whose site cannot be avoided, when balancing all factors, as set out in the **TSAR (Document Reference 7.5)**. The Applicant has sought to reach an agreement with Munster Joinery (UK) Limited on a relocation site; albeit this has not been reached at the time of writing. The assessment within **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** concludes that there would be a residual Major Adverse (Significant) effect on Munster Joinery. The Applicant is seeking to use compulsory acquisition powers to acquire the Site on which Munter Joiner Limited is located. The impacts that the DCO Proposed Scheme may have the justification for why compulsory acquisition powers are sought is outlined in the **Statement of Reasons (Document Reference 4.1).** The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on Munster Joinery. **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1**) reports the assessment of the employment and economic impact of the Proposed Scheme. The assessment concludes that when considering the operational net employment generation, the Proposed Scheme will create employment opportunities with an anticipated total net additional 874.8 jobs in Greater London during the construction phase per annum, and during the operation phase a total net additional 25.8 jobs in Greater London, and contribute to the economy as it is anticipated to generate £95,214,107 in GVA to the Greater London economy during the construction phase, and £1,556,591	An **Outline Skills and Employment Plan** was submitted during Examination (**REP2-022**) and is agreed by LBB (as per the **SoCG (AS-096)**. The **Draft DCO (as updated as part of this submission)** requires a detailed skills and employment plan to be approved by LBB in substantial accordance with the outline. The **Outline Code of Construction Practice (REP5-013)** also includes skills and employment measures. The only other update required to the above response is to note the previous Government's 'CCUS: non-pipeline transport and cross border CO2 networks – call for evidence consultation' (submitted to the Examination as **Appendix G to the Applicant's Response to Relevant Representations (AS-044)**) which advised that '*NPT will unlock CCS as a potential decarbonisation route for capture projects outside the CCUS industrial clusters or in clusters without direct access to an offshore pipeline. Unlocking CCS in these locations will be essential for the UK to reach its decarbonisation goals*.'

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	Industrial Locations where evidence that alternative, more suitable, locations exist. This release must be carried out through a planning framework or Development Plan Document review process and adopted as policy in a Development Plan. All Boroughs are encouraged to evaluate viable opportunities to provide additional industrial land in new locations to support this process. This policy should be applied in the context of Policy E7 Industrial intensification, co-location and substitution. **C** Development proposals in SILs should be supported where the uses proposed fall within the industrial-type activities set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function **D** Development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities and their ability to operate on a 24-hour basis. Residential development adjacent to SILs should be designed to ensure that existing or potential industrial activities in SIL are not compromised or curtailed. Particular attention should be given to layouts, access, orientation, servicing, public realm, air quality, soundproofing and other design mitigation in the residential development.	GVA to the Greater London economy during the operational phase. This calculation is based on a scenario where Munster Joinery Limited was relocated within an area that would support existing business operations. **Whilst it has been identified that the Proposed Scheme would have a significant adverse effect on Munster Joinery, which does not align with Policy E5, the Applicant considers that on balance the benefits of the Proposed Scheme outweigh the disbenefits of impacts to Munster Joinery, and the Proposed Scheme contributes to the goals of meeting London's current and future demands for industrial and related functions.**	
Policy E11 **Skills and opportunities for all**	**A** The Mayor will work with strategic partners to address low pay and gender and ethnicity pay gaps, and, as set out in his Skills for Londoners Strategy, co-ordinate national, regional and local initiatives to promote inclusive access to training, skills and employment opportunities for all Londoners. **B** Development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases,	In response to Policy E11 (B): **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1**) reports the assessment of the employment and economic impact of the Proposed Scheme. The assessment concludes that when considering the operational net employment generation, the Proposed Scheme will create employment opportunities with an anticipated total net additional 874.8 jobs in Greater London during the construction phase per annum, and during the operation phase a total net additional 25.8 jobs in Greater London, and contribute to the economy as it is anticipated to generate £95,214,107 in GVA to the Greater London economy during the construction phase, and £1,556,591 GVA to the Greater London economy during the operational phase. This	An **Outline Skills and Employment Plan** was submitted during Examination (**REP2-022**) and is agreed by LBB (see **SoCG (AS-096)**. The **Draft DCO (as updated as part of this submission)** requires a detailed skills and employment plan to be approved by LBB in substantial accordance with the outline. The **Outline Code of Construction Practice (REP5-013)** also includes skills and employment measures.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	including through Section 106 obligations where appropriate. Boroughs should ensure these are implemented in ways that: 1) enable those people undertaking training to complete their training and apprenticeships 2) ensure the greatest possible level of take-up by Londoners of the training, apprenticeship and employment opportunities created 3) increase the proportion of under-represented groups within the construction industry workforce. In partnership with the Mayor, boroughs are encouraged to consider crossborough working to open up opportunities, including those created via Section 106 obligations, on a reciprocal basis, to residents from adjacent boroughs and across London.	calculation is based on a scenario where Munster Joinery Limited was relocated within an area that would support existing business operations. The Applicant would recruit locally, wherever practicable, and enable access to training and career development. A Skills and Employment Plan will be prepared prior to the Proposed Scheme commencing operation and secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** **The above demonstrates the Proposed Scheme complies with Policy E11.**	
Chapter 7 Heritage and Culture			
Policy HC1 **Heritage conservation and growth**	**A** Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area. **C** Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.	In response to Policies (A), (C), (D): No designated heritage assets are affected by the Proposed Scheme either directly or indirectly. There is no substantial harm to heritage assets to be considered. **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant environmental effects of the Proposed Scheme on the Historic Environment during construction and operation. The Historic Environment (also known as Cultural Heritage) comprises known or potential buried heritage assets (archaeological and paleoenvironmental remains) and above ground heritage assets (structures and landscapes of heritage interest) within or immediately around the Proposed Scheme. The assessment concludes that despite no significant effects identified through construction, additional surveys and specific Written Scheme of Investigation are recommended and these are secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. In response to the operation phase, effects on paleoenvironmental and submerged remains, no additional design, mitigation or enhancement measures are proposed as these will be delivered through the construction phase measures. In addition, given the maintenance dredging would be no deeper than the original construction phase capital	The **Outline Code of Construction Practice (REP5-013)** was updated to provide additional clarity in regard to the timeframes of the Historic England Level 2 Historic Building Recording, whereby the complete record will be deposited with the Greater London Historic Environment Record and Archaeology Data Service, and confirmation of the deposit provided in writing to London Borough of Bexley (as the relevant local planning authority) within six months of the date of the commencement of the demolition or modifications.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	D Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets. **E** Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and reuse.	dredge, there would be no additional impact to submerged remains. **The above demonstrates the Proposed Scheme complies with Policy HC1.**	
Chapter 8 Green Infrastructure and Natural Environment			
Policy G1 **Green infrastructure**	**A** London's network of green and open spaces, and green features in the built environment, should be protected and enhanced. Green infrastructure should be planned, designed and managed in an integrated way to achieve multiple benefits. **B** Boroughs should prepare green infrastructure strategies that identify opportunities for cross-borough collaboration, ensure green infrastructure is optimised and consider green infrastructure in an integrated way as part of a network consistent with Part A. **C** Development Plans and area-based strategies should use evidence, including green infrastructure strategies, to: **1)** identify key green infrastructure assets, their function and their potential function **2)** identify opportunities for addressing environmental and social challenges through strategic green infrastructure interventions. **D** Development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.	<u>In response to Policy G1 (D):</u> The Bexley Green Infrastructure Study classifies the Open Land including Crossness LNR and Norman Road as higher quality /value green infrastructure. The majority of the Crossness LNR is located within the Order Limits and is also designated as part of the Erith Marshes SINC. The East and Stable Paddocks within the Crossness LNR (which are gated, not publicly accessible and classed as non-accessible Open Land) will be required for construction and operation of the Carbon Capture Facility whilst the remaining Crossness LNR and Erith Marshes SINC land (which are publicly accessible) within the Order Limits will form part of the Mitigation and Enhancement Area. There are a series of PRoWs within the Site Boundary that will be impacted during construction, with the need for one localised permanent diversion (FP2). **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme provides and assessment of the likely significant effects of the Proposed Scheme on users of Accessible Open Land and PRoWs. It has been identified that the Proposed Scheme will have a residual direct, temporary, short-term Moderate Adverse (significant) effect during the construction phase on Accessible Open Land within the Site. This is due to a temporary loss in amenity as a result of increases in noise and air pollution, and changes in views within the Accessible Open Land during construction of the Proposed Scheme.	The **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site. The relevant planning authority, London Borough of Bexley supports the Proposed Scheme **(LBB, SoCG, Rev F)** and in its Deadline 5 Submissions (REP5-042) stated: '*Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on.'* *... As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that*

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
		Additionally, it has been identified that the Proposed Scheme will have a direct, temporary, short-term, Moderate Adverse (significant) effect during the construction phase on the England Coast Path, NCN1, FP2, FP3 and FP4, this is due to increased noise levels, dust generation and changes to views from walker and cyclist routes. The appointed Construction Contractor(s) will prepare a Community Engagement Plan for the construction phase of the Proposed Scheme. The Plan will provide the overall approach to community engagement and a detailed guide to the enquiries and complaints procedure. Engagement with users and clear signage of diversions will be in place during construction, and where possible works will be screened to minimise adverse effects on the amenity value and enjoyment of Accessible Open Land and PRoWs. These measures are to be secured as part of the **Outline CoCP (Document Reference 7.4)**. The Mitigation and Enhancement Area is being designed to deliver improvements such as user/visitor information facilities and amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks). Further information is provided in the **Outline LaBARDS (Document Reference 7.9)** and **Design Approach Document (Document Reference 5.6).** In light of this, it is considered that the overall experience of Accessible Open Land will improve in the long-term. **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** concludes that, during the operation phase of the Proposed Scheme there will be residual permanent, long-term Minor Beneficial (Not Significant) effect on the user amenity of Accessible Open Land and a permanent, long-term Minor Beneficial (not significant) effect to permissive paths and way marked circular active routes, and a Negligible (not significant) effect to the England Coast Path, NCN1 and FP242, and a Minor Adverse (not significant) effect on FP1, FP2, FP3, and FP4. No other significant effects to recreation, recreational users, cyclists and walkers were identified during the construction phase, or the operational phase of the Proposed Scheme within **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)**.	*the application site, as a whole, is an appropriate location for this development.'*

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
		Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1) provides an assessment of the likely significant effects of the Proposed Scheme on Townscape and Visual Impact (TVIA). It concludes a Moderate Adverse (Significant) effect is anticipated on the change in character and visual amenity from Accessible Open Land during construction, and a Large Adverse (significant) (year 1) and a Moderate-large adverse (significant) (year 15) effect are anticipated on the change in character and visual amenity from Accessible Open Land during operation. However proposed planting will establish over time and that will help to integrate the Proposed Scheme into the landscape and partially screen views from some receptors. The Applicant considers with the inclusion of mitigation measures within the Mitigation and Enhancement Area, as set out in the **Outline LaBARDS (Document Reference 7.9)**, the Proposed Scheme will incorporate appropriate elements of green infrastructure that will be integrated into London's wider green infrastructure network. Additionally, the Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on green infrastructure. **The above demonstrates the Proposed Scheme complies with Policy G1**	
Policy G3 **Metropolitan Open Land**	**A** Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt: **1)** MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt **2)** boroughs should work with partners to enhance the quality and range of uses of MOL. **B** The extension of MOL designations should be supported where appropriate. Boroughs should designate MOL by establishing that the land meets at least one of the following criteria: **1)** it contributes to the physical structure of London by being clearly distinguishable from the built-up area **2)** it includes open air facilities, especially for leisure, recreation, sport, the arts and	In response to Policy G3 (A): The Order Limits and its immediate context is designated Metropolitan Open Land (MOL) and the potential impact on MOL land and the 'Very Special Circumstances' presented, are reported in the **Design Approach Document (Document Reference 5.6)** and the **Planning Statement (Document Reference 5.2)**. **The Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to Metropolitan Open Land (section 5). It recognises there is some net loss but demonstrates both very special circumstances to justify and material benefits that outweigh this limited and local level of harm. The reasonable alternatives that have been considered in respect of seeking to avoid impacts to MOL, whilst still seeking to achieve the objectives for the Proposed Scheme are presented in the **TSAR (Document Reference 7.5)** and in **Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)** which sets out the main reasons for the Applicant's choice, taking into account environmental, social	The above response is supplemented by reference to recently updated policy position in regard to Grey Belt (noting that MOL is not Green Belt) and observing that the very special circumstances presented for the Proposed Scheme align with the Golden Rules set out in the revised PPG. The Proposed Scheme is sustainably located (not least due to use of river transport during the operation phase); it will deliver the improvements necessary to strategic infrastructure, delivering local, national and global benefit; it will provide improvements to existing green spaces that are accessible to the public; and there is a demonstrable unmet need for development such as the Proposed Scheme. The **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity,

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	cultural activities, which serve either the whole or significant parts of London **3)** it contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value **4)** it forms part of a strategic corridor, node or a link in the network of green infrastructure and meets one of the above criteria. **C** Any alterations to the boundary of MOL should be undertaken through the Local Plan process, in consultation with the Mayor and adjoining boroughs. MOL boundaries should only be changed in exceptional circumstances when this is fully evidenced and justified, taking into account the purposes for including land in MOL set out in Part B.	and economic effects and including, where relevant, technical and commercial feasibility. The Applicant considers with the inclusion of mitigation measures within the Mitigation and Enhancement Area, as set out in the **Outline LaBARDS (Document Reference 7.9)**, the Proposed Scheme will enhance the remaining MOL within the Site. Additionally, the Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on MOL. **The 'Very Special Circumstances' detailed in the Planning Statement (5.2), including the CNP status of the Proposed Scheme per NPS EN-1, demonstrate how the Proposed Scheme has met national policy tests regarding Green Belts, and therefore the Proposed Scheme is in accordance with Policy G3.**	access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site and provide better access to the retained Metropolitan Open Land. The relevant planning authority, London Borough of Bexley supports the Proposed Scheme **(LBB, SoCG, (AS-096)** and in its Deadline 5 Submissions (REP5-042) stated: '*Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on.* *...* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.' LBB has also confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*
Policy G4 **Open space**	**A** Development Plans should: **1)** undertake a needs assessment of all open space to inform policy. Assessments should identify areas of public open space deficiency, using the categorisation set out in Table 8.1 as a benchmark for the different types required.[136] Assessments should take into account the quality, quantity and accessibility of open space **2)** include appropriate designations and policies for the protection of open space to meet needs and address deficiencies **3)** promote the creation of new areas of publicly-accessible open space particularly green space, ensuring that future open space needs are planned for, especially in	In response to G4(B): The Applicant has identified that there is land within the Order limits that can be considered as 'public open space' for Planning Act 2008 purposes – this is informal land used for recreation purposes. This has been identified as 'Accessible Open Land' throughout the ES, and matches the land shown as Special Category Land on the **Special Category Land Plan (Document Reference 2.8).** The Site and its immediate context is designated Metropolitan Open Land (MOL). There is an area of Urban Open Space, Belvedere Ditches and Dykes (as designated in the Bexley Local Plan) within the Site. The Southeast London Green Chain runs through the Site. The Site also includes parts of The Crossness Local Nature Reserve (LNR) and Erith Marshes Site of Importance to Nature Conservation (SINC). **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of	The **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site and provide better access to the retained Metropolitan Open Land.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	areas with the potential for substantial change **4)** ensure that open space, particularly green space, included as part of development remains publicly accessible. **B** Development proposals should: **1)** not result in the loss of protected open space **2)** where possible create areas of publicly accessible open space, particularly in areas of deficiency.	the likely significant effects of the Proposed Scheme on users of Accessible Open Land. It has been identified that the Proposed Scheme will have a residual direct, temporary, short-term Moderate Adverse (significant) effect during the construction phase on Accessible Open Land within the Site. This is due to a temporary loss in amenity as a result of increases in noise and air pollution, and changes in views within the Accessible Open Land during construction of the Proposed Scheme. The Mitigation and Enhancement Area is being designed to deliver improvements such as user/visitor information facilities and amenity (including the potential for an outside classroom) re-wetting of the soils through alterations to the ditch network, tree planting and pond/wetland creation. This land also provides opportunity for improved access (all weather access routes, gateways, bridges and boardwalks). Further information is provided in the **Outline LaBARDS (Document Reference 7.9)** and **Design Approach Document (Document Reference 5.6).** In light of this, it is considered that the overall experience of Accessible Open Land will improve in the long-term. **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** concludes that, during the operation phase of the Proposed Scheme there will be residual permanent, long-term Minor Beneficial (Not Significant) effect on the user amenity of Accessible Open Land. The **Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to open space (Section 6). It recognises that whilst some designated open space will be lost to the Proposed Scheme, this is a small area that is inaccessible to the public. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on Open Space. **The Proposed Scheme would result in a small loss of inaccessible land designated as open space. However the Mitigation and Enhancement area will provide enhancements to Accessible Open Land.**	The relevant planning authority, London Borough of Bexley supports the Proposed Scheme (**SoCG (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: '*Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on.* *…* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.'
Policy G5 **Urban greening**	**A** Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by	<u>In response to Policy G5 (A):</u> The **Outline LaBARDS (Document Reference 7.9)** contains a comprehensive delivery strategy for biodiversity, access and recreational enhancement, and includes	This response is supplemented by reference to the revised **Design Principles and Design Code (REP5-009)** and **Outline LaBARDS (AS-094)**.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. **B** Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses). **C** Existing green cover retained on site should count towards developments meeting the interim target scores set out in (B) based on the factors set out in Table 8.2.	a high-quality landscaping scheme contribute to urban greening within London. **The above demonstrates the Proposed Scheme complies with Policy G5.**	The **Design Principles and Design Code (REP5-009)** have evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. The **Design Principles and Design Code (REP5-009)** have informed development of the **Outline LaBARDS (AS-094)** and will continue to underpin any full LaBARDS(s), not least as required through Requirement 12 of the **draft DCO.** The **Design Principles and Design Code (REP5-009)** underpinning the LaBARDS that address matters of relevance to Policy G5, include: DP_CL 1.1 (resilient site drainage); DP_CL 1.3 and 1.4 (species diversity and habitat enhancement); DP_PL 1.2 and 1.7 (control over visual appearance of buildings and MOL through good design and management); DP_PL 1.3 (extending the CLNR); DP_PE 1.1 and 1.2 (enhancing access provision and connection); DP_PE 1.5 (focus on visually attractive and secure outside environment); DP_VA 1.2, 1.3 and 1.5 (minimising the loss of open land and providing suitable mitigation). The **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*
Policy G6 **Biodiversity and access to nature**	**A** Sites of Importance for Nature Conservation (SINCs) should be protected. **B** Boroughs, in developing Development Plans, should:	<u>In response to Policy G6 (A), (C):</u> The Site includes parts of Erith Marshes Site of Importance to Nature Conservation (SINC), River Thames and Tidal Tributaries SINC, and Belvedere Dykes SINC, and 18 other SINCs are located within 2km of the Site.	The relevant planning authority, London Borough of Bexley supports the Proposed Scheme (as depicted in the **LBB SoCG (AS-096)**) and in their Deadline 5 Submissions (REP5-042) stated: '*Through these discussions the*

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	1) use up-to-date information about the natural environment and the relevant procedures to identify SINCs and ecological corridors to identify coherent ecological networks 2) identify areas of deficiency in access to nature (i.e. areas that are more than 1km walking distance from an accessible Metropolitan or Borough SINC) and seek opportunities to address them 3) support the protection and conservation of priority species and habitats that sit outside the SINC network, and promote opportunities for enhancing them using Biodiversity Action Plans 4) seek opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context 5) ensure designated sites of European or national nature conservation importance are clearly identified and impacts assessed in accordance with legislative requirements. **C** Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts: 1) avoid damaging the significant ecological features of the site 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site 3) deliver off-site compensation of better biodiversity value. **D** Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. **E** Proposals which reduce deficiencies in access to nature should be considered positively.	**Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely potential significant effects of the Proposed Scheme on terrestrial biodiversity during construction and operation. The assessment concludes that for Erith Marshes MSINC, Belvedere Dykes SINC, and River Thames and Tidal Tributaries MSINC, following implementation of the mitigation measures: • the residual effect during the construction phase is anticipated to be Minor Adverse (not significant) for noise and vibration and changes to air quality; • The residual effect during the construction phase is anticipated to be Negligible (not significant) for lighting and habitat loss and fragmentation; • The residual effect during the operation phase is anticipated to be Negligible (not significant) for noise and vibration, lighting and shading; • the residual effect is anticipated to be potentially up to Moderate Adverse (significant) in respect of air quality impacts during the operational phase. • • Part of Erith Marshes SINC will be lost to the Proposed Scheme, however creation of new habitat to replace those potentially lost to the Proposed Scheme, alongside improvement of existing areas of habitat, will occur within the Mitigation and Enhancement Area and within the BNG Opportunity Area offsite, this includes replacing important habitats of SINCs that will be lost to the Proposed Scheme. These measures are set out in the **Outline LaBARDS (Document Reference 7.9)**. The **TSAR (Document Reference 7.5)** and the **JSAR (Document Reference 7.6)** explain how the Applicant has sought to avoid significant harm to ecological interests through its siting process. **The Outline LaBARDS (Document Reference 7.9)** sets out the Applicant's proposed mitigations and enhancements to provide an overall net improvement in the ecological position in and around the Proposed Scheme. In particular, whilst there is direct loss of the area of Crossness LNR/Erith Marshes SINC land as a result of the Proposed Scheme, the Applicant's proposals will deliver an enhanced LNR/SINC overall in the post Proposed Scheme world. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2**) and the **Project Benefits Report (Document**	*Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on.* *...* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.' LBB has also confirmed in their **SoCG (AS-096)** that '*the Outline LaBARDS, including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved'.* The above response is supplemented by the **Outline LaBARDS (AS-094)** which was updated as part of the Examination.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
		Reference 5.4)) outweigh the disbenefits of impacts on ecological receptors. In response to Policy G6 (D): A BNG Assessment contained within **Appendix 7-1: Biodiversity Net Gain Report (Volume 3) of the ES (Document Reference 6.3)** for the Proposed Scheme is submitted. The BNG Assessment has analysed the habitats to be retained, enhanced, created, or lost within the Site. It identifies whether off-site habitat compensation is required and demonstrates biodiversity benefits resulting from the Proposed Scheme. The assessment concludes that the overall net change in biodiversity both on-site and offsite is 10.01%; for Area Habitat Biodiversity Units (AHBU), and 13.71% for Watercourse Biodiversity Units (WBU). In response to Policy G6 (E): The **Outline LaBARDS (Document Reference 7.9)** contains a comprehensive delivery strategy for biodiversity, access and recreational enhancement, and presents plans to enhance signage and improve the surfaces of PROW, removing overgrown vegetation and reviewing the potential to remove obstacles such as gates. Raised walkways are proposed so that the Mitigation and Enhancement Area remains accessible during wet periods. New permissive routes are considered to improve links with PROW beyond the Site Boundary. These measures will enhance access to nature. **The above demonstrates the Proposed Scheme complies with Policy G6.**	
Policy G7 **Trees and woodlands**	**A** London's urban forest and woodlands should be protected and maintained, and new trees and woodlands should be planted in appropriate locations in order to increase the extent of London's urban forest – the area of London under the canopy of trees. **B** In their Development Plans, boroughs should: **1)** protect 'veteran' trees and ancient woodland where these are not already part of a protected site **2)** identify opportunities for tree planting in strategic locations. **C** Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of	In response to Policy G7 (A), (C): **Appendix 10-3: Arboricultural Impact Assessment (AIA) (Volume 3) of the ES (Document Reference 6.3)** identifies all trees which may be affected by the Proposed Scheme, assesses the impact of the Proposed Scheme upon those trees and recommended necessary protection measures to ensure the health of retained trees. The assessment confirms no record of TPOs, conservation areas, ancient/veteran trees, traditional orchards nor ancient woodland within the arboricultural Study Area (extent of the Site plus up to a further 15m). The Proposed Scheme would result in the removal of 12 low quality trees and one very low-quality tree. All other arboricultural features will be retained and protected during construction. Principles for tree protection are set out in an outline Arboriculture Method Statement within the assessment and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).**	The Applicant has updated Figure 14 within the **Outline LaBARDS (AS-094)** to reflect the reduction in density of tree planting in the boundary zone between the Carbon Capture Facility and Crossness LNR in response to concerns over impacts to the balance of vegetation within the grazing marsh habitat. The above response is supplemented by the **Draft DCO (as updated as part of this submission).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy	The **Outline LaBARDS (Document Reference 7.9)** contains a comprehensive delivery strategy for biodiversity, access and recreational enhancement, and incudes opportunities for tree planting. **The above demonstrates the Proposed Scheme complies with Policy G7.**	
Chapter 9 Sustainable Infrastructure			
Policy SI 1 **Improving air quality (paragraphs 9.1.1 – 9.1.23)**	A Development Plans, through relevant strategic, site-specific and area based policies, should seek opportunities to identify and deliver further improvements to air quality and should not reduce air quality benefits that result from the Mayor's or boroughs' activities to improve air quality. **B** To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed: 1) Development proposals should not: a) lead to further deterioration of existing poor air quality b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits c) create unacceptable risk of high levels of exposure to poor air quality. 2) In order to meet the requirements in Part 1, as a minimum: a) development proposals must be at least Air Quality Neutral b) development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in	In response to Policy SI1 (B), (D), (E): **Chapter 5: Air Quality (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on air quality during construction and operation. It concludes the construction phase will have no significant effect on local air quality subject to the implementation of mitigation measures. These mitigation measures would be included in the **OCoCP (Document Reference 7.4),** which is secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The Proposed Scheme has been designed to minimise its impact on local air quality, in particular the design of the two new Absorber Stacks has been optimised to achieve the best possible outcomes for air quality. The assessment confirms that the operational phase of the Proposed Scheme will have no significant effect on local air quality with respect to human health, neither in isolation nor cumulatively. The assessment states that the current methodology for achieving a standard of Air Quality Neutral is based on a series of benchmarks for emissions of NOX and PM10 from buildings (e.g., energy provision) and transport. There are no applicable benchmarks for an industrial development such as the Proposed Scheme, therefore, an Air Quality Neutral Assessment is not required. Notwithstanding this, the principal source of emissions from the Proposed Scheme are combustion gases from the incineration of waste. The Proposed Scheme will not change the emissions of NOX and PM10 from Riverside 1 and Riverside 2 and is therefore inherently Air Quality Neutral. **Appendix 5-4: Air Quality Positive Statement (Volume 1) of the ES (Document Reference 6.3)** prepared to comply with Policy SI1. The statement details the implementation and monitoring plan for measures to inform air quality positive design.	The Applicant prepared an **Air Quality Neutral Assessment (REP3-032)** in addition to **Chapter 5: Air Quality of the Environmental Statement (Volume 1) (APP-054)**. The **Air Quality Neutral Assessment (REP3-032)** has been undertaken in line with current AQN Guidance and demonstrates that the Proposed Scheme is air quality neutral. At the request of Natural England, the Applicant undertook a cumulative impact assessment for the Inner Thames Marshes SSSI. Natural England confirmed agreement with the findings of the cumulative impact assessment for the Inner Thames Marshes SSSI, presented as a Technical Note. In particular, Natural England and the Applicant agree that no significant effects on the Inner Thames Marshes SSSI are likely to occur as a result of the Proposed Scheme, when considered alongside other committed developments. This is reflected in the in **Natural England Statement of Common Ground (REP6-035)**. The above response is supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	preference to post-design or retro-fitted mitigation measures c) major development proposals must be submitted with an Air Quality Assessment. Air quality assessments should show how the development will meet the requirements of B1 d) development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure. C Masterplans and development briefs for large-scale development proposals subject to an Environmental Impact Assessment should consider how local air quality can be improved across the area of the proposal as part of an air quality positive approach. To achieve this a statement should be submitted demonstrating: 1) how proposals have considered ways to maximise benefits to local air quality, and 2) what measures or design features will be put in place to reduce exposure to pollution, and how they will achieve this. D In order to reduce the impact on air quality during the construction and demolition phase development proposals must demonstrate how they plan to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance. E Development proposals should ensure that where emissions need to be reduced to meet the requirements of Air Quality Neutral or to make the impact of development on local air quality	These measures will be secured through requirements in the **Draft DCO (Document Reference 3.1)** or the Environmental Permit for the Proposed Scheme. **The above demonstrates the Proposed Scheme complies with Policy SI1.**	

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	acceptable, this is done on-site. Where it can be demonstrated that emissions cannot be further reduced by on-site measures, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development.		
Policy SI 2 **Minimising greenhouse gas emissions (paragraphs 9.2.1 – 9.2.12)**	**A** Major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy: 1) be lean: use less energy and manage demand during operation 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site 4) be seen: monitor, verify and report on energy performance. **B** Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. **C** A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either: 1) through a cash in lieu contribution to the borough's carbon offset fund, or 2) off-site provided that an alternative proposal is identified and delivery is certain. **D** Boroughs must establish and administer a carbon offset fund. Offset fund payments must be ring-fenced to implement projects that deliver carbon reductions. The	<u>In response to Policy SI 2 (A) (B) (E):</u> The Application is supported by a **Project Benefits Report (Document Reference 5.4)** which provides a detailed analysis of the environmental, economic and social benefits of delivering the Proposed Scheme, and how it will align with the wider UK Government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level. The Carbon Capture Facility within the Proposed Scheme involves the installation of post combustion carbon capture technology to capture CO2 from Riverside 1 (in operation) and Riverside 2 (due to be operational by 2026). It will capture a minimum of 95% of CO_2 emissions from Riverside 1 and 95% of CO_2 emissions from Riverside 2 once operational, which is equivalent to approximately 1.3Mt CO2 per year. The capture rate is the annual average. Furthermore, with the feedstock to Riverside 1 and Riverside 2 comprising approximately 50% biogenic content, the Carbon Capture Facility would result in net-negative CO_2 emissions of approximately 0.6Mt per year of CO_2. As such, the Proposed Scheme will be part of a regional effort to enable the decarbonisation of emissions in London and the southeast of England. With the potential to be operational as early as 2030, the Proposed Scheme will make an important and relevant contribution to achieving early milestones on the way to net zero by 2050. Contributing to the Mayor's aspirations for London to be a zero-carbon city by 2050. **Chapter 13: Greenhouse Gases (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme would have significant beneficial effect on GHG emissions during operation. Construction emissions will be minimised through design optimisation, therefore no significant effects on GHG emissions are anticipated during construction. **The above demonstrates the Proposed Scheme complies with Policy SI 2.**	The Applicant has provided clarify on its calculations in response to queries from the ExA (please refer to **REP5-029** and **REP5-033)**.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	operation of offset funds should be monitored and reported on annually. **E** Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions. **F** Development proposals referable to the Mayor should calculate whole lifecycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.		
Policy SI 5 **Water infrastructure (paragraphs 9.5.1 – 9.5.13)**	**A** In order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. **B** Development Plans should promote improvements to water supply infrastructure to contribute to security of supply. This should be done in a timely, efficient and sustainable manner taking energy consumption into account. **C** Development proposals should: 1) through the use of Planning Conditions minimise the use of mains water in line with the Optional Requirement of the Building Regulations (residential development), achieving mains water consumption of 105 litres or less per head per day (excluding allowance of up to five litres for external water consumption) 2) achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent (commercial development) 3) incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.	<u>In response to Policy SI 5 (E):</u> A Water Treatment Plant is included in the Proposed Scheme to provide process water for the evaporative cooling, wash water and chemical makeup systems. The feed water supply will likely use a combination of potable water from Thames Water (Water Supply Zone: 0105), effluent supply from the nearby Crossness Sewage Treatment Works, and recycled effluent from the Carbon Capture Facility. The design of the Carbon Capture Facility has included water recycling where possible, to minimise potable water demand and wastewater generation from the Carbon Capture Facility. Treated wastewater will be discharged to the local foul sewer (with or without treatment, depending on trade effluent consents). Prior to discharge the sludge produced would go through a settlement process. Nanofiltration concentrate and neutralised cleaning solutions will be blended before discharge into the local foul sewer. The Proposed Scheme design will include appropriate drainage systems and attenuation, this is detailed in the **Outline Drainage Strategy (Document Reference 7.2)**. Any wastewater generated by the Proposed Scheme will be treated at the Wastewater Treatment Plant proposed as part of the Proposed Scheme. The full list of mitigation measures proposed to minimise impact to the water environment during construction and operation, and details of how these will be secured, is provided within the assessment and the **Mitigation Schedule (Document Reference 7.8)**. The assessment concludes that once the mitigation measures are implemented, the likely effects will not be significant. They are secured via the **Outline CoCP (Document**	An updated **Outline Drainage Strategy (AS-027)** was submitted on the 25th September 2024. This update was the Applicant taking a pro-active approach to issues raised in Relevant Representations and ongoing discussions with stakeholders. This updated document has no effect on the Project's compliance with Policy SI 5 of the London Plan.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	D In terms of water quality, Development Plans should: 1) promote the protection and improvement of the water environment in line with the Thames River Basin Management Plan, and should take account of Catchment Plans 2) support wastewater treatment infrastructure investment to accommodate London's growth and climate change impacts. Such infrastructure should be constructed in a timely and sustainable manner taking account of new, smart technologies, intensification opportunities on existing sites, and energy implications. Boroughs should work with Thames Water in relation to local wastewater infrastructure requirements. **E** Development proposals should: 1) seek to improve the water environment and ensure that adequate wastewater infrastructure capacity is provided 2) take action to minimise the potential for misconnections between foul and surface water networks. **F** Development Plans and proposals for strategically or locally defined growth locations with particular flood risk constraints or where there is insufficient water infrastructure capacity	**Reference 7.4)** and the **Outline Drainage Strategy (Document Reference 7.2).** **The above demonstrates the Proposed Scheme complies with Policy SI 5.**	
Policy SI 7 **Reducing waste and supporting the circular economy (paragraphs 9.7.1 – 9.7.10)**	**A** Resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to: 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026	In response to Policy SI 7 (A): **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on materials consumption, waste generation and disposal, during construction and operation. It concludes that with mitigation measures, as set out in the **Mitigation Schedule (Document Reference 7.8)** no significant effects on materials and waste are anticipated. Waste during the construction and operation will be properly managed, site arising will not have an adverse effect on the capacity of existing waste management facilities, adequate will be taken to minimise waste arising, and the waste hierarchy will be followed to minimise the volume of waste arisings sent for recovery or disposal. Methods of best practice surrounding effects relating to waste have been secured as part of the **Outline CoCP (Document**	In response to questions from the ExA, the Applicant strengthened its commitment to supporting the circular economy at both the construction and decommissioning phases through amending design code DC_CCF 1.7 in the **Design Code and Design Principles (REP5-009)** and Requirement 23 of the **Draft DCO (as updated as part of this submission)**. The above response is supplemented by the following documents updated as part of the Examination: • **Mitigation Schedule (REP1-010);** and • **Outline Code of Construction Practice (REP5-013).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	4) meet or exceed the municipal waste recycling target of 65 per cent by 2030 5) meet or exceed the targets for each of the following waste and material streams: a) construction and demolition – 95 per cent reuse/recycling/recovery b) excavation – 95 per cent beneficial use 6) design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food. **B** Referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate: 1) how all materials arising from demolition and remediation works will be re-used and/or recycled 2) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life 3) opportunities for managing as much waste as possible on site 4) adequate and easily accessible storage space and collection systems to support recycling and re-use 5) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy 6) how performance will be monitored and reported.	**Reference 7.4)** to minimise the effects of the Proposed Scheme through the construction phase. An **Outline Site Waste Management Plan (SWMP) (Document Reference 7.10)** has been submitted and it ensures that the management of materials and waste generated during the construction of the Proposed Scheme is undertaken in accordance with legal and best practice requirements and this will be developed into a full Site Waste Management Plan, as secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Further a Materials Management Plan (MMP) will be developed, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, this will be prepared prior to construction commencing (post-consent) to help planning for, acquire and monitor materials required to construct the Proposed Scheme. Mitigation measures in place during operation will include the use of existing onsite waste prevention, minimisation and management processes and procedures to drive good practice behaviour and contracts, to maximise action in the highest tiers of the waste hierarchy and adherence to the proximity principle. Circular Economy practices will be identified and considered to design out wastes, reduce waste and to divert materials from landfill, into other productive uses. **The above demonstrates the Proposed Scheme complies with Policy SI 7.**	
Policy SI 8 **Waste capacity and net waste self-sufficiency (paragraphs 9.8.1 – 9.8.20)**	**A** In order to manage London's waste sustainably: 1) the equivalent of 100 per cent of London's waste should be managed within London (i.e. net self-sufficiency) by 2026	In response to Policy SI 8 (A2): Riverside 1 and Riverside 2 (under construction) are safeguarded waste sites. The quantities of waste received by Riverside 1 and Riverside 2 (once operational) will not change as a consequence of the Proposed Scheme. **The above demonstrates the Proposed Scheme complies with Policy SI 8 A2.**	No update required and no revisions to existing documents.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	2) existing waste management sites should be safeguarded (see Policy SI 9 Safeguarded waste sites) 3) the waste management capacity of existing sites should be optimised 4) new waste management sites should be provided where required 5) environmental, social and economic benefits from waste and secondary materials management should be created. **D** Development proposals for materials and waste management sites are encouraged where they: 1) deliver a range of complementary waste management and secondary material processing facilities on a single site 2) support prolonged product life and secondary repair, refurbishment and remanufacture of materials and assets 3) contribute towards renewable energy generation, especially renewable gas technologies from organic/biomass waste, and/or 4) are linked to low emission combined heat and power and/or combined cooling heat and power (CHP is only acceptable where it will enable the delivery or extension of an area-wide heat network consistent with Policy SI 3 Energy infrastructure Part D1c) **E** Developments proposals for new waste sites or to increase the capacity of existing sites should be evaluated against the following criteria: 1) the nature of the activity, its scale and location 2) effective implementation of the waste hierarchy and its contribution to London's circular economy 3) achieving a positive carbon outcome (i.e. re-using and recycling high carbon content materials) resulting in significant greenhouse gas savings – all facilities		

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	generating energy from waste will need to meet, or demonstrate that steps are in place to meet, a minimum performance of 400g of CO2 equivalent per kilowatt hour of electricity produced 4) the impact on amenity in surrounding areas (including but not limited to noise, odours, air quality and visual impact) – where a site is likely to produce significant air quality, dust or noise impacts, it should be fully enclosed 5) the transport and environmental impacts of all vehicle movements related to the proposal – the use of renewable fuels from waste sources and the use of rail and waterway networks to transport waste should be supported. **F** When planning for new waste sites or to increase the capacity at existing sites the following should be considered: 1) job creation and social value benefits, including skills, training and apprenticeship opportunities 2) local need 3) accessibility of services for local communities and businesses.		
Policy SI 9 **Safeguarded waste sites (paragraphs 9.9.1 – 9.9.3)**	**A** Existing waste sites should be safeguarded and retained in waste management use. **B** Waste facilities located in areas identified for non-waste related development should be integrated with other uses as a first principle where they deliver clear local benefits. **C** Waste plans should be adopted before considering the loss of waste sites. The proposed loss of an existing waste site will only be supported where appropriate compensatory capacity is made within London that must be at or above the same level of the waste hierarchy and at least meet, and should exceed, the maximum achievable throughput of the site proposed to be lost.	In response to Policy SI 9 (A): Riverside 1 and Riverside 2 (under construction) are safeguarded waste sites. The quantities of waste received by Riverside 1 and Riverside 2 (once operational) will not change as a consequence of the Proposed Scheme. 8 **The above demonstrates the Proposed Scheme complies with Policy SI 9(A).**	No update required and no revisions to existing documents.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	D Development proposals that would result in the loss of existing sites for the treatment and/or disposal of hazardous waste should not be permitted unless compensatory hazardous waste site provision has been secured in accordance with this policy. **E** Development proposals for the relocation of waste sites within London are supported where strategic waste management outcomes are achieved.		
Policy SI 10 Aggregates (paragraphs 9.10.1 – 9.10.8)	**A** An adequate supply of aggregates to support construction in London will be achieved by: 1) encouraging re-use and recycling of construction, demolition and excavation waste within London, including on-site 2) extracting land-won aggregates within London 3) importing aggregates to London by sustainable transport modes. **B** Development Plans should: 1) make provision for the maintenance of a landbank (i.e. seven years' supply) of at least five million tonnes of land-won aggregates up to 2041. 2) ensure sufficient capacity of aggregates wharves and aggregate rail depots is available to ensure a steady and adequate supply of imported and marine aggregates to London and maximise the movement of aggregates by sustainable modes 3) support the production of recycled/secondary aggregates and, where practicable, expand capacity at/or adjacent to aggregates wharves and rail depots and quarries during their operational life, within or adjacent to major construction projects. **C** All Mineral Planning Authorities should, in Development Plans: 1) identify mineral safeguarding areas to protect sand and gravel resources from development that would otherwise sterilise future potential extraction 2) identify and safeguard sites and facilities, including wharves and railheads, with existing, planned or potential capacity for transportation, distribution, processing	The Proposed Scheme is not located in an area safeguarded for aggregates. In response to Policy SI 10 (A1): **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on materials consumption, waste generation and disposal, during construction and operation. It concludes that with mitigation measures, as set out in the **Mitigation Schedule (Document Reference 7.8)** no significant effects on materials and waste are anticipated. Waste during the construction and operation will be properly managed, site arising will not have an adverse effect on the capacity of existing waste management facilities, adequate will be taken to minimise waste arising, and the waste hierarchy will be followed to minimise the volume of wasta rings sent for recovery or disposal. Methods of best practice surrounding effects relating to waste have been secured as part of the **Outline CoCP (Document Reference 7.4)** to minimise the effects of the Proposed Scheme through the construction phase. During construction best practice mitigation measures will be in place, including a Site Waste Management Plan (SWMP) and a Materials Management Plan (MMP), secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Mitigation measures in place during operation will include the use of existing onsite waste prevention, minimisation and management processes and procedures to drive good practice behaviour and contracts, to maximise action in the highest tiers of the Waste Hierarchy and adherence to the proximity principle. Circular Economy practices will be identified and considered to design out wastes, reduce waste and to divert materials from landfill, into other productive uses. **The above demonstrates the Proposed Scheme complies with Policy SI 10.**	No update required, however supplemented by the following documents submitted as part of the Examination: • **Mitigation Schedule (REP1-010);** • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated alongside this submission).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	and/or production of primary and/or secondary/recycled aggregates. **D** To reduce the environmental impact of aggregate sites and facilities development proposals should: 1) demonstrate that appropriate measures to deal with aftercare, restoration and re-use of minerals sites following extraction are in place; with particular emphasis on promoting green infrastructure and biodiversity 2) ensure that potential impacts, in particular to the natural and historic environment and to human health, are assessed and effectively controlled. **E** Development proposals should be designed to avoid and mitigate potential conflicts with sites safeguarded for the transportation, distribution, processing and/or production of aggregates, in line with the Agent of Change principle.		
Policy SI 12 **Flood risk management (paragraphs 9.12.1 – 9.12.6)**	**A** Current and expected flood risk from all sources across London should be managed in a sustainable and cost-effective way in collaboration with the Environment Agency, the Lead Local Flood Authorities, developers and infrastructure providers. **C** Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses. **D** Developments Plans and development proposals should contribute to the delivery of the measures set out in Thames Estuary 2100 Plan. The Mayor will work with the Environment Agency and relevant local planning authorities, including authorities outside London, to safeguard an appropriate location for a new Thames Barrier. **E** Development proposals for utility services should be designed to remain	In response to Policy SI 12I(F): The Site is located in Flood Zone 3. **Appendix 11-2: Flood Risk Assessment (FRA) of ES Volume 3 (Document Reference 6.3)** considers flood risk to the Scheme, including accounting for climate change allowances and suggests a number of mitigation measures to ensure that the critical aspects of the Proposed Scheme are not seriously affected. These are secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, as is a process for future adaptability if the design life of the Proposed Scheme is extended. Mitigation measures to reduce flood risk during the construction phase are listed in the **Outline CoCP (Document Reference 7.4)**, this includes no works being carried out within the Site Boundary when there is a risk of breach of the River Thames flood defences, a Method Statement will be developed by the Construction Contractor(s) detailing the procedures for securing the Site and plant equipment for a flood event, and storage for rainfall will be provided through the temporary drainage strategy (to be set out in a surface water management plan). Mitigation measures to reduce flood risk during the operation phase are listed in the **FRA Appendix 11-2 of the ES Volume 3 (Document Reference 6.3)**, this includes providing floodplain storage, and measures to ensure the Proposed Scheme	The Applicant has undertaken positive discussions with the Environment Agency as detailed in the **Environment Agency Statement of Common Ground (REP6-034)**. **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** was prepared in addition to the **Appendix 11-2: FRA of the Environmental Statement (Volume 3) (AS-023)** and in response to the Environment Agency's concerns regarding the potential increased residual flood risk in the event of a breach of the River Thames flood defences. **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** demonstrates that the proposed lowering of development platform provides a significant reduction in residual flood depths when compared to the previously modelled 'glass wall' approach by allowing flood waters to flow across the platform in the event of a breach of the Thames tidal flood defences. **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** confirms an acceptable level of flood risk; with the reduction in development platform and allowing flood waters to flow across the platform in the event of a breach, enabling a significant

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	operational under flood conditions and buildings should be designed for quick recovery following a flood. **F** Development proposals adjacent to flood defences will be required to protect the integrity of flood defences and allow access for future maintenance and upgrading. Unless exceptional circumstances are demonstrated for not doing so, development proposals should be set back from flood defences to allow for any foreseeable future maintenance and upgrades in a sustainable and cost-effective way. **G** Natural flood management methods should be employed in development proposals due to their multiple benefits including increasing flood storage and creating recreational areas and habitat.	(equipment, plant and operatives) is safe from flooding associated with the breach of the River Thames Flood Defences. Compliance with the FRA is secured by DCO Requirement. The FRA demonstrates that the Scheme will remain safe throughout its design life and that flood risk will not be increased elsewhere. The FRA considers existing flood defences and concludes that the Proposed Jetty would not jeopardise the ability for the T2100 programme for improvements to the flood defences to come forward in the future. **The above demonstrates the Proposed Scheme complies with Policy SI 12**	reduction in residual flood depths and the Environment Agency have confirmed they are content with these conclusions. The Applicant has committed to the lower development platform in its update to the **Design Principles and Design Code (REP5-009)**. The above response is supplemented by the following documents updated as part of the Examination: • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission)**
Policy SI 13 Sustainable drainage (paragraphs 9.13.1 – 9.13.4)	**A** Lead Local Flood Authorities should identify – through their Local Flood Risk Management Strategies and Surface Water Management Plans – areas where there are particular surface water management issues and aim to reduce these risks. Increases in surface water run-off outside these areas also need to be identified and addressed. **B** Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy: 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation) 2) rainwater infiltration to ground at or close to source 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens) 4) rainwater discharge direct to a watercourse (unless not appropriate)	In response to Policy SI 13 (A): The Applicant carried out early engagement with key stakeholders on the Proposed Scheme, which included a non-statutory consultation and a statutory consultation. Engagement with key stakeholders including the Environment Agency and London Borough of Bexley (in their role as LLFA) is ongoing. Full details of the engagement and consultation activities carried out, and how feedback has influenced the Proposed Scheme can be found in the **Consultation Report (Document Reference 5.1)**. In response to Policy SI 13 (B) (C) (D): An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that sustainable drainage and surface water disposal have been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage, and will inform spatial planning across the development. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy (Document Reference 7.2)** will be used to inform the full drainage design that will be undertaken at the detailed design stage of the project and presented in the detailed drainage strategy brought forward for approval, as secured by a requirement in the **Draft DCO (Document Reference 3.1).** **The above demonstrates the Proposed Scheme complies with Policy SI 13.**	An updated **Outline Drainage Strategy (AS-027)** was submitted as part on the 25th September 2024. This update was the Applicant taking a pro-active approach to issues raised in Relevant Representations and ongoing discussions with stakeholders. This included revising the **Outline Drainage Strategy (AS-027)** to include an increased lifetime of development up from 50 to 75 years and a 40% climate change allowance. This document has no effect on the Proposed Scheme's compliance with Policy DP33 of the London Plan. The above response is supplemented by the **Draft DCO (as updated as part of this submission)** which was updated as part of the Examination.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	5) controlled rainwater discharge to a surface water sewer or drain 6) controlled rainwater discharge to a combined sewer. **C** Development proposals for impermeable surfacing should normally be resisted unless they can be shown to be unavoidable, including on small surfaces such as front gardens and driveways. **D** Drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.		
Policy SI 14 **Waterways – strategic role (paragraphs 9.14.1 – 9.14.8)**	**A** Development Plans and development proposals should address the strategic importance of London's network of linked waterways, including the River Thames, and should seek to maximise their multifunctional social, economic and environmental benefits. **B** To ensure coordination and alignment at the interface between terrestrial and marine planning, Development Plans and development proposals should take account of the emerging Marine Spatial Plans prepared by the Marine Management Organisation. **D** To reflect the distinctiveness of areas that specifically relate to the River Thames, relevant Development Plans should designate, and ensure the maintenance of, Thames Policy Areas (TPAs). Setting the boundary of TPAs should be done in consultation with neighbouring boroughs, including those across the river. Boroughs are encouraged to plan for TPAs through joint Thames Strategies. **E** Joint Thames Strategies and other area-based joint waterways strategies should consider: • the local character of the river/waterway • water-based passenger and freight transport nodes • development sites and regeneration opportunities	In response to Policy SI 14 (A), (B), (C), (D): The Proposed Scheme is within the River Thames and the Thames Policy Area (designated in the Bexley Local Plan Policy DP19). Compliance with Policy DP19 is discussed in section 8.9 of the **Planning Statement (Document Reference 5.2)** and Table 2.4 in this **Policy Accordance Tracker (Document Reference 5.3)**. The Marine Plan of consideration is the South East Inshore Marine Plan (June 2021). Compliance with the South East Inshore Marine Plan is discussed in Sections 7 and 8 of the **Planning Statement (Document Reference 5.2)** and Table 2.5 in this **Policy Accordance Tracker (Document Reference 5.3)**. **The above demonstrates the Proposed Scheme complies with Policy SI 14.**	The PLA, the harbour and navigational authority for the river Thames, in which the Proposed Jetty will sit, has confirmed that it is content with the contents of the **Draft DCO (as updated alongside this submissions)**, the **Outline CoCP (REP5-013) and the Preliminary Navigational Risk Assessment (AS-092)**, as set out in its **SoCG** (**REP3-016**).

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	• opportunities for environmental/ecological and urban design improvements • sites of ecological, historic, or archaeological importance • sites, buildings, structures, landscapes and views of particular sensitivity or importance • focal points of public activity • inclusive public access • strategic cultural value • recreation and marine infrastructure • river crossings and other structures • • indicative flood risk and water quality.		
Policy SI 15 **Water transport (paragraphs 9.15.1 – 9.15.10)**	**A** Development proposals should protect and enhance existing passenger transport piers and their capacity. New piers will be supported in line with the Port of London Authority and Transport for London's Pier Strategy. The necessary provision of moorings, waste and sewage facilities for passenger vessels should be provided. **B** Existing boatyard sites should be protected and development proposals to increase their capacity or range of services should be supported. Alternative use of a boatyard site should only be accepted if the facilities of the site are re-provided at a site with equivalent or enhanced facilities in Greater London. Proposals for a new strategic-scale boatyard site, at an appropriate site within London, will be supported. **C** Development proposals to facilitate an increase in the amount of freight transported on London's waterways should be supported. **D** The Mayor will keep the network of safeguarded wharves under regular review. Boroughs should protect existing locations and identify new locations for additional waterborne freight. There may be opportunities to consolidate wharves as part of strategic land use change, in particular, within Opportunity Areas; these will need to ensure that the existing and potential capacity and operability of the	<u>In response to Policy SI 15 (A), (B):</u> The Proposed Scheme involves the construction of a new and dedicated export structure within the River Thames required to export the LCO_2 captured as part of the Carbon Capture Facility. For construction of the Jetty (i.e., steel piles, precast concrete units and marine equipment such as fenders) transport will primarily be via the River Thames. Once the Proposed Scheme is operational the Jetty will provide the riverside access point to be used for the export of LCO_2. Up to five marine vessels will call at the Jetty each week to collect and transport LCO_2 to meet the annual throughput. <u>In response to Policy SI 15 (C), (D), (F), (G), (H), (I):</u> Part of the Site is a Safeguarded Wharf (known as Middleton Jetty) per Policy SP11 of the Bexley Local Plan. The Proposed Scheme will not impact upon the Middelton Jetty's ability to continue to operate to serve Riverside 1 and Riverside 2 **Chapter 19 Marine Navigation (Volume 1) of the ES (Document Reference 6.1)** reports the baseline analysis and findings of the hazards related to the Proposed Scheme on marine navigation, based on the Preliminary Navigational Risk Assessment (pNRA) **(Appendix 19-1 of the ES Volume 3 (Document Reference 6.3))**. It concludes that the effects during the construction phase are deemed to be broadly acceptable or tolerable and ALARP and are deemed not significant. The effects during the operation phase are deemed to be broadly acceptable or tolerable and ALARP and are deemed not significant. Additional risk control measures have been identified for the construction phase and are detailed in Table 19 of the **Appendix 19-1: (Volume 3) of the ES: Preliminary Navigational Risk Assessment.**	The PLA, the harbour and navigational authority for the river Thames, in which the Proposed Jetty will sit, has confirmed that it is content with the contents of the **Draft DCO (as updated alongside as part of submission)**, the **Outline Code of Construction Practice (REP5-013) and the Preliminary Navigational Risk Assessment (AS-092)**, as set out in its **SoCG (AS-097**).

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	safeguarded wharves is retained and where possible expanded. **E** Safeguarded wharves should only be used for waterborne freight-handling use, including consolidation centres. The redevelopment of safeguarded wharves for other land uses should only be accepted if the wharf is no longer viable or capable of being made viable for waterborne freight-handling (see viability testing criteria). Temporary uses should only be allowed where they do not preclude the wharf being reused for waterborne freight-handling uses. **F** Development proposals which increase the use of safeguarded wharves for waterborne freight transport, especially the reactivation of wharves which are currently not handling freight by water, will be supported. **G** Development proposals on a safeguarded wharf that include the provision of a water freight use below or alongside another land use, must ensure that the water freight use is secured long-term, that the development is designed so that there are no conflicts of use and that the freight-handling capacity of the wharf is not reduced. **H** Development proposals adjacent to or opposite safeguarded wharves (including vacant wharves) should be designed to minimise the potential for conflicts of use and disturbance, in line with the Agent of Change principle. **I** Development proposals close to navigable waterways should maximise water transport for bulk materials during demolition and construction phases.	**The above demonstrates the Proposed Scheme complies with Policy SI 15.**	
Policy SI 16 **Waterways – use and enjoyment (paragraphs 9.16.1 - 9.16.6)**	**A** Development Plans and development proposals should protect and enhance waterway infrastructure. **B** Development proposals should protect and enhance, where possible, water-related cultural, educational and community facilities and events, and new	<u>In response to Policy SI 16 (A), (B), (C) and (D):</u> The Proposed Scheme includes a new and dedicated export structure to export the LCO_2. Once the Proposed Scheme is operational the Jetty will provide the riverside access point to be used for the export of LCO_2. Up to five marine vessels will call at the Jetty each week to collect and transport LCO2 to meet the annual throughput.	The PLA, the harbour and navigational authority for the river Thames, in which the Proposed Jetty will sit, has confirmed that it is content with the contents of the **Draft DCO (as updated alongside as part of this submission)**, the **Outline Code of Construction Practice (REP5-013) and the Preliminary Navigational**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	facilities should be supported and promoted, but should take into consideration the protection and other uses of the waterways. **C** Development proposals that increase the provision of water sport centres and associated new infrastructure will be supported if a deficit in provision has been identified locally, and if the infrastructure does not negatively impact on navigation or on the protection of the waterway (see Policy SI 17 Protecting and enhancing London's waterways). **D** Development proposals adjacent to waterways should protect and enhance, where possible, existing moorings. The provision of new moorings and/ or required facilities (such as power, water and waste disposal) should be supported if they are: 1) off-line from main navigation routes, in basins or docks, unless there are negative impacts on navigation or on the protection of the waterway (see Policy SI 17 Protecting and enhancing London's waterways) 2) appropriately designed including the provision of wash mitigation, where necessary 3) managed in a way that respects the character of the waterways. **E** Existing access points to waterways (including slipways and historic steps) and alongside waterways (including paths) should be protected and enhanced. **F** Development proposals along waterways should protect and enhance inclusive public access to and along the waterway front and explore opportunities for new, extended, improved and inclusive access infrastructure to/from the waterways. **G** Development proposals should improve and expand the Thames Path and the towpaths, improve alignment with the waterway where relevant, enhance them as walking routes, and provide better linkages to the transport network. This will require collaboration with relevant partners	The siting of the Jetty has been considered in the **JSAR (Document Reference 7.6)**, with respect to avoiding impact on waterway infrastructure whilst still seeking to achieve the objectives for the Proposed Scheme. **Chapter 19 Marine Navigation (Volume 1) of the ES (Document Reference 6.1)** reports the baseline analysis and findings of the hazards related to the Proposed Scheme on marine navigation, based on the Preliminary Navigational Risk Assessment (pNRA) **(Appendix 19-1 of the ES Volume 3 Document Reference 6.3)**. It concludes that the effects during the construction phase are deemed to be broadly acceptable or tolerable and ALARP and are deemed not significant. The effects during the operation phase are deemed to be broadly acceptable or tolerable and ALARP and are deemed not significant. Additional risk control measures have been identified for the construction phase and are detailed in **Table 19 of the ES (Volume 3) Appendix 19-1: Preliminary Navigational Risk Assessment (Document Reference 6.3).** In response to Policy SI 16 (E), (F) and (G): The Access Trestle for the Proposed Jetty will span over the Thames Path. The Thames path will be retained, however overhead construction activities will be undertaken across the Thames Path. Within the Site Boundary the Thames Path forms part of the England Coast Path (FP3/NCN1). Potential effects to users of the England Coast Path (FP3/NCN1) have been assessed in **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)**. There will be ongoing engagement with users, and clear signage on planned disruption during construction of the Proposed Scheme. The diversion of the England Coast Path (FP3/NCN1) will need to consider whether the route is appropriate for use by cyclists, if not, clear signage will need to be provided indicating cyclists to dismount. With mitigation measures (as set out in the **Outline CoCP (Document Reference 7.4)**) a Moderate Adverse (Significant) effect on the England Coast Path (FP3/NCN1) during construction has been identified, however this effect will be temporary for the duration of construction. Once the Proposed Scheme is operational, **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** identifies a Negligible (not significant effect) on the England Coast Path (FP3/NCN1). **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on businesses that rely upon access to the River Thames. There is	**Risk Assessment (AS-092)**, as set out in its **SoCG (AS-097)**.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	including London boroughs, the PLA, the Canal and River Trust, the Environment Agency and Natural England, as well as landowner, developer and community representatives. These paths will be public and not private spaces.	ongoing engagement with these businesses, and a Passage Plan will be developed to mitigate any potential effects. A Preliminary Navigational Risk Assessment (pNRA) has been undertaken for the Proposed Scheme **(Appendix 19-1 of the ES Volume 3 (Document Reference 6.3))**. With mitigation measures implemented, the assessment within Chapter 14 identifies no anticipated significant effects to businesses that rely upon access to and from the River Thames. **The above demonstrates the Proposed Scheme complies with Policy SI 16.**	
Policy SI 17 **Protecting and enhancing London's waterways (paragraphs 9.17.1 – 9.17.3)**	**B** Development proposals that facilitate river restoration, including opportunities to open culverts, naturalise river channels, protect and improve the foreshore, floodplain, riparian and adjacent terrestrial habitats, water quality as well as heritage value, should be supported. Development proposals to impound and narrow waterways should be refused. **C** Development proposals should support and improve the protection of the distinct open character and heritage of waterways and their settings. **D** Development proposals into the waterways, including permanently moored vessels, should generally only be supported for water-related uses or to support enhancements of water-related uses. **E** Development proposals along London's canal network, docks, other rivers and water space (such as reservoirs, lakes and ponds) should respect their local character, environment and biodiversity and should contribute to their accessibility and active water-related uses. Development Plans should identify opportunities for increasing local distinctiveness and recognise these water spaces as environmental, social and economic assets. **F** On-shore power at water transport facilities should be considered at wharves and residential moorings to help reduce air pollution.	In response to Policy SI 17 (B): **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on marine biodiversity during construction and operation. Mitigation and enhancement measures have been identified for both construction and operational phases (as set out in the **Mitigation Schedule (Document Reference 7.8)**. 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. In response to policy SI 17 (C): The Belvedere Power Station Jetty (disused) is within the Order Limits, a non-designated asset of local importance. The Jetty could be removed to make way of the new Jetty. The impact of the removal of the Belvedere Power Station Jetty (disused) is assessed in **Chapter 9: Historic Environment (Volume1) of the ES (Document Reference 6.1)**. An Historic England Level 2 Historic Building Recording will be undertaken to ensure that an accurate record of the Belvedere Power Station Jetty is archived with the GLHER and Archaeology Data Service for future research and understanding of heritage value. This will be secured via a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. **The above demonstrates the Proposed Scheme complies with Policy SI 17.**	The **Draft DCO (as updated as part of this submission)** includes a Requirement requiring the Applicant to submit a jetty works environmental design scheme to LBB for approval, which must set out the Applicant's proposals for environmental measures in the marine environment. The **Outline Code of Construction Practice (REP5-1013)** was updated to provide additional clarity in regard to the timeframes of the Historic England Level 2 Historic Building Recording, whereby the complete record will be deposited with the Greater London Historic Environment Record and Archaeology Data Service, and confirmation of the deposit provided in writing to London Borough of Bexley (as the relevant local planning authority) within six months of the date of the commencement of the demolition or modifications.
Chapter 10 Transport			
Policy T2	**A** Development proposals and Development Plans should deliver patterns	In response to Policy T2 (A), (C) and (D): The Proposed Scheme is within the Belvedere Opportunity Area and has existing good	The **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
Healthy Streets (Paragraphs 10.2.1 - 10.2.8)	of land use that facilitate residents making shorter, regular trips by walking or cycling. **B** Development Plans should: 1) promote and demonstrate the application of the Mayor's Healthy Streets Approach to: improve health and reduce health inequalities; reduce car dominance, ownership and use, road danger, severance, vehicle emissions and noise; increase walking, cycling and public transport use; improve street safety, comfort, convenience and amenity; and support these outcomes through sensitively designed freight facilities. 2) identify opportunities to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently and streets are greener and more pleasant **C** In Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport. Designs for new or enhanced streets must demonstrate how they deliver against the ten Healthy Streets Indicators. **D** Development proposals should: 1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance 2) reduce the dominance of vehicles on London's streets whether stationary or moving 3) be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport	public transport linkages as reported in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1).** The **Outline LaBARDS (Document Reference 7.9)** contains a comprehensive delivery strategy for biodiversity, access and recreational enhancement, and presents plans to enhance signage and improve the surfaces of PROW, removing overgrown vegetation and reviewing the potential to remove obstacles such as gates. Raised walkways are proposed so that the Mitigation and Enhancement Area remains accessible during wet periods. The measures within the **Outline LaBARDS (Document Reference 7.9)** will improve walking and cycling routes within the Site, and new permissive routes are considered to improve links with PROW beyond the Site Boundary. **The above demonstrates the Proposed Scheme complies with Policy T2**	engagement with relevant stakeholders and responding to the ExA's questions, including in relation to matters of access. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site.
Policy T4 **Assessing and mitigating transport impacts (paragraphs 10.4.1 – 10.4**	**A** Development Plans and development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. **B** When required in accordance with national or local guidance, transport assessments/statements should be	In response to Policy T4 (A) and (B): The Proposed Scheme will be accessed from Norman Road as shown on Work No. 3 of the **Works Plans (Document Reference 2.3)**. The Carbon Capture Facility component can be accessed directly from Norman Road using existing gateways into the Gannon, Munster Joinery and Creekside land parcels. Access into the Stable Paddock is gained via the Thames Water Access Road. In addition, there are	The Applicant has had positive discussions with National Highways (NH), Dartford Borough Council (DBC) and Kent County Council (KCC) in relation to the potential impacts of construction activities associated with the Proposed Scheme on the local and strategic highway networks as detailed in the following:

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
4)	submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Transport assessments should focus on embedding the Healthy Streets Approach within, and in the vicinity of, new development. Travel Plans, Parking Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance. **C** Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified. **D** Where the ability to absorb increased travel demand through active travel modes has been exhausted, existing public transport capacity is insufficient to allow for the travel generated by proposed developments, and no firm plans and funding exist for an increase in capacity to cater for the increased demand, planning permission will be contingent on the provision of necessary public transport and active travel infrastructure. **E** The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated. F Development proposals should not increase road danger.	currently temporary accesses into Borax North and South land parcels which have been put in place for the construction of Riverside 2. **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1**) reports the assessment of the likely significant effects of the Proposed Scheme on landside transport during construction and operation. The assessment concludes that the Proposed Scheme is not likely to result in a significant environmental effect on the road network, public transport, pedestrians and cyclists during the construction and operation phases. A **Framework Construction Transport Management Plan (CTMP) (Document Reference 7.7)** has been prepared to support the Application, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. It sets out potential measures to mitigate construction effects, including the development of a CWTP. The Proposed Scheme will be incorporated within an update to the existing WTP for Riverside 1 and once operational Riverside 2. A WTP represents a long term travel management strategy, detailing specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. In response to Policy T4 (C): The **Outline LaBARDS (Document Reference 7.9)** contains a comprehensive delivery strategy for biodiversity, access and recreational enhancement, and presents plans to enhance signage and improve the surfaces of PROW, removing overgrown vegetation and reviewing the potential to remove obstacles such as gates. Raised walkways are proposed so that the Mitigation and Enhancement Area remains accessible during wet periods. New permissive routes are considered to improve links with PROW beyond the Site Boundary. The measures within the **Outline LaBARDS (Document Reference 7.9)** will improve waling and cycling facilities within the Site. In response to Policy T4 (E): Regarding cumulative impacts, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on landside transport as a result of in-combination effects with other plans and projects. **The above demonstrates the Proposed Scheme complies with Policy T4.**	• **Dartford Borough Council Statement of Common Ground (REP2-013)** • **Kent County Council Statement of Common Ground (REP5-020)** • **National Highways Statement of Common Ground (REP5-022)** Following this engagement, the **Framework Construction Traffic Management Plan (REP5-015)** has been updated throughout the Examination and is agreed with the above parties. The above response is supplemented by the **Draft DCO (as updated as part of this submission).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
Policy T5 **Cycling (paragraphs 10.5.1 – 10.5.10)**	**A** Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through: 1) supporting the delivery of a London-wide network of cycle routes, with new routes and improved infrastructure 2) securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3, ensuring that a minimum of two shortstay and two long-stay cycle parking spaces are provided where the application of the minimum standards would result in a lower provision. **B** Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people. **C** Development Plans requiring more generous provision of cycle parking based on local evidence will be supported. **D** Where it is not possible to provide suitable short-stay cycle parking off the public highway, the borough should work with stakeholders to identify an appropriate on-street location for the required provision. This may mean the reallocation of space from other uses such as on-street car parking. Alternatively, in town centres, adding the required provision to general town centre cycle parking is also acceptable. In such cases, a commuted sum should be paid to the local authority to secure provision. **E** Where it is not possible to provide adequate cycle parking within residential	In response to Policy T5 (B): The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6)** including proposed car parking provision, EV charging points and cycle parking. The Design of the Proposed Scheme includes cycle parking. Approximately 960m of NCN1 intersects the Site, as it follows the banks of the River Thames. **Chapter 14: Population, Human Health and Land Use (Volume 1) of the ES (Document reference 6.1)** provides an assessment of likely impacts to users of NCN1 during construction and operation of the Proposed Scheme. The construction of the Proposed Scheme will lead to changes in amenity experienced by users of these walker and cyclist routes. For example, the construction works could lead to increased noise levels, dust generation and changes to views from walker and cyclist routes. Additionally, the construction of the Access Trestle will cross over, in the air space, NCN1 which will require it to be temporarily closed for a minimum of six months, whilst the Proposed Jetty is constructed. Wherever practicable NCN1 will remain open. Engagement with users and clear signage of diversions will be in place during construction, and where possible Works will be screened to minimise adverse effects on the amenity value and enjoyment. The assessment concludes that during the construction phase there will be a short-term, temporary, Moderate Adverse (Significant) effect on the users of NCN1. It is anticipated that once operational, the route of the NCN within the Site Boundary will remain largely unaffected by the Proposed Scheme and all temporary diversions will be removed. The assessment concludes that during the operation of the Proposed Scheme there will be a Negligible (not significant) effect to NCN1. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the temporary disbenefits of impacts on users of NCN1. **The above demonstrates the Proposed Scheme complies with Policy T5**	No update required and no revisions to existing documents.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	developments, boroughs must work with developers to propose alternative solutions which meet the objectives of the standards. These may include options such as providing spaces in secure, conveniently-located, on-street parking facilities such as bicycle hangers. **F** Where the use class of a development is not fixed at the point of application, the highest potential applicable cycle parking standard should be applied.		
Policy T6 **Car parking (paragraphs 10.6.1 - 10.6.23)**	A Car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. B Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development has no general parking but should still provide disabled persons parking in line with Part E of this policy. C An absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets. D The maximum car parking standards set out in Policy T6 .1 Residential parking to Policy T6 .5 Non-residential disabled persons parking should be applied to development proposals and used to set local standards within Development Plans. E Appropriate disabled persons parking for Blue Badge holders should be provided as set out in Policy T6 .1 Residential parking to Policy T6 .5 Nonresidential disabled persons parking. F Where provided, each motorcycle parking space should count towards the maximum for car parking spaces at all use classes.	<u>In response to Policy T6 (G):</u> The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6)**, including proposed car parking provision, EV charging points and cycle parking. The Design for the Carbon Capture Facility includes 16 parking spaces, including 2 disabled parking spaces. The Proposed Scheme also includes 10 visitor parking spaces for the Crossness LNR **The above demonstrates the Proposed Scheme complies with Policy T6.**	No update required and no revisions to existing documents.

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	G Where car parking is provided in new developments, provision should be made for infrastructure for electric or other Ultra-Low Emission vehicles in line with Policy T6 .1 Residential parking, Policy T6 .2 Office Parking, Policy T6 .3 Retail parking, and Policy T6 .4 Hotel and leisure uses parking. All operational parking should make this provision, including offering rapid charging. New or re-provided petrol filling stations should provide rapid charging hubs and/or hydrogen refuelling facilities. H Where electric vehicle charging points are provided on-street, physical infrastructure should not negatively affect pedestrian amenity and should ideally be located off the footway. Where charging points are located on the footway, it must remain accessible to all those using it including disabled people. I Adequate provision should be made for efficient deliveries and servicing and emergency access. J A Parking Design and Management Plan should be submitted alongside all applications which include car parking provision, indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design. K Boroughs that have adopted or wish to adopt more restrictive general or operational parking policies are supported, including borough-wide or other area-based car-free policies. Outer London boroughs wishing to adopt minimum residential parking standards through a Development Plan Document (within the maximum standards set out in Policy T6 .1 Residential parking) must only do so for parts of London that are PTAL 0-1. Inner London boroughs should not adopt minimum standards. Minimum standards are not appropriate for non-residential use classes in any part of London. L Where sites are redeveloped, parking provision should reflect the current		

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	approach and not be re-provided at previous levels where this exceeds the standards set out in this policy. Some flexibility may be applied where retail sites are redeveloped outside of town centres in areas which are not well served by public transport, particularly in outer London. **E** Designated disabled persons parking bays and enlarged bays should be designed in accordance with the design guidance provided in BS8300: Vol 1.		
Policy T6.5 **Non-residential disabled persons parking**	A Disabled persons parking should be provided in accordance with the levels set out in Table 10.6, ensuring that all non-residential elements should provide access to at least one on or off-street disabled persons parking bay. B Disabled persons parking bays should be located on firm and level ground, as close as possible to the building entrance or facility they are associated with. C Designated bays should be marked up as disabled persons parking bays from the outset. D Enlarged bays should be large enough to become disabled persons parking bays quickly and easily via the marking up of appropriate hatchings and symbols and the provision of signage, if required i.e. if it can be demonstrated that the existing level of disabled persons parking is not adequate. The process for converting enlarged bays should be set out in a Parking Design and Management Plan and secured at the planning stage.	In response to Policy T6.5 (A): The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6)**, including proposed car parking provision. The Design for the Carbon Capture Facility includes 16 parking spaces, including 2 disabled parking spaces The Proposed Scheme includes visitor parking facilities for the Crossness LNR including disabled parking. **The above demonstrates the Proposed Scheme complies with T6.5**	No update required and no revisions to existing documents.
Policy T7 **Deliveries, servicing and construction (paragraphs 10.7.1 – 10.7.7)**	**A** Development plans and development proposals should facilitate sustainable freight movement by rail, waterways and road. **B** Development Plans, Opportunity Area Planning Frameworks, Area Action Plans and other area-based plans should include freight strategies. These should seek to: 1) reduce freight trips to, from and within these areas	In response to Policy T7 (G): During construction of the Proposed Scheme there will be two temporary construction compounds designated for terrestrial works, and one specifically for the construction activities related to the Jetty and Belvedere Power Station Jetty (disused), shown on the **Works Plans (Document Reference 2.3)**. The construction compounds will provide adequate space for deliveries and storage. A **Framework Construction Transport Management Plan (CTMP) (Document Reference 7.7)** has been prepared to support the Application, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The **Framework CTMP (Document Reference 7.7)** provides details of how construction compounds	The Applicant has had positive discussions with National Highways (NH), Dartford Borough Council (DBC) and Kent County Council (KCC) in relation to assumptions in relation to freight movements. • **Dartford Borough Council Statement of Common Ground (REP2-013)** • **Kent County Council Statement of Common Ground (REP5-020)** • **National Highways Statement of Common Ground (REP5-022)**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	2) coordinate the provision of infrastructure and facilities to manage freight at an area-wide level 3) reduce road danger, noise and emissions from freight, such as through the use of safer vehicles, sustainable last-mile schemes and the provision of rapid electric vehicle charging points for freight vehicles. Such strategies should be developed through policy or through the formulation of a masterplan for a planning application. **C** To support carbon-free travel from 2050, the provision of hydrogen refuelling stations and rapid electric vehicle charging points at logistics and industrial locations is supported. **E** Consolidation and distribution sites at all scales should be designed to enable 24-hour operation to encourage and support out-of-peak deliveries. **F** Development proposals for new consolidation and distribution facilities should be supported provided that they do not cause unacceptable impacts on London's strategic road networks and: 1) reduce road danger, noise and emissions from freight trips 2) enable sustainable last-mile movements, including by cycle and electric vehicle 3) deliver mode shift from road to water or rail where possible (without adversely impacting existing or planned passenger services). **G** Development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments. **H** Developments should be designed and managed so that deliveries can be	will be accessed, and sets out measures to minimise disruption from deliveries, such as scheduling deliveries to avoid network peaks. In response to Policy T7 (J): The planned outputs of LCO_2 from the Proposed Scheme are anticipated to be transported via the Proposed Jetty, and not via the surrounding road network as a fundamental part of the Proposed Scheme. Up to five marine vessels will call at the Proposed Jetty each week to collect and transport LCO_2 to meet the annual throughput. For construction of the Proposed Jetty (i.e., steel piles, precast concrete units and marine equipment such as fenders) transport will primarily be via the River Thames. In response to Policy T7 (K): A **Framework Construction Transport Management Plan (CTMP) (Document Reference 7.7)** has been prepared to support the Application, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. It sets out potential measures to mitigate construction effects, including the development of a CWTP. For the construction phase, a Full CTMP will be developed once Contractor(s) have been appointed. The Full CTMP will be produced in accordance with local highways authority guidance and Construction Logistics Planning (CLP) Guidance. The scheme design ensures that routes used by walkers and cyclists, including PRoW, long distance walking routes and NCN routes will remain open, where practicable, and accessible to users during construction. For more information, refer to **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)** and the **Outline CoCP (Document Reference 7.4).** **The above demonstrates the Proposed Scheme complies with Policy T7.**	Following this engagement, the **Framework Construction Traffic Management Plan (REP5-015)** has been updated throughout the Examination and is agreed with the above parties. The Applicant has also agreed an approach to river transport with the PLA, as set out in the **Outline Code of Construction Practice (REP5-013)**. The above response is supplemented by the **Draft DCO (as updated as part of this submission).**

Greater London Plan March 2021			
Policy	**Policy Text**	**Proposed Scheme Compliance with the London Plan**	**Examination Update**
	received outside of peak hours and in the evening or night time. Appropriate facilities are required to minimise additional freight trips arising from missed deliveries and thus facilitate efficient online retailing. **I** At large developments, facilities to enable micro-consolidation should be provided, with management arrangements set out in Delivery and Servicing Plans. **J** Development proposals must consider the use of rail/water for the transportation of material and adopt construction site design standards that enable the use of safer, lower trucks with increased levels of direct vision on waste and landfill sites, tip sites, transfer stations and construction sites. **K** During the construction phase of development, inclusive and safe access for people walking or cycling should be prioritised and maintained at all times.		

Table 1-5: Accordance with London Borough of Bexley Local Plan

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
PART 1: STRATEGIC AND NON-STRATEGIC POLICIES			
Policy SP1: **Achieving sustainable development – the spatial strategy Commitments for sustainable growth**	1. The Council, through its policies and decisions, will aim to: a. positively pursue sustainable development in the borough by providing locally specific requirements in line with the NPPF and the London Plan; and b. work towards achieving sustainable growth in homes, jobs and services to create a network of healthy, well-connected, high-quality, desirable places where people want to live, play, learn and work in line with the vision and objectives of the Council's key strategies and this Local Plan, thus implementing the principles of sustainable development. 2. All new proposals for development must conform with the following principles of securing sustainable development in Bexley, where appropriate: a. Strengthen and diversify the local economy by: i. reinforcing the network of vibrant and successful town centres; ii. optimising the use of the borough's industrial land through intensification of sites; iii. increasing inward investment in new high technology and creative sectors supported by world-class digital infrastructure; iv. promoting circular economy principles and business models; and, v. improving access to jobs in Bexley, London and the wider south east through the development of local skills. b. Protect and enhance the natural and built environment by: i. adapting to and mitigating the impacts of climate change, including flood risk; ii. focussing new development on urban, brownfield sites in accessible locations; and, iii. optimising the efficient management of waste and existing natural resources. c. Create high-quality, safe and well-connected healthy lifetime communities by: i. offering a choice of accessible living styles that appeal across generations; and ii. providing necessary infrastructure, local services, open spaces, and cultural and educational facilities.	<u>In response to Policy SP1 paras 1a, 1b:</u> The Proposed Scheme supports the achievement of sustainable development within the London Borough of Bexley, as required within this policy. The Proposed Scheme champions the UK's transition to zero carbon, by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. The Proposed Scheme will generate employment opportunities in the London Borough of Bexley during the construction and operation phases of the Proposed Scheme, which would therefore, contribute positively to socio-economic wellbeing of people in London and beyond. **The Planning Statement (Document Reference 5.2)** details that the Proposed Scheme aligns with the environmental, social, and economic aims of the Local Plan. Further detail is provided respectively in **Chapter 12: Climate Resilience, Chapter 14: Population, Health and Land Use** and **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1).** The Proposed Scheme is therefore considered to represent sustainable development. This Application is supported by the **Project Benefits Report (Document Reference 5.4)** which provides analysis of the environmental, economic, and social benefits of delivering the Proposed Scheme, and how it aligns with Local Plan principles of sustainable infrastructure. **This demonstrates that the Proposed Scheme complies with Policy SP1.**	An **Outline Skills and Employment Plan** was submitted during Examination (**REP2-022**) and is agreed by LBB (see **SoCG (AS-096)**). The **Draft DCO (as updated as part of this submission**) requires a detailed skills and employment plan to be approved by LBB in substantial accordance with the outline. The **Outline Code of Construction Practice (REP5-013)** also includes skills and employment measures.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
PART 3. Bexley's economy: strengthening our prosperity			
Policy SP3 **Employment growth, innovation and enterprise**	1. Bexley will continue to play a key role in contributing to London's economic growth and prosperity. The Council will support the economic growth of at least 10,800 (net) new jobs over the plan period, of which approximately 1,900 to 2,700 of these will be located within Bexley's designated industrial locations. The Council will assist in developing a strong and sustainable local economy by embedding circular economy principles, so as to contribute to the resilience of London and the regeneration of the Thames Gateway. The Council will work with partners to secure investment that supports the local economy. 2. The Council will promote sustained economic development and employment growth by supporting development proposals that broaden the mix of business uses and diversify the local employment offer, particularly in bringing higher quality and more knowledge based jobs to the borough, both within town centres such as Bexleyheath, and designated industrial locations, and through the designation of Sidcup as a Creative Enterprise Zone. Proposals for economic development should, where possible: a. intensify land-uses to optimise the use of land, particularly on those sites identified in Table 5, in order to provide the additional 147,200m^2 to 195,400m^2 of industrial floor space needed for the new jobs identified in part 1 of this policy; b. increase employment densities; c. provide higher employment densities in well-connected locations; d. enable businesses to share facilities and equipment where practical, for example goods lifts, loading bays and ancillary facilities; e. make smaller units available as part of larger developments to support small and medium businesses; f. improve the quality of employment areas and town centres, including the public realm, to make them more suitable and attractive locations for modern businesses; and, g. apply circular economy design principles for building approaches. 3. Designated Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS) will be protected for industrial type activities and related functions, including ancillary facilities, specific to their designation in the hierarchy, as set out in Policy DP7 Appropriate uses within	In response to Policy SP3 paras 1 - 4: The **Planning Statement (Document Reference 5.2)** details that the Proposed Scheme would align with the economic aims of the local development plan. It is considered that the Proposed Scheme would generate economic growth and opportunities for employment within the local economy as detailed by the **Project Benefits Report (Document Reference 5.4).** **Chapter 15: Socio-economics (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on socio-economics during construction and operation phases. The chapter demonstrates that there are opportunities for local (LBB) and regional (Greater London) economic benefits arising from the construction phase the socio-economic benefits. It has been identified that the Proposed Scheme will create a total net additional 874.8 jobs in Greater London during the construction phase per annum, and during the operation phase a total net additional 25.8 jobs in Greater London. The Proposed Scheme is anticipated to generate £95,214,107 in GVA to the Greater London economy during the construction phase, and £1,556,591 GVA to the Greater London economy during the operational phase. This calculation is based on a scenario where Munster Joinery Limited was relocated within an area that would support existing business operations. In response to Policy SP3 para 3: The Proposed Scheme is located within the Belvedere Industrial Area, a designated Strategic Industrial Location (SIL) in both the London Plan and the Bexley Local Plan, and substantially uses land with that allocation. Hailey Road Industrial Estate, also a designated SIL, is located approximately 60m south of the Order Limits. The Proposed Scheme would support sustainable development by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. The Applicant considers that the Proposed Scheme contributes to the goals of optimising the use of the borough's industrial land to meet the current and future demands for industrial and related functions.	An **Outline Skills and Employment Plan** was submitted during Examination (**REP2-022**) and is agreed by LBB (see **SoCG (AS-096)**). The **Draft DCO (as updated as part of this submission)** requires a detailed skills and employment plan to be approved by LBB in substantial accordance with the outline. The **Outline Code of Construction Practice (REP5-013)** also includes skills and employment measures. In addition, the Proposed Scheme also demonstrates that shipping at scale, a non-pipeline transport (NPT) option for carbon dioxide sought by Government in the CCUS Vision, is deliverable and will deliver economic benefits (PBR (APP-042) section 5.3 and paragraph 6.1.4). In the 'CCUS: non-pipeline transport and cross border CO2 networks – call for evidence consultation' (submitted to the Examination as Appendix G to the Applicant's Response to Relevant Representations (AS-044)) the previous government advised that '*NPT will unlock CCS as a potential decarbonisation route for capture projects outside the CCUS industrial clusters or in clusters without direct access to an offshore pipeline. Unlocking CCS in these locations will be essential for the UK to reach its decarbonisation goals*.'

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	designated industrial areas. These designations are defined on the Policies Map. 4. The Council aims to ensure that residents of all abilities are provided with opportunities to access training and a variety of local jobs and enable local businesses to draw upon a wide range of skilled workers and employment premises. Key to this will be a better integrated and enhanced public transport network connecting Bexley's housing and employment locations. The Council will achieve these aims by: a. reducing residents' need to travel long distances by supporting the creation of a diverse local economy that offers a wide range of well-connected local job opportunities, particularly in Bexley's designated industrial locations, town centres, neighbourhood centres and other places of employment including education and healthcare; b. improving the local skills base, especially by ensuring that education and training facilities, are available to residents, and by supporting the development of place and making initiatives in the borough; c. encouraging businesses and developers, through planning obligations, to use locally sourced labour and where viable, to provide apprenticeships and on-the-job training for residents seeking to improve their skills; d. supporting the provision of workplace crèches at or near places of training and employment; and, e. facilitating growth of the visitor economy and creative industries to support local business, particularly by promoting the borough's historic, cultural, recreational and environmental assets.	**This demonstrates that the Proposed Scheme complies with Policy SP3.**	
Policy DP7 **Appropriate uses within designated industrial areas**	1. Two types of industrial land are designated in the borough: a. Strategic Industrial Locations (SIL); and b. Locally Significant Industrial Sites (LSIS). 2. In designated Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS), as identified on the Policies Map, the following use classes for industrial type activities and related functions, including ancillary facilities, will be permitted and safeguarded: a. Class B2 and B8 b. Class E(g)(ii) and E(g)(iii), where the permitted function cannot change to any other E use class	<u>In response to Policy DP7 paras 1 – 3:</u> The Proposed Scheme is located within Belvedere Strategic Industrial Area, a designated SIL. Hailey Road Industrial Estate, also a designated SIL, is located approximately 60m south of the Order Limits. As the Proposed Scheme is located in four National Character Areas, including NCA 81, where characteristic features include major developments such as ports, waste disposal, marine dredging, and prominent power stations plus numerous other industry-related activities, this demonstrates the	The above response is updated simply to note that through ongoing discussion and provision of additional site optioneering evidence throughout the Examination, the relevant planning authority, London Borough of Bexley now supports the Proposed Scheme (**LBB, SoCG, Rev F, (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: '*Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC),*

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	3. Proposals for sui generis industrial uses will usually be permitted in designated industrial areas, provided that the use does not impede the effective operation of other nearby businesses. Sui generis uses that can have a detrimental effect on amenity, such as waste facilities or disposal installations, are not considered an appropriate use within LSIS, which is often located adjacent to residential areas. 4. In designated industrial locations, development proposals should where possible seek to intensify, renew and modernise business uses, including the assembly of land to achieve this. 5. Development proposals should not result in a net loss of existing industrial floor space for Class E(g)(ii), E(g)(iii), B2 and B8 uses in all designated industrial locations. Co-location with non-industrial uses will be considered on LSIS provided the principle of no net loss of existing industrial floor space is achieved. 6. Non-designated industrial sites should be assessed in line with criteria set out in London Plan policies, particularly E4 and E7 7. The SIL at Crossness Sewage Treatment Works is safeguarded for its strategic utilities infrastructure use and its operational land identified on the Policies Map. 8. In the Foots Cray Business Area, development proposals for existing E(g)(i) offices will only be permitted to change use to other suitable business uses (where not covered by permitted development rights). Non-conforming uses 9. Extensions, alterations, intensification or any other form of development for existing non-industrial uses on designated industrial land will not be supported. Temporary uses 10. The Council will support the temporary occupation of empty buildings and cleared sites by temporary uses for a period that should not normally exceed three years, where they contribute to regeneration; enhance the character and vitality of the area; and, where they do not harm the operation of the remainder of the estate.	Proposed Scheme would sit relative to the existing landscape. The Proposed Scheme will involve the demolition of one existing business, Munster Joinery, whose site cannot be avoided, when balancing all factors, as set out in the **Terrestrial Site Alternatives Report (Document Reference 7.5).** The Applicant has been engaging with Munster Joinery to seek to agree a relocation package. The Proposed Scheme does not prevent development of other Local Plan allocations, and is in fact consistent with allocation for industrial facilities at this location. **Chapter 3: Consideration of Alternatives of the ES (Document Reference 6.1)** sets out the alternatives assessed in accordance with Regulation 14(2)(d) of the EIA Regulations, and why the site within the Order Limits was chosen for the Proposed Scheme. The Applicant has taken into account environmental, social and economic effects and including, where relevant, technical and commercial feasibility. The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6).** **This demonstrates that the Proposed Scheme complies with Policy DP7.**	*Crossness Nature Reserve, to which part of the proposed development would be located on.* *…* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.'

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
4. Bexley's character: reflecting our diversity and heritage through high-quality design			
Policy SP5 **Placemaking through good design**	1. The Council will continue to expect high quality standards of design in Bexley. Design should respect the existing character and context but need not be constrained by what already exists; local character evolves over time. The Council will seek to ensure that: a. all development within the borough is of high-quality design, contributes positively to the local environment, and protects the best elements of Bexley's character; b. design enhances social cohesion and health and wellbeing and considers the principles of inclusive and active design, in order to support good physical and mental health; and, c. design considers the relationships between building and spaces, including its contribution to and shaping of the public realm. 2. The Council will masterplan future development, where appropriate, to ensure it achieves the objectives of sustainable development and proposals for developments in these areas will need to demonstrate that they will fit satisfactorily into the masterplan. 3. In locations suitable for large developments, proposals that are piecemeal in nature will normally be resisted unless the proposal demonstrates that it will fit satisfactorily into a larger development.	In response to Policy SP5 para 1 - 3: The Proposed Scheme is located within the Bexley Riverside Opportunity Area. The Proposed Scheme will develop 5.56ha of Strategic Industrial Location (SIL) (of approximately 8ha required for development), and provide opportunity to develop the Belvedere SIL as one coherent, strategic development, bringing substantial global and local benefits, and a high standard of design. The Applicant has considered reasonable alternatives for the Site of the Proposed Scheme, including assessing impact to existing land uses. These alternatives are discussed in the **TSAR (Document Reference 7.5)**. The Applicant has sought to maximise development in the SIL whilst meeting the objectives for the Proposed Scheme. The Proposed Scheme will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1).** The design evolution of the Proposed Scheme is reported in the **Design Approach Document (Document Reference: 5.6)**, this includes details of how inclusivity has been considered in the design. The **Design Approach Document (Document Reference 5.6)** provides a full account of the design process demonstrating good design and relevant interactions to inform the design, and outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the Proposed Scheme, see **Design Principles and Design Codes (Document Reference 5.7).** The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and good practice mitigation. Methods of mitigation are outlined in the **Mitigation Schedule (Document Reference 7.8).**	This response is supplemented by reference to the revised **Design Principles and Design Codes (REP5-009)** and **Outline LaBARDS (AS-094)**. The **Design Principles and Design Codes (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. Reinforcing the Applicant's commitment to Good Design the **Design Principles and Design Codes (REP5-009)** has been updated to include commitment to providing a board level design champion who's brief on the Project Board is to ensure that good design, and the specific Design Principles and Design Codes are embraced by the Principal Contractor(s) and reflected in the final detailed design. The role will ensure that design reviews take place at appropriate intervals and that the outcomes of the reviews are properly implemented. In addition, the **Design Principles and Design Codes (REP5-009)** now commits to independent design review to ensure ongoing scrutiny of the design process as the Proposed Scheme evolves to construction, through appointment of a third-party master planning consultancy to undertake a supporting role through detailed design, advising the team and ensuring the Design Principles and Design Code are appropriately integrated into the detailed design. Further, the consultancy will review compliance with the Design Principles and Design Code before that detailed design is submitted to London Borough of Bexley under either Requirement 4 or 12 of the DCO. The results of that review will be provided as part of the statement of compliance that would be submitted for approval under Requirements 4 and 12 of the DCO. This approach has been agreed with London Borough of Bexley (**SOCG (AS-096)**). Further, the **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
		Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1) sets out the consideration of alternatives in accordance with Regulation 14(2)(d) of the EIA Regulations. This chapter includes details of why the site within the Order Limits and the Proposed Scheme layout have been chosen. **This demonstrates that the Proposed Scheme complies with Policy SP5.**	The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*
Policy DP11 **Achieving high-quality design**	1. Development proposals within a Primarily Residential Area, as defined on the Policies Map, must seek to protect or enhance the area's character and its amenities. Proposals for uses other than those residential in nature, will only be acceptable where they provide community, social or leisure facilities, or employment uses compatible with a residential area. 2. Irrespective of location, all development proposals for new buildings, extensions and alterations, conversions, changes of use and public and private spaces will be expected to follow the principles and requirements set out in this document and to: Character a. ensure that the layout, height, scale and massing, façade treatment, and materials are complimentary to the surrounding area contribute positively to the street scene Landscaping b. provide a high standard of landscaping design, appropriate to the proposal and with regard to the character of the surrounding area Privacy, outlook and adverse impacts c. ensure that appropriate levels of privacy, outlook, natural daylight and other forms of amenity are provided	In response to Policy DP11 para 2: The design evolution of the Proposed Scheme is described in the **Design Approach Document (Document Reference 5.6)**. This document provides a full account of the design process demonstrating good design and relevant interactions to inform the design. The **Design Approach Document (Document Reference 5.6)** outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes that will guide the preparation and final detail design of the proposed Scheme and the principles and requirements stated in the Bexley Local Plan, see **Design Principles and Design Codes (Document Reference 5.7).** Character and Landscaping The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6)**. The document details the way in which the Proposed Scheme has been designed to the **Outline LaBARDS (Document Reference 7.9)** details the landscaping scheme relevant to the Proposed Scheme. Privacy, outlook and adverse impacts Throughout the design process measures have been taken to reduce as far as practicably possible the Proposed Scheme's landscape and visual effects	This response is supplemented by reference to the revised **Design Principles and Design Codes (REP5-009)** and **Outline LaBARDS (AS-094)**. The **Design Principles and Design Codes (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's questions, to achieve an appropriate level of design control and providing certainty post consent. Reinforcing the Applicant's commitment to Good Design the **Design Principles and Design Codes (REP5-009)** has been updated to include commitment to providing a board level design champion who's brief on the Project Board is to ensure that good design, and the specific Design Principles and Design Codes are embraced by the Principal Contractor(s) and reflected in the final detailed design. The role will ensure that design reviews take place at appropriate intervals and that the outcomes of the reviews are properly implemented. In addition, the **Design Principles and Design Codes (REP5-009)** now commits to independent design review to ensure ongoing scrutiny of the design process as the Proposed Scheme evolves to construction, through appointment of a third-party master planning consultancy to undertake a supporting role through detailed design, advising the team and

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	d. ensure existing properties' amenity is appropriately protected e. ensure that all proposed development and uses do not unacceptably affect residents or occupiers of either the proposed development or of existing neighbouring residents, businesses and community facilities by means of noise, odour, vibration and light spill or other disturbances	during construction and operation phases. The landscape (in this case townscape) and visual effects of the Proposed Scheme have been assessed in **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** and considered across the rest of the **ES (Document Reference 6.1 - 6.4)**. The chapter provides an assessment of the likely significant effects of the Proposed Scheme on the townscape character and visual impact during construction and operation, including effects on townscape character, locally designated views, and visual amenity. Methods of mitigation and control have been utilised and are outlined in the **Outline LaBARDS (Document Reference 7.9), Design Principles (Design Codes) (Document Reference 5.7)** and the **Design Approach Document (Document Reference 5.6)** to reduce the visual impact of the Proposed Scheme to a feasible extent. The Proposed Scheme will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1).** Further detail of how the impacts of noise and odour will be combatted by the Proposed Scheme is set out in the **Statement of Statutory Nuisance (Document Reference 5.9).** **This demonstrates that the Proposed Scheme complies with Policy DP11.**	ensuring the Design Principles and Design Code are appropriately integrated into the detailed design. Further, the consultancy will review compliance with the Design Principles and Design Code before that detailed design is submitted to London Borough of Bexley under either Requirement 4 or 12 of the DCO. The results of that review will be provided as part of the statement of compliance that would be submitted for approval under Requirements 4 and 12 of the DCO. This approach has been agreed with London Borough of Bexley (**SOCG (AS-096)**). Further, the **Outline LaBARDS (AS-094)** has been updated throughout the Examination, reflecting on-going engagement with relevant stakeholders and responding to the ExA's questions. The **Outline LaBARDS (AS-094)** provides a proportionate framework for all elements of the landscape, biodiversity, access and recreation proposals of the Proposed Scheme. It is the mechanism to ensure the successful delivery, implementation and management of the Applicant's mitigation and enhancement proposals on site (Mitigation and Enhancement Area and the Carbon Capture Facility) and off site.
Policy DP12 **Tall buildings and building heights**	Borough-wide building heights 1. The proposed heights for buildings should reflect other design and policy requirements, including the requirement to have regard to the existing or emerging character and context of the area. 2. Subject to part 1 above, the maximum height of buildings shall not normally be more than: a. 45 metres within and near the town centres of Abbey Wood Village and Lower Belvedere, as set out in Part 5 of this policy;	In response to Policy DP12 paras 1-5: The **Design Approach Document (Document Reference 5.6)** provides detail regarding the consideration of the existing character and context of the area when choosing the layout of the Proposed Scheme. The Design Principles proposed the reduction in height and density of the facility 'dismantling' from north to south reflecting the transition from the industrial river to the community at Belvedere.	Within **Appendix D: Proposed Scheme and LBB Policy DP12** of the **Applicant's response to Relevant Representations (AS-044),** the Applicant demonstrated the Proposed Scheme's compliance with Policy DP12 in further detail. **Change Request 2 (AS-067)** submitted at the discretion of the Planning Inspectorate on 17th January 2025. Under Change 3, the Applicant sought to change the height parameters, notably the provision to increase in the maximum height of the 'Regenerator'

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	b. 25 metres within the borough's identified Sustainable Development Locations, Strategic Industrial Locations (SIL), and the Thamesmead and Abbey Wood London Plan Opportunity Area not covered by Part 2a of this policy; and, c. 15 metres across the rest of the borough. 3. For development proposals that include buildings taller than 15 metres, Applicants must submit design appraisals with alternative options to demonstrate whether similar densities can be achieved using more traditional and human-scaled typologies including terraced housing, maisonettes, and courtyard apartments. 4. Tall buildings in Bexley are considered to be more than 25 metres in height and must comply with the tall buildings policy in the London Plan. In addition, the Applicant must demonstrate that: a. there is sufficient access to public transport; b. there is access to local services and facilities, depending on the number and type of residents expected; c. the proposal will not have an unacceptable adverse impact on local character, including heritage assets; d. the design considers topography; e. the proposal will not create unacceptable adverse environmental impacts, including flood risk, creation of a wind tunnel, loss or lack of daylight and sunlight; f. the design is of high architectural quality; and g. the proposal will integrate into its surroundings at all levels, particularly at street level and into the skyline. 5. Suitable Locations for Tall Buildings are within and near the town centres of Abbey Wood Village (defined in Figure 5) and Lower Belvedere (defined in Figure 6).	The landscape (in this case townscape) and visual effects of the Proposed Scheme have been assessed in **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** and considered across the rest of the **ES (Document Reference 6.1-6.4)**. The chapter provides an assessment of the likely significant effects of the Proposed Scheme on the townscape character and visual impact during construction and operation, including effects on townscape character, locally designated views, and visual amenity. **Appendix 10-4: Photomontages (Volume 3) of the ES (Document Reference 6.3)** provides an illustration of the Proposed Scheme from various viewpoint. Methods of mitigation and control have been utilised and are stated in the **Outline LaBARDS (Document Reference 7.9), Design Principles (Design Codes) (Document Reference 5.7) and the Design Approach Document (Document Reference 5.6)** to reduce the visual impact of the Proposed Scheme. **This demonstrates that the Proposed Scheme complies with Policy DP12.**	from 50m to 60m (53m AOD to 63m AOD). The **Engineering Plans: Indicative Elevations (AS-072)** was revised due to the increase in parameter. This change would facilitate gravity drainage of the solvent from the bottom of the regenerator column down into the reboiler, which will sit below it. There would also be a greater liquid head (Net Positive Suction Head – NPSH) for the solvent circulation pumps returning the lean solvent back to the absorber, benefitting the operation of these pumps and increasing the flexibility of pump selection. The increased parameter height and design flexibility does not alter the compliance with Policy DP12 Tall buildings and building heights). The above response is supplemented by the following documents submitted as part of the Examination: • **Outline LaBARDS (AS-094);** and • **Design Principles and Design Code (REP5-009).**
Policy DP13 **Protecting local views**	1. Development proposals with the potential to impact a Local Protected View must meet the following criteria: a. Development in the foreground and middle ground of a protected view should not be overly intrusive, unsightly or prominent to the detriment of the view; b. Development in the background of a protected view should give context to landmarks and not harm the composition of the view as a whole; and, c. Any existing or proposed viewing places within the development should be accessible and managed so	In response to Policy DP13 paras 1-4: The local protected views relevant to the Proposed Scheme are the Thames River Valley Panorama which represented by viewpoint 6, and the Canary Wharf Cluster 1 whish is represented by viewpoint 7 within **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1).** **Chapter 10: Townscape and Visual (Volume 1) of the ES (Document Reference 6.1)** and its relevant appendices provide an assessment of the likely	The following response is supplemented by the following documents submitted as part of the Examination: • **Design Principles and Design Code (REP5-009);** and • **Outline LaBARDS (AS-094).**

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	that they enhance people's experience of the protected view. 2. Development proposals that will have a significant adverse impact on the aesthetic and character of a Local Protected View will be resisted. 3. Development proposals should consider whether the proposal has the potential to impact on a non-designated view. Non-designated views should be identified through the Development Management process. A proposal with the potential to impact on a non-designated view must demonstrate that the proposal will not have an adverse impact on that view. 4. Development proposals that are within London's Protected Vistas must meet the requirements of Part F of London Plan policy HC4. Policy DP13 Protecting local views	significant effects of the Proposed Scheme on landscape character and visual amenity. The appendices contain the Townscape and Visual Impact Assessment (TVIA) Methodology. It concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the Proposed Scheme. For the operation phase, the mitigation delivered through considered architectural design, material and colour will limit adverse impacts. Throughout the design process measures have been taken to reduce as far as practicable the Proposed Scheme's townscape and visual effects during construction and operation. Methods of mitigation and control have been utilised and are outlined in the **Outline CoCP (Document Reference 7.4), Outline LaBARDS (Document Reference 7.9), Design Principles and Design Codes (Document Reference 5.7)** and **the Design Approach Document (Document Reference 5.6)** to reduce the visual impact of the Proposed Scheme. Regarding cumulative impacts, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on landscape and visual as a result of in-combination effects with other plans and projects. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on townscape and visual. **This demonstrates that the Proposed Scheme complies with Policy DP13.**	
Policy SP6 **Managing Bexley's heritage assets.**	1. The Council will manage Bexley's heritage and archaeological assets, whilst seeking opportunities to make the most of these assets; including adapting to and mitigating the effects of climate change. This will enhance the local sense of place and support the revitalisation and	In response to Policy SP6 para 1: **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant environmental effects of the Proposed Scheme on the Historic Environment during	The **Outline Code of Construction Practice (REP5-013)** was updated to provide additional clarity in regard to the timeframes of the Historic England Level 2 Historic Building Recording, whereby the complete record will be deposited with the Greater London Historic Environment Record and Archaeology Data

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	development of the borough, including promoting the visitor economy. This will be achieved by: a. promoting the borough's heritage assets, such as Lesnes Abbey, Danson Mansion, Hall Place and Gardens, Crossness Beam Engine House and Red House; b. reviewing the status of existing and identifying new heritage and archaeological assets; c. applying the NPPF and London Plan requirements for development proposals affecting heritage assets to conserve and enhance the significance of heritage assets, their settings, and the wider historic environment, and the requirements to protect assets from development that is likely to adversely impact on the significance, integrity, character or appearance of those assets or their settings; d. protecting the internal features of Council owned non-designated heritage assets where they contribute to the asset's significance; and, e. supporting historic restoration schemes through partnership working and seeking funding to enhance and use heritage and archaeological assets in an appropriate and sympathetic manner.	construction and operation. The Historic Environment assesses the impact of the Proposed Scheme against known or potential buried heritage assets (archaeological and paleoenvironmental remains) and above ground heritage assets (structures and landscapes of heritage interest) within or immediately around the Proposed Scheme. It also includes, where appropriate, the setting of significant heritage assets and how they are understood and appreciated. There are no significant effects anticipated during construction or operation of the Proposed Scheme on the historic environment, including both above ground and buried heritage assets. The Belvedere Power Station Jetty (disused) a non-designated asset of local importance, is within the Site. It is currently unknown if this asset will be lost to the Proposed Scheme, or retained with modification. Should it be demolished a Historic England Level 2 Historic Building Recording will be undertaken. This will ensure that an accurate record of the Belvedere Power Station Jetty is archived with the GLHER and Archaeology Data Service for future research and understanding of heritage value. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on Combined and Cumulative Effects. This chapter concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on the historic environment as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Policy SP6.**	Service, and confirmation of the deposit provided in writing to London Borough of Bexley (as the relevant local planning authority) within six months of the date of the commencement of the demolition or modifications.
Policy DP14 **Development affecting a heritage asset**	Impact on asset or setting 1. Development proposals with the potential to directly or indirectly impact on a heritage asset or its setting should meet NPPF requirements to describe the significance of the asset and demonstrate how the proposal conserves or enhances the significance of the asset. 2. Development proposals on sites with existing heritage assets, particularly listed or locally listed buildings, should	In response to Policy DP14 paras 1 - 10: No designated heritage assets are affected by the Proposed Scheme either directly or indirectly. **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant environmental effects of the Proposed Scheme on the Historic Environment and concludes that with the inclusion of mitigation measures (as set out in the **Mitigation Schedule**	The **Outline Code of Construction Practice (REP5-1013)** was updated to provide additional clarity in regard to the timeframes of the Historic England Level 2 Historic Building Recording, whereby the complete record will be deposited with the Greater London Historic Environment Record and Archaeology Data Service, and confirmation of the deposit provided in writing to London Borough of Bexley (as the relevant local planning authority) within six months of the date

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	incorporate those assets. Outline applications will not generally be acceptable for developments that include heritage assets. Change of use 3. Any development proposal to alter or change the use of a heritage asset will need to conserve or enhance that asset; proposals must demonstrate how the change will support the building's preservation and future maintenance. Development proposals should restore, re-use and incorporate heritage assets, wherever possible. Proposals must demonstrate that the new use would not adversely affect the fabric of the building. Demolition 4. There is a general presumption against any proposal for development that demolishes a heritage asset in part or whole, including locally listed buildings. 5. Proposals to demolish buildings within Conservation Areas will be considered with regards to the NPPF approach to determining harm and will generally be refused unless it can be demonstrated that the development proposal would enhance the special character of the area; demolition will not be approved until consent for the replacement building is agreed. Listed buildings 6. Any proposed alteration must have regard for conserving or enhancing the special character of the building, both internally and externally. Replacement materials should be like for like or, where this is not possible or not preferable, should be compatible with the existing character of the building, either by sympathetically matching or contrasting. Non-designated heritage assets 7. Any proposed alteration to a non-designated heritage asset, including locally listed buildings, structures and landscapes, must have special regard to the asset's contribution to the streetscape. 8. Any proposed alteration to a non-designated heritage asset, including locally listed buildings, structures and landscapes, should conserve the particular characteristics that justify its identification. Conservation areas	**(Document Reference 7.8)**), there are no significant effects anticipated during construction or operation of the Proposed Scheme on the historic environment, including both above ground and buried heritage assets. The Belvedere Power Station Jetty (disused) is within the Order Limits, a non-designated asset of local importance. It is currently unknown if this asset will be lost to the Proposed Scheme. Should it be demolished a Historic England Level 2 Historic Building Recording will be undertaken. This will ensure that an accurate record of the Belvedere Power Station Jetty is archived with the GLHER and Archaeology Data Service for future research and understanding of heritage value. Alternatively, the Belvedere Power Station (disused) may be retained (with modifications). **Chapter 9: Historic Environment (Volume 1) of the ES (Document Reference 6.1)** concludes that with the mitigation set out in the **Mitigation Schedule (Document Reference 7.8)** there are no anticipated significant effects to heritage assets, either if Belvedere Power Station Jetty (disused) is demolished, or retained as part of the Proposed Scheme. The assessment concludes that despite no significant effects identified through construction, additional surveys and specific Written Scheme of Investigation are recommended and these are secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. In response to the operation phase, effects on paleoenvironmental and submerged remains, no additional design, mitigation or enhancement measures are proposed as these will be delivered through the construction phase measures. In addition, given the maintenance dredging would be no deeper than the original construction phase capital dredge, there would be no additional impact to submerged remains. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on Combined and Cumulative Effects. This chapter concludes that the Proposed Scheme is not predicted to result in any significant	of the commencement of the demolition or modifications. The above response is supplemented by the following documents updated as part of the Examination: • **Mitigation Schedule (REP1-010);** and • **Draft DCO (as updated as part of this submission).**

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	9. Proposals for development within Conservation Areas must have due regard to the area appraisal and management plan in terms of design, use, and any other element identified as relevant. Archaeological evidence 10. Development proposals should be assessing the archaeological potential of sites and then retaining, in situ, archaeological evidence within sites, wherever possible. Where archaeological evidence cannot be retained, the appropriate levels of archaeological investigation and recording should be undertaken prior to the redevelopment of the site.	adverse effects on the historic environment as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Policy DP14.**	
5. Bexley's wellbeing: providing community facilities and enhancing our environment			
Policy DP16 **Health impact assessments**	1. The following types of development are required to complete and submit a desktop health impact assessment checklist as part of the planning application: a. major developments; and, b. development proposals that contain any of the following uses: i. hot-food takeaways; ii. betting shops; iii. education facilities; iv. health facilities; v. leisure or community facilities; and, vi. publicly accessible open space. 2. Development proposals of a scale referable to the Greater London Authority are required to have a completed detailed health impact assessment, submitted as part of the planning application. The assessment will be expected to include details of engagement undertaken with local health and community stakeholders and how their input has influenced the proposals.	In response to Policy DP16 paras 1 – 2: The health of construction workers, operational workers, local residents and users of adjacent land has been considered and appropriately assessed on a topic-by-topic basis within the **ES Volume 1 (Document Reference 6.1)** as appropriate (in particular **Chapter 5: Air Quality, Chapter 6: Noise and Vibration, Chapter 14: Population, Health and Land Use, and Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)**). These chapters assess the effect of the Proposed Scheme on air quality, noise and vibration and population, health and land use. The ES identifies that there would be no unacceptable risk to, or interference with, human health and public safety. The Applicant carried out early engagement with key stakeholders. This is set out in the **Consultation Report (Document Reference 5.1)** and its relevant appendices as well as the respective ES chapters of the **ES Volume 1 (Document Reference 6.1),** and engagement is ongoing. **This demonstrates that the Proposed Scheme complies with Policy DP16.**	It is noted that LBB has confirmed it is content with the Applicant's mitigation measures for Air Quality and Noise, as set out in the **LBB SoCG (AS-096)**.
Policy SP8 **Green infrastructure including**	The Council's commitments to creating a multifunctional network 1. Bexley's green infrastructure, including open spaces and waterways will be protected, enhanced, restored and promoted as valuable resources to provide a healthy integrated network for the benefit of nature, people and the	In response to Policy SP8 para 1: The Proposed Scheme does not fall within Green Belt; however, it does fall within Metropolitan Open Land which is designated under development plan policy that confirms it is afforded the same status and level of protection as Green Belt, and would constitute	The above response is supplemented by reference to recently updated policy position in regard to Grey Belt (noting that MOL is not Green Belt) and observing that the very special circumstances presented for the Proposed Scheme align with the Golden Rules set out in the revised PPG. The Proposed Scheme is

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
designated Green Belt	economy. Future development must support the delivery of a high-quality, well-connected and sustainable network of open spaces. In particular, this will be achieved by: a. protecting Metropolitan Green Belt and Metropolitan Open Land from inappropriate development; b. encouraging beneficial use of Metropolitan Green Belt such as opportunities for public access, outdoor sports and recreation, retaining and enhancing landscapes, visual amenity, biodiversity or to improve damaged and derelict land; c. protecting Urban Open Space, only allowing development where the public benefit of the development clearly outweighs any harm; d. resisting harmful development of gardens and other amenity green spaces; e. keeping under review existing Allotments and encouraging provision of space for community gardening, including for food growing, within new developments; f. working in partnership, seeking funding and supporting projects to promote the restoration and enhancement of open spaces, public realm and the waterway network within the borough; g. agreeing proposals for creating or improving habitat, implementing priorities for the recovery of nature outlined in the relevant local nature recovery strategies, borough strategies or studies on open space, green and blue infrastructure, including where appropriate, rivers and waterways restoration; h. supporting the role waterways can play as tools in place making and place shaping, contributing to the creation of sustainable communities; i. protecting land that forms part of the Southeast London Green Chain as an important environmental, recreational and educational resource, including the Green Chain Walk, seeking to improve public access to and through the area, and promoting it as a recreational resource and visual amenity; j. supporting the creation of new cycling and walking routes to connect publicly accessible open spaces to main destination points, such as Town Centres, public transport hubs, community facilities, and other publicly accessible open spaces; k. ensuring all new developments deliver a net increase to green infrastructure; l. seeking opportunities in new development, where appropriate, to provide new open space, play space	‘inappropriate development’ for those purposes. The **Planning Statement (Document Reference 5.2)** in Chapter 7 comprehensively considers key policy provisions in relation to Metropolitan Open Land. It recognises there is some net loss but demonstrates both very special circumstances to justify and material benefits that outweigh this limited and local level of harm. The **Planning Statement (Document Reference 5.2)** details the nature with which the Proposed Scheme aligns with the ‘Very Special Circumstances’ in which Green Belt development is permitted. **The Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to Metropolitan Open Land. It recognises there is some net loss but demonstrates both very special circumstances to justify and material benefits that outweigh this limited and local level of harm. The potential impact on MOL land and the ‘Very Special Circumstances’ are also reported in the **Design Approach Document (Document Reference 5.6)**. The Proposed Scheme also falls within areas of open space including Crossness LNR and Erith Marshes SINC. The potential impact on these is presented are reported in the **Design Approach Document (Document Reference 5.6)** and the **Planning Statement (Document Reference 5.2)**. The **Planning Statement (Document Reference 5.2)** comprehensively considers key policy provisions in relation to MOL, Open Space and Green Infrastructure (Section 5 and 6). It recognises there is some net loss of MOL but demonstrates both very special circumstances to justify and material benefits that outweigh this limited and local level of harm, and that there will be no net loss of Accessible Open Land. The Applicant considers with the inclusion of mitigation measures within the Mitigation and Enhancement Area, as set out in the **Outline LaBARDS (Document Reference 7.9)**, the Proposed Scheme will enhance open space within the Site. Good design has been at the forefront of the evolution of the Proposed Scheme. This has included at the siting stage – the **TSAR (Document Reference 7.5)** explains how the Applicant sought to consider impacts	sustainably located (not least due to use of river transport during the operation phase); it will deliver the improvements necessary to strategic infrastructure, delivering local, national and global benefit; it will provide improvements to existing green spaces that are accessible to the public; and there is a demonstrable unmet need for development such as the Proposed Scheme. London Borough of Bexley supports the Proposed Scheme (**(LBB, SoCG, Rev F (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: ‘*Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC), Crossness Nature Reserve, to which part of the proposed development would be located on.* *...* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development*.’ LBB has also confirmed in the **SoCG (AS-096)** that *“the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	and/or public realm, either through direct provision of new open space or improvement of existing open space through planning obligations; m. protecting new, or existing, amenity space that has been provided as part of a development, including incidental green spaces that add amenity value; n. protecting and enhancing the biodiversity, heritage and archaeological values of open spaces, including the Thames, Cray and Shuttle rivers and their tributaries within the borough; o. using water spaces for transport, cultural, recreational and leisure activities and other water related uses where appropriate; p. providing opportunities within waterside development for river and waterway restoration and the protection and enhancement of biodiversity; q. protecting green wildlife and ecological corridors, seeking opportunities to increase connectivity between the network of green spaces and habitats to enhance biodiversity and promote accessibility wherever appropriate; and, r. seeking opportunities to support the functions and drivers for green infrastructure, such as using good urban design to reduce air pollution, integrating green infrastructure into development where there are opportunities to mitigate poor air quality on a local scale.	to MOL, public open space and nature reserve in choosing the most appropriate development zone. Notwithstanding the above, the Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2**) and the **Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on open space and green infrastructure. **The above, in addition to the 'Very Special Circumstances' detailed in the Planning Statement (Document Reference 5.2), including the CNP status of the Proposed Scheme per NPS EN-1, demonstrate how the Proposed Scheme has met national policy tests regarding Green Belts, the loss of designated open space is limited to non-Accessible Open Land, therefore the Proposed Scheme is in accordance with Policy SP8**.	
Policy DP18 **Waterfront development and development including, or close to, flood defences**	1. All development proposals adjacent to rivers and other watercourses such as lakes, ditches and dikes will be required, where appropriate, to: a. activate space to and along the waterfront; b. maintain existing public access to and along the water and/or provide new access to and along the water where none exists; c. create residential moorings and visitor moorings to accommodate suitable vessels; d. enhance the appearance and quality of the water space including: i. de-culverting watercourses and naturalising the river channel; ii. using green infrastructure to improve water quality where possible; iii. improving nature conservation value for wildlife;	In response to Policy DP18 paras 1 - 2: The Proposed Scheme is located on the River Thames and includes proposals for a new Jetty, and the Site is located within Flood Zone 3 as shown in **Sheet 2: Flood Zones of the Environmental Features Plans (Document Reference 2.7)**. However, there are Flood Defence Owner maintained flood defences located along the River Thames, parts of which are within the Site. These currently provide the Site with a reduction in local flood risk. Within the Site Boundary the Thames Path forms part of the England Coast Path (FP3/NCN1). Potential effects to users of the England Coast Path (FP3/NCN1) have been assessed in **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1)**. There will be ongoing engagement with users, and clear signage on planned disruption during construction of the Proposed	**Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** provides additional clarity to that provided in **Appendix 11-2: Flood Risk Assessment of the Environmental Statement (Volume 3) (AS-023)** regarding the flood risk and appropriate mitigation measures. The matter of flood risk and the assumptions made about the development platform were the subject of discussion with the Environment Agency during the course of the Examination. With the information provided in **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**, and the updates to the **Design Principles and Design Code (REP5-009)**, the Environment Agency is now understood to be content with the flood risk position as expressed in **Appendix C: Flood Risk Technical**

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	iv. improving visual connections with important features, considering the design and landscaping of the adjacent area; and v. preserving the openness and character of the water spaces. e. provide suitable setbacks from water space edges to mitigate flood risks, protect and enhance biodiversity, and to allow waterside walkways and cycle paths; f. improve river walls and embankments, taking into account sea level rise, and/or fluvial, ground water and surface water flood risks; g. promote safety along the water's edge, including the provision of riparian lifesaving equipment; and, h. avoid the loss of water spaces. 2. Development proposals should not adversely affect: a. the integrity of the waterway or watercourse structure; b. the quality of the water; c. levels of pollution due to unauthorised discharges and run off or encroachment; d. the landscape, heritage, ecological quality or habitat continuity and character of the waterways; e. the waterway's potential for being fully unlocked; or f. the use of the waterway network.	Scheme. The **Outline LaBARDS (Document Reference 7.9)** contains a comprehensive delivery strategy for access and presents plans to enhance signage and improve the surfaces of PROW, removing overgrown vegetation and reviewing the potential to remove obstacles such as gates. Raised walkways are proposed so that the Mitigation and Enhancement Area remains accessible during wet periods. New permissive routes are considered to improve links with PROW beyond the Site Boundary. These measures will enhance access to nature. **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on the water environment and flood risk during construction and operation. This chapter concludes that significant impacts could potentially occur during the construction phase, rather than operation or decommissioning. **Appendix 11-2: Flood Risk Assessment (FRA) of ES Volume 3 (Document Reference 6.3)** considers flood risk to the Proposed Scheme, including accounting for climate change allowances and suggests a number of mitigation measures to ensure that the critical aspects of the Proposed Scheme are not seriously affected. These are secured by a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, as is a process for future adaptability if the design life of the Proposed Scheme is extended. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk thus with appropriate controls and mitigation that the risk from flooding to the Proposed Scheme is not significant. Mitigation measures are set out in the **Mitigation Schedule (Document Reference 7.8)**. Regarding cumulative impact, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on the water environment as a result of in-combination effects with other plans and projects.	**Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**. The above response is supplemented by the following documents updated as part of the Examination: • **Outline LaBARDS (AS-094);** • **Mitigation Schedule (REP1-010);** and • **Draft DCO (as updated as part of this submission)**

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
		The **Consultation Report (Document Reference 5.1)** shows that the relevant water undertakers have been consulted on from an early stage throughout the development of the project. **This demonstrates that the Proposed Scheme complies with Policy DP18.**	
Policy DP19 **The River Thames and the Thames Policy Area**	1. The Thames Policy Area is defined on the Policies Map. 2. Development proposals for riverside sites should investigate the potential for full or part realigned flood defences prior to commencement of site planning, and are required to: a. follow the strategies for water management set out in the TE2100 Plan and subsequent updates; b. enhance the relationship between the development site and the Thames; and, c. contribute to the completion of the Thames Path, a continuous public riverside footpath and cycleway, including safeguarding existing or providing new access points to the riverside path. 3. The Council encourages improving the efficiency and promoting the sustainability of waterborne freight movements, including waste transfer and aggregates handling, on the Thames. Viable wharves are safeguarded for such uses through a Direction by the Secretary of State. 4. Proposals in the Thames Policy Area should pay attention to their impacts on the ecology of the River Thames, and on its priority habitats and protected species. Ecological enhancements will be sought from all proposals; development directly adjacent to the River should look to enhance essential fish habitats and reduce the risk of invasive species. 5. The Council will encourage improved access to nature across the Thames Policy Area. Opportunities should be sought to link proposed and existing wildlife corridors, including the Ridgeway Link, Thames Marshes corridor, Thamesmead Link and the River Thames itself, and integrating these networks with pedestrian and cycle paths where appropriate. 6. Habitat creation and enhancement will be promoted. Opportunities should also be sought for related	In response to Policy DP19 paras 1-6: The Proposed Scheme is located within the Thames Policy Area. Flood defences and the water environment have been considered in **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)**, and the associated FRA **(Appendix 11-2 of the ES Volume 3 Document Reference 6.3)**. The Proposed Jetty would not jeopardise the ability for the T2100 programme for improvements to the flood defences to come forward in the future. The Access Trestle for the Jetty will span over the Thames Path (part of the England Coast Path (FP3/NCN1)). The England Coast Path will be retained, however overhead construction activities will be undertaken across the England Coast Path. Potential effects to users of the England Coast Path (FP3/NCN1) have been assessed in **Chapter 14: Population, Health and Land Use (Volume 1) of the ES (Document Reference 6.1).** There will be ongoing engagement with users, and clear signage on planned disruption during construction of the Proposed Scheme. The diversion of the England Coast Path (FP3/NCN1) will need to consider whether the route is appropriate for use by cyclists, if not, clear signage will need to be provided indicating cyclists to dismount. With mitigation measures (as set out in the **Outline CoCP (Document Reference 7.4)**) a Moderate Adverse (Significant) effect on the England Coast Path (FP3/NCN1) during construction has been identified, however this effect will be temporary for the duration of construction. Impacts of the Proposed Scheme to the marine biodiversity have been considered within **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)**. The Proposed Scheme will deliver improvements in respect of intertidal	Opportunities for ecological outcomes in the marine environment are secured by Requirement 16 of the **Draft DCO (as updated as part of this this submission)**. The Applicant has agreed a position on the approach to river transport, as set out in the **Outline Code of Construction Practice (REP5-013)**.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	enhancements to visitor's centres and other facilities. Habitat creation along the Thames should aim to improve the area's flood resilience and water management.	habitat in the River Thames. Further details are within the Biodiversity Net Gain (BNG) Report **Appendix 7.1: BNG Report (Terrestrial and Marine) of the ES Volume 3 (Document Reference 6.3)**. **This demonstrates that the Proposed Scheme complies with Policy DP19.**	
Policy SP9 **Protecting and enhancing biodiversity and geological assets**	1. In its planning decisions, planning policies and action plans, the Council will protect and enhance the borough's biodiversity and geodiversity assets, in line with national and regional policy, by: a. ensuring development in Bexley does not adversely affect the integrity of any designated European site of nature conservation importance; b. recognising the value of landforms, landscapes, geological processes and soils as contributors to the geodiversity of the borough by protecting designated Sites of Special Scientific Interest (SSSI), and Regionally Important Geological sites (RIGs) and Locally Important Geological sites (LIGs) and supporting their sustainable conservation and management; c. establishing clear goals for the management of identified geological sites, in order to promote public access, appreciation and interpretation of geodiversity; d. protecting, conserving, restoring, and enhancing ecological networks, Sites of Importance for Nature Conservation (SINC), Local Nature Reserves, Strategic Green Wildlife Corridors and local wildlife corridors, thus securing measurable net gains for biodiversity, recognising and promoting those sites where ecological value has increased to a higher grade of nature conservation importance; e. resisting development that will have a significant adverse impact on the population or conservation status of protected or priority species as identified by legislation or in biodiversity action plans prepared at national, regional or local level; f. protecting and enhancing the natural environment, seeking biodiversity enhancements, net gains for biodiversity and improved access to nature, particularly in areas of deficiency as illustrated by Figure 8, through new development and projects that help deliver opportunities for green infrastructure with preference given to enhancements that help to deliver the targets for habitats and species set out in the	In response to Policy SP9 para 1: **Chapter 7: Terrestrial Biodiversity, Chapter 8: Marine Biodiversity, Chapter 10: Townscape and Visual and (Arboriculture) (Volume 1) of the ES (Document Reference 6.1)**, and the **Information to Inform a HRA (Appendix 7-3) (Volume 3) of the ES (Document Reference 6.3)** contain the biodiversity assessments undertaken for the Proposed Scheme. **Chapter 7: Terrestrial Biodiversity** and **Chapter 8: Marine Biodiversity (Volume 1) of the ES (Document Reference 6.1)** report the assessment of the likely potential significant effects of the Proposed Scheme on terrestrial and marine habitats and species, including SSSIs, MCZs, ancient woodland, ancient trees and regional and local sites (no Marine Protected Areas are relevant). The conclusion of no likely significant effects is with the exception of potential significant localised effects as a result of air quality disposition in the operational phase where likely significant effects are reported to localised habitats and the Crossness Local Nature Reserve, Erith Marshes SINC, Belvedere Dykes SINC, River Thames and Tidal Tributaries MSINC and 18 further SINCs outside the Order limits. The Applicant considers that the benefits of the Proposed Scheme (as set out in the **Planning Statement (Document Reference 5.2)** and **the Project Benefits Report (Document Reference 5.4)**) outweigh the disbenefits of impacts on ecological receptors. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that these impacts do not change when considered cumulatively with other developments. The Proposed Scheme will deliver onsite and offsite habitat creation enhancement to mitigate impacts to biodiversity, and a programme of habitat management	The Applicant has undertaken positive discussions with Natural England as detailed in **Natural England Statement of Common Ground (REP6-035)**. The Applicant and Natural England have agreed on the following matters: • An in-combination assessment for Epping Forest SAC would not address the key issue at this SAC which is impact from vehicle emissions. It is considered that the Proposed Scheme would have a low risk of undermining the conservation integrity of the site in combination with other projects (including those much closer to the SAC, such as adjacent vehicle emissions), so an in-combination assessment at the SAC is not required. • Emissions Limit Values (ELVs) can be considered as appropriate embedded mitigation and will be secured by Requirement 14 of the **Draft DCO (as updated as part of this submission)**. • Natural England confirmed agreement with the findings of the cumulative impact assessment for the Inner Thames Marshes SSSI, presented as a Technical Note. In particular, Natural England and the Applicant agree that no significant effects on the Inner Thames Marshes SSSI are likely to occur as a result of the Proposed Scheme, when considered alongside other committed developments. In addition, the Applicant received a Letter of No Impediment (Natural England Reference: DAS 457982) in relation to licensing for water voles on 25th February 2025. The letter of No Impediment is presented in **Appendix A** of the **Applicant's Response to Examining Authorities Second Written Questions (REP5-033)** and detailed in **Natural England Statement of Common Ground (REP6-035)**.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	London Plan and local biodiversity action plans and strategies; g. enabling environmental education opportunities at the borough's schools, and investigating opportunities to involve the wider community in biodiversity or geodiversity restoration and enhancement through projects; h. ensuring landscaping schemes in development proposals use native plant species of local provenance; and, i. seeking opportunities to provide for greening of the built environment.	will be implemented during operation of the Proposed Scheme. Further details are provided within the **Appendix 7-1: Biodiversity Net Gain Report (Volume 3) of the ES (Document Reference 6.3).** When adopted the mitigation measures which are set out in the **Mitigation Schedule (Document Reference 7.8)** ensure that the Proposed Scheme can avoid having a significant impact on biodiversity and geodiversity. Details of how biodiversity enhancements are incorporated into the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6).** **This demonstrates that the Proposed Scheme complies with SP9.**	Throughout Examination, the Applicant's assessment and mitigation proposals have been scrutinised and probed by TWUL, Save Crossness LNR and the ExA. The Applicant's responses are set out in its response to those parties' representations (including relevant representations) at each deadline, its summary of oral submissions at both ISHs and its responses to both sets of ExA's written questions. LBB has confirmed in their **SoCG (AS-096)** that *'the Outline LaBARDS, including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved'.* The above response is supplemented by the following documents updated as part of Examination: • **Outline LaBARDS (AS-094);** • **Outline Code of Construction Practice (REP5-013);** and • **Draft DCO (as updated as part of this submission).**
Policy DP20 **Biodiversity and geodiversity in developments**	Protection for biodiversity 1. Development proposals will only be permitted where it can be demonstrated that: a. a strict approach to the mitigation hierarchy has been taken (i.e. avoid, mitigate, compensate and net gain) and all unavoidable impacts on biodiversity can be justified; b. completion of the development will result in a measurable long-term net gain for biodiversity, as demonstrated through the application of an acceptable method of measurement, and/or impact assessments; c. biodiversity enhancement measures and where appropriate mitigation measures have been incorporated within the design, layout and materials used in the built structure and landscaping; d. opportunities to help connect and improve the wider ecological networks, wildlife corridors and stepping stones for wildlife have been taken by creating linkages through the development site;	In response to Policy DP20 para 1 -2: **Chapter 7: Terrestrial Biodiversity, Chapter 8: Marine Biodiversity, Chapter 10: Townscape and Visual and (Arboriculture) (Volume 1) of the ES (Document Reference 6.1)**, and the **Information to Inform a HRA (Appendix 7-3) (Volume 3) of the ES (Document Reference 6.3)** contain the biodiversity assessments undertaken for the Proposed Scheme. The **ES (Document Reference 6.1 - 6.4)** assesses the likely significant effects of the Proposed Scheme, and states how effects are being avoided and mitigated taking account of the Mitigation Hierarchy to first try to avoid, then prevent and then reduce likely significant adverse effects on the environment and, if possible, offset likely significant adverse effects on the environment. The **Mitigation Schedule (Document Reference 7.8)** submitted with the Application sets out the proposed mitigation measures in detail.	Throughout Examination, SCNR has sought to suggest that the Proposed Scheme is not CNP infrastructure as it considers that the Applicant has not followed the mitigation hierarchy. The **Applicant's Response to Interested Parties' Deadline 1 Submissions (REP2-019)** is one place in which the Applicant has set out, in some detail, how it has applied the mitigation hierarchy, both in relation to biodiversity assets and MOL policy (see Tables 2.3.4 and 2.9.5). London Borough of Bexley supports the Proposed Scheme (see the **LBB SoCG, Rev F (AS-096)**) and in its Deadline 5 Submissions (REP5-042) stated: *'Through these discussions the Council now agrees that the benefits of the proposal outweigh the harm caused to the Metropolitan Open Land (MOL) and the Site of Importance for Nature Conservation (SINC),*

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	e. deficiencies in access to nature conservation are reduced, where possible; and, f. opportunities to increase wildlife aesthetic value and visual connections with important features have been considered. Protection of designated sites and habitats 2. Development proposals that would have a direct or indirect impact on a site designated for its nature conservation or geological interest should protect and enhance the designated site's value, and will not be permitted unless all of the following criteria are met: a. there are no reasonable, less damaging, alternative solutions, locations or sites; b. ecological buffer zones have been incorporated into the scheme, where appropriate, to protect and enhance the designated site's intrinsic value; c. the continuity of wildlife habitat within wildlife corridors is maintained; and, d. access to the designated site is not compromised and where possible, access and/or interpretation is improved. Protection of Ancient Woodland and veteran trees 3. Irreplaceable habitats, including Ancient Woodland and aged or veteran trees found outside of Ancient Woodland will be protected from loss or deterioration resulting from development. Where development proposals may affect irreplaceable habitats and their immediate surroundings, the following principles of good practice shall be used to guide the site assessment and design of development: a. establishment of the likelihood and type of any impacts; b. implementation of appropriate and adequate mitigation, compensation, and management measures that respect the features and characteristics of the veteran trees and/or Ancient Woodland; c. provision of adequate buffers; and d. provision of adequate evidence to support development proposals	A **Biodiversity Net Gain (BNG)** assessment **(Appendix 7-1: Biodiversity Net Gain Report (Volume 3) of the ES (Document Reference 6.3)** has been submitted to evidence the Proposed Scheme's approach to delivering biodiversity improvements. This terrestrial biodiversity assessment has been refined based on responses to the Statutory Consultation. **Information to Inform a HRA (Appendix 7.3)** has been submitted to consider the Proposed Scheme's impacts to the National Site Network. This report concludes that there are no adverse effects to the integrity of any site (with only one (Epping Forest SAC) needing to be considered) as a result of the Proposed Scheme either alone or in combination with other plans and projects. <u>In response to Policy DP20 para 3:</u> **Appendix 10-3: Arboricultural Impact Assessment (Volume 1) of the ES (Document Reference 6.3)** identifies all trees which may be affected by the Proposed Scheme, assesses the impact of the Proposed Scheme upon those trees and recommended necessary protection measures to ensure the health of retained trees. The assessment confirms no record of TPOs, conservation areas, ancient/veteran trees, traditional orchards nor ancient woodland within the Arboricultural Study Area (extent of the Order Limits plus up to a further 15m). **This demonstrates that the Proposed Scheme complies Policy DP20.**	*Crossness Nature Reserve, to which part of the proposed development would be located on.* *...* *As a result of the above it is now considered by the Council that given the very special circumstances coupled with the appropriate location for the majority of the application site in a Strategic Industrial Location (SIL) that the application site, as a whole, is an appropriate location for this development.'* LBB has also confirmed in their **SoCG (AS-096)** that *'the Outline LaBARDS, including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved'.* The above response is supplemented by the **Mitigation Schedule (REP1-010)** which was updated as part of Examination.
Policy DP21 **Greening of development sites**	1. Development proposals should set out what measures have been taken to achieve urban greening onsite; and all new major developments should quantify what urban greening factor (UGF) score has been achieved. 2. Development proposals will be required to provide a high standard of landscape design, having regard to the well-	<u>In response to Policy DP21 paras 1 – 4:</u> The **Design Approach Document (Document Reference 5.6)** states how the inclusion of green infrastructure manifests in the Proposed Scheme. The Proposed Scheme includes a Mitigation and Enhancement Area as shown on the **Works Plans (Document**	This response is supplemented by reference to the revised Design Principles and Design Code (REP5-009) and Outline LaBARDS (AS-094). The **Design Principles and Design Code (REP5-009)** has evolved through the Examination, responding to Interested Parties' submissions and the ExA's

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	being, water, wildlife and character of the surrounding area, ensuring sustainable planting for the long term and be supported by appropriate management and maintenance measures. 3. There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site; and planning permission will not normally be permitted where the proposal adversely affects important trees, woodlands, or hedgerows. 4. Development proposals should maximise potential for the planting of new native trees and hedges within the development site and new streets should be tree-lined, unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate. 5. Planting and landscaping within developments and ecological buffer zones: a. will be required to contribute to habitats and features of landscape and nature conservation importance; and, b. must not include 'potentially invasive, non-native species' and, where found on a site, appropriate measures to remove these species must be taken as part of the redevelopment	**Reference 2.3)** to provide a variety of mitigation, compensation and enhancement. The **Outline LaBARDS (Document Reference 7.9)** describes the long-term management and maintenance measures for the landscaping. This includes a comprehensive delivery strategy for biodiversity, access and recreational enhancement, landscape design and regard for wildlife and character of the surrounding area. **Appendix 10-3: Arboricultural Impact Assessment (AIA) (Volume 3) of the ES (Document Reference 6.3)** identifies all trees which may be affected by the Proposed Scheme and includes a Planting Scheme. Principles for tree protection are set out in an outline Arboriculture Method Statement within the assessment and secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** **This demonstrates that the Proposed Scheme complies with Policy DP21.**	questions, to achieve an appropriate level of design control and providing certainty post consent. The **Design Principles and Design Code (REP5-009)** has informed development of the **Outline LaBARDS (AS-094)** and will continue to underpin any full LaBARDS(s), not least as required through Requirement 12 of the draft DCO. The **Design Principles and Design Code (REP5-009)** underpinning the LaBARDS that address matters of relevance to Policy DP21, including: DP_CL 1.1 (resilient site drainage); DP_CL 1.3 and 1.4 (species diversity and habitat enhancement); DP_PL 1.2 and 1.7 (control over visual appearance of buildings and MOL through good design and management); DP_PL 1.3 (extending the CLNR); DP_PE 1.1 and 1.2 (enhancing access provision and connection); DP_PE 1.5 (focus on visually attractive and secure outside environment); DP_VA 1.2, 1.3 and 1.5 (minimising the loss of open land and providing suitable mitigation). Within the **Outline LaBARDS (AS-094)** sections have been added that explain in more detail, provision for ongoing management and monitoring of the open land and grazing marsh habitats, to ensure their successful establishment. LBB has confirmed in the **SoCG (AS-096)** that *"the* Outline LaBARDS, *including the provision for management, maintenance and monitoring as developed through the Examination, is agreed. It is agreed that the commitments made in the Proposed Scheme will be met and a beneficial outcome achieved.*
6. Bexley's infrastructure: provision and management of resources for good growth			
Policy SP10 **Bexley's transport network**	1. The Council will work to achieve a comprehensive, high-quality, safe, integrated and sustainable transport system, which makes the most of existing and proposed transport infrastructure within the borough. The map of Bexley's transport network, including locations of key transport project proposals, are set out in Figure 10. The Council seeks to ensure a much improved and expanded role for sustainable transport through the following actions: a. initiating or supporting the future development of major new public transport infrastructure proposals within or affecting Bexley, including an extension of Docklands Light Rail to Belvedere, Bus Transit from North Greenwich to Slade Green, River Thames	In response to Policy SP10 para 1: The Proposed Scheme is within the Belvedere Opportunity Area and has existing good public transport linkages as reported in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1).** **Chapter 18** provides an assessment of the likely significant effects of the Proposed Scheme on Landside Transport. The chapter concludes that with the inclusion of mitigation measures (as set out in the **Mitigation Schedule (Document Reference 7.8)**), the Proposed Scheme would not adversely affect the local transport network. Regarding cumulative	The **Framework Construction Traffic Management Plan (REP5-015)** is agreed by LBB (see the **LBB SoCG (AS-096)**). The Applicant has also had positive discussions with National Highways (NH), Dartford Borough Council (DBC) and Kent County Council (KCC) in relation to the potential impacts of construction activities associated with the Proposed Scheme on the local and strategic highway networks as detailed in the following:

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	passenger services, including the upgrading of Erith Pier, and potential new Thames crossings – the Council will explore, by continued negotiations with Transport for London and the Port of London Authority a firm basis for the further progression of these schemes; b. increasing the capacity, frequency, accessibility and safety of established bus and rail facilities; c. supporting the improvement of interchange facilities through area-based schemes and other initiatives; d. encouraging walking and cycling within the borough through implementation of local and strategic walking and cycling programmes, travel plans, local safety schemes, the provision of facilities within development proposals, and environmental improvement projects; e. using local targets included in the Council's Local Implementation Plan to ensure Healthy Streets concepts and the Mayor's Transport Strategy's mode share targets are reflected in development proposals; f. working with the Crossrail to Ebbsfleet (C2E) partnership to secure the potential extension of the Elizabeth Line, including the protection of the land required for the scheme in accordance with existing and future Safeguarding Directions, and the managing of development to preserve and enhance the deliverability of the scheme; g. promoting improvements in north-south transport provision, including facilitating junction improvements, clearer signing, and enhanced bus services and facilities – in particular, improved connections will be sought with Abbey Wood station and the Elizabeth line; h. improving the efficiency and promoting the sustainability of freight movement in the borough and ensuring construction and operation of any new rail freight facilities, or wharves for waterborne freight handling, where this does not unduly prejudice other objectives of the Local Plan; i. developing other targeted road schemes, where they assist regeneration and reduce barriers to growth, whilst encouraging sustainable travel options, improving road safety and supporting modal shift away from the car; j. effectively maintaining and efficiently managing the existing highway network to reduce congestion and unnecessary delays, improve the environment, in	impacts, **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on landside transport as a result of in-combination effects with other plans and projects. There are no significant effects anticipated during construction or operation of the Proposed Scheme on pedestrians and cyclists, or the public transport network. Travel Plans for the construction and operational phases secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)** will be produced which will detail specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. The Proposed Scheme will be incorporated within an update to the existing / for Riverside 1 and once operational Riverside 2. A Workforce Travel Plan represents a long term travel management strategy, detailing specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. <u>In response to Policy SP10 para 2:</u> The Applicant undertook early engagement with key stakeholders regarding the Proposed Scheme. This is set out in the **Consultation Report (Document Reference 5.1)** and the engagement is ongoing. **This demonstrates that the Proposed Scheme complies with Policy SP10.**	• **Dartford Borough Council Statement of Common Ground (REP2-013)** • **Kent County Council Statement of Common Ground (REP5-020)** • **National Highways Statement of Common Ground (REP5-022)** Following this engagement, the **Framework Construction Traffic Management Plan (REP5-015)** has been updated throughout the Examination and is agreed with the above parties. The above response is supplemented by the **Draft DCO (as updated as part of this submission)** which has been updated as part of Examination.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	particular air quality, and promote safety, health and wellbeing; k. encouraging a new transitional approach to providing and managing residential car parking within new developments in areas where parking demands and provision could both reduce over time as more sustainable means of connectivity are improved; and l. ensuring that the proposed change of use or redevelopment of existing railway station or town centre car parks retains or re-provides an appropriate level of public parking where such provision is: i. essential to avoid unacceptable harm resulting from railheading and/or to safeguard the continued viability and vitality of the relevant town centre; ii. the minimum amount necessary; and iii. informed by an appropriate transport assessment. 2. The Council will work with Transport for London, National Highways, Kent County Council, and other relevant partners, so that necessary infrastructure interventions on the strategic road network required to support future development proposals in the borough are better understood, potential solutions found, and a funded and deliverable programme of measures identified.		
Policy SP11 **Safeguarding land for transport schemes**	1. The Council will support development proposals that complement and do not frustrate delivery, operation or retention of existing and future transport infrastructure. 2. Unless existing transport infrastructure is agreed as surplus to requirements by the relevant strategic authority, operator or owner, development proposals should not prejudice its continued role, operation or effective, beneficial use. Where this is unavoidable, development proposals should include feasible means of replacing the affected transport infrastructure with alternatives of at least the same quality, funded through developer contributions. This applies to transport infrastructure used for: a. walking; b. cycling; c. public transport services; d. traffic on the public highway; and e. piers/Safeguarded Wharves (and access to them) to enable movement of people and goods on the River Thames.	In response to Policy SP11 paras 1-4: As detailed in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)**, the Proposed Scheme is not anticipated to attract a significant number of movements (by all modes) in the operation phase. Travel Plans for the construction and operational phases, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, will be produced which will detail specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. **Framework Construction Traffic Management Plan (Framework CTMP) (Document Reference 7.12)** sets out potential measures to mitigate construction effects, including the development of a Construction Workforce Travel Plan (CWTP), secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**.	It should be noted that the DCO for the Viking CCS Pipeline was granted consent on the 9th April 2024. No other updates are required.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	3. Development proposals should support the plans to secure investment in, deliver and operate the following key transport infrastructure: a. an extension of the Docklands Light Rail to Belvedere via Thamesmead; b. Bus Transit route corridor priority measures and related interventions; c. targeted interventions on the South Thames Development Route (A206/A2016) to deliver benefits for regeneration and remove barriers to growth as well as improve sustainable transport and road safety where appropriate; d. a crossing of the River Thames between Belvedere and Rainham (likely to be beyond the Plan period); e. an upgrading of Erith Pier to accommodate riverbus services; and f. a cycling/walking crossing of the River Darent north of the A206 Bob Dunn Way. Development proposals will not be accepted that prejudice the successful planning and delivery of these schemes, illustrated on Figure 10. 4. Land is safeguarded for the following strategic transport infrastructure schemes: a. an eastern extension of Crossrail services from Abbey Wood towards Ebbsfleet (C2E), in accordance with the relevant Safeguarding Direction(s) by the Secretary of State for Transport; and, b. completion of A206 Thames Road dualling between Bob Dunn Way and Crayford Way, including widening Cray Mill Bridge and enlarging the Thames Road/Crayford Way roundabout, as illustrated on the Policies Map, to deliver benefits for regeneration and remove barriers to growth as well as improve sustainable transport and road safety where appropriate.	The Proposed Scheme will be incorporated within an update to the existing Workforce Travel Plan (WTP) for Riverside 1 and once operational Riverside 2. A WTP represents a long term travel management strategy, detailing specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. The CO_2 will be temporarily stored onsite in a liquid form (LCO_2) and then loaded and transported via ship for permanent sequestration underground. The supply chain and potential transportation and storage of LCO_2 has been considered as part of the development of the Proposed Scheme to ensure it is compatible with the operational model of available storage sites. The Applicant has signed an exclusivity agreement with the Viking Transport and Storage system. This involves the receipt of shipped carbon at the Port of Immingham (via a new Green Terminal, the DCO application for which is in Examination) the onshore piping of that carbon to Theddlethorpe (the DCO application for which is in Examination) to join to an existing offshore pipeline to take the carbon to the storage site (with an additional offshore extension at the other end of the pipeline still to be consented). The transportation and underground storage of LCO_2 does not form part of the Proposed Scheme, albeit impacts from it have been considered contextually in **Chapter 13: Greenhouse Gases (Volume 1) of the ES (Document Reference 6.1)**. **Chapter 18** provides an assessment of the likely significant effects of the Proposed Scheme on Landside Transport. The chapter determines that the Proposed Scheme will not have a significant effect on landside transport during the construction and operation phase. There are no significant effects anticipated during construction or operation on pedestrians and cyclists, driver delay or the public transport network. There are also no significant effects forecast in regard to accidents and safety or hazardous loads. **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** reports the	

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
		assessment of the likely significant effects of the Proposed Scheme on Combined and Cumulative Effects. This chapter concludes that the Proposed Scheme is not predicted to result in any significant adverse effects on landside transport as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Policy SP11.**	
Policy DP22 **Sustainable transport**	1. The Council will expect to see measures in all development proposals that facilitate and promote walking, cycling, public transport and shared mobility. In particular, development proposals should incorporate where appropriate the below points at an early design or pre-application stage: Walking a. identify and implement accessible, safe and convenient direct walking routes to Town Centres, transport nodes and other key destinations; b. promote and improve pedestrian wayfinding; c. provide for the undertaking of audits to ensure that the existing pedestrian infrastructure is suitable for its proposed use and that new development improves pedestrian amenity; d. encourage a higher quality pedestrian and street environment for all users through the promotion of healthy streets and integrated communities; e. ensure residential streets encourage children to play out; f. provide secure, integrated, convenient and accessible cycle parking facilities in line with the standards set out in the London Plan, as a minimum; g. provide on-site changing facilities, including lockers and showers for cyclists, where appropriate; h. contribute positively to an integrated cycling network for London by providing infrastructure that is safe, comfortable, attractive, coherent, direct and adaptable; i. provide links to existing and planned cycle infrastructure projects including the Council's strategic quietways and cycleways network; Public transport network j. allocate road space and provide high level of priority on existing or proposed routes; k. ensure good access to public transport networks;	In response to Policy DP22 para 1: As detailed in **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** a Workforce Travel Plan for the operational phase will be incorporated into the existing Travel Plan for Riverside 1 and (once operational) Riverside 2, this will be provided alongside the Operational Environmental Management Plan (Operational EMP) that is secured by requirement of the **Draft DCO (Document Reference 3.1).** **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on Landside Transport. The chapter concludes that there are no significant effects anticipated during construction or operation of the Proposed Scheme on pedestrians and cyclists, or the public transport network. The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6)**, which includes details of cycle parking. **The above demonstrates that the Proposed Scheme complies with Policy DP22.**	The **Outline LABARDS (AS-094)** has been updated throughout Examination in response to comments from stakeholders, including in relation to access.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	l. ensure that all parts of the network can be used safely, easily and with dignity by all; m. ensure direct, safe, accessible and pleasant walking routes to stops; n. ensure standing, garaging and drivers' facilities are provided where needed; o. improve interchange between different modes of transport; Shared mobility (smarter travel) p. provide electric vehicle charging infrastructure in line with London Plan minimum standards, to be made publicly available where possible; q. provide spaces for car clubs/pool cars, to be made publicly available where possible; and r. ensure compatibility with recognised providers of both services.		
Policy DP23 **Parking management**	1. In applying the principles of sustainable development in line with Policy SP1, the Council will seek to balance the need for parking and the environmental, economic and social impacts of traffic movement and parked vehicles. Therefore, proposals for residential development will be expected to provide parking within the lowest applicable maximum London Plan standards except: a. areas with a PTAL of 2 that are outside of Sustainable Development Locations (see Figure 12) where, in exceptional circumstances, consideration will be given on as case by case basis for 3 or more bedroom dwellings to have a maximum standard of up to 1.25 spaces; and b. within the Bexley Riverside Opportunity Area where, except for developments covered by 1a) above, maximum residential parking standards will be the London Plan outer London standards rather than the Opportunity Area standards for outer London. 2. Parking provision materially below London Plan maximum standards may be acceptable in areas that have a PTAL of 3 – 4, for residential development sites that are: a. outside of a Controlled Parking Zone (CPZ) or Restricted Parking Zone (RPZ), where it can be demonstrated through a parking survey that there is sufficient on-street, off-site parking capacity within 200 metres of the development boundary; or b. inside an existing or planned CPZ or RPZ, in which case, where parking surveys suggest issues will arise,	Policy DP23 para 1, 2, 5: The design evolution of the Proposed Scheme is discussed in the **DAD (Document Reference 5.6)**, including proposed car parking provision, EV charging points and cycle parking. The Design for the Carbon Capture Facility includes 16 parking spaces, including 2 disabled parking spaces. The Proposed Scheme also includes 10 visitor parking spaces for the Crossness LNR. The design evolution of the Proposed Scheme is discussed in the **Design Approach Document (Document Reference 5.6)**. The **Design Approach Document (Document Reference 5.6)** details proposed car parking provision, EV charging points and cycle parking. **The above demonstrates that the Proposed Scheme complies with Policy DP23.**	No update required and no revisions to existing documents.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	the Applicant will normally be required to enter into a legal agreement to restrict future occupiers from obtaining on-street parking permits. 3. For residential developments of fewer than 10 units, where the spaces per dwelling calculation results in a fraction of a space, provision will be rounded up to the nearest whole space 4. For specialist housing for older people, a case by case approach will be taken with the London Plan residential parking standards used as a starting point and particular regard being had to the need for appropriate visitor and staff parking in the context of: a. the public transport access levels in the relevant area; and b. the characteristics of the residential care to be provided including the nature of shift patterns. Such matters should be informed by a transport assessment and other appropriate information. 5. Parking for industrial development should be provided in line with projected operational need. Non-operational parking should be determined on a case by case basis using the London Plan office parking standards as a starting point and having regard to the nature of the use and locality. In both cases parking provision should be calculated via a transport assessment once Applicants have demonstrated they have minimised parking requirements through a delivery and servicing plan, parking management plan and travel plan.		
Policy DP24 **Impact of development on the transport network**	1. Proposals that reduce the need to travel and improve access to sustainable modes of transport will be supported. 2. Proposals should not have a significant negative effect on the safety of any users, including vulnerable users of the transport network such as pedestrians and cyclists. Proposals should identify, minimise, and mitigate potential negative impacts and seek to achieve a net positive effect on safety wherever practicable. 3. Proposals should not have a significant cumulative negative impact on the operation or efficiency of the local road network, Transport for London Road Network or National Highways Strategic Road Network, the public transport system or local amenity. Proposals should identify, minimise and mitigate potential negative impacts.	In response to Policy DP24 para 1, 2, 3, 4: **Chapter 18: Landside Transport (Volume 1) of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on Landside Transport. The assessment concludes that the Proposed Scheme will not result a significant impact on landside transport (road traffic, highways safety, public transport, non-motorised uses) during the construction and operation phase. All abnormal indivisible loads would be delivered by road and construction transport for the Proposed Jetty (i.e. steel piles, precast concrete units and marine equipment such as fenders) is anticipated to be primarily via the River Thames.	The **Framework Construction Traffic Management Plan (REP5-015)** is agreed by **LBB** (**SoCG (AS-096)**). The above response is supplemented by the **Draft DCO (as updated as part of this submission)** which was updated as part of Examination.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	4. Development proposals should not result in: a. unsuitable use of any road that is prejudicial to its function in the Road Hierarchy, as set out in Table 11 and identified on the Policies Map, or a street according to its position in the movement and place matrix of street types, as set out in the Local Implementation Plan, illustrated by Figure 13, and taking into account the function of adjacent streets; or b. severe cumulative adverse impacts on the operation of roads or streets in the area.	**Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on Combined and Cumulative Effects. The chapter presents evidence that the Proposed Scheme would not have an unacceptable impact on highway safety, or severe cumulative impacts on the road network. **A Framework Construction Traffic Management Plan (Framework CTMP) (Document Reference 7.12)** outlines monitoring requirements during construction to mitigate construction effects, including the development of a Construction Workforce Travel Plan (CWTP), secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Travel Plans for the construction and operational phases will detail specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. The Proposed Scheme will be incorporated within an update to the existing WTP for Riverside 1 and once operational Riverside 2. A WTP represents a long term travel management strategy, detailing specific measures, designed to encourage staff and visitors to travel by more sustainable and active transport options. **The above demonstrates that the Proposed Scheme complies with Policy DP24.**	
Policy SP12 **Sustainable waste management**	1. In new development, the Council will ensure that waste is managed in ways that protect human health and the environment and will follow the principles of the circular economy by applying the waste hierarchy (see Figure 14). Where opportunities arise, this principle will also be applied to existing development, for example for flats above shops where it can be challenging to segregate waste. 2. The Council will support sustainable waste management by: a. implementing the waste hierarchy in its approach to future waste management; b. meeting its waste apportionments and other requirements, such as the Mayor's recycling or composting targets, including collaborating with and supporting other London boroughs as appropriate;	In response to Policy SP12 paras 1,2, 3: An **Outline Site Waste Management Plan (SWMP) (Document Reference 7.10)** has been prepared as part of this Application, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. It ensures that the management of materials and waste generated during the construction of the Proposed Scheme is undertaken in accordance with legal and best practice requirements. Further a **Materials Management Plan (MMP)** in accordance with the **Outline Code of Construction Practice (OCoCP) (Document Reference 7.4)**, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)** will be prepared prior to construction commencing (post-consent) to help	In response to questions from the ExA, the Applicant strengthened its commitment to supporting the circular economy at both the construction and decommissioning phases through amending design code DC_CCF 1.7 in the **Design Code and Design Principles** (**REP5-009**) and Requirement 23 of the **Draft DCO (as updated as part of this submission)**.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	c. safeguarding Strategic Waste Management Sites for waste uses as shown on the Policies Map; d. supporting regionally significant waste management infrastructure, including the Crossness Sewage Treatment Works; and, e. considering the use of planning contributions, including from the borough's community infrastructure levy, to provide better waste management for existing development. 3. The Council will support the development of the circular economy by encouraging the waste and construction industries to: a. make resource use more efficient; b. reduce the production of waste; c. maximise the recycling of waste; and d. identify alternative business models.	planning for, acquire and monitor materials required to construct the Proposed Scheme. **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** reports the assessment of the likely significant effects of the Proposed Scheme on materials consumption, waste generation and disposal, during construction and operation. The chapter concludes that with mitigation measures (as set out in the **Mitigation Schedule (Document Reference 7.8)** no significant effects on materials and waste are anticipated. During construction best practice mitigation measures will be in place. **This demonstrates that the Proposed Scheme complies with Policy SP12.**	
Policy DP25 **New waste management facilities and extensions and alterations to existing facilities**	1. Development proposals for new waste management facilities, or for extensions and alterations to existing facilities, must demonstrate that they will contribute to the Council's strategic approach of moving waste up the waste hierarchy (see Figure 14) and that the type of facility proposed is needed in the local area in line with the proximity principle and the self-sufficiency principle. 2. Designated Strategic Industrial Locations (SIL) are appropriate locations for new waste management facilities; however consideration will be given to adjacent businesses within SIL and nearby land uses such as for residential or nature conservation, using the Agent of Change principle. A sequential approach to locating new waste facilities should be applied and locations chosen only where there are no significant adverse impacts and a preference given to parts of SIL that have the least detrimental impact on other businesses or land uses. 3. Development proposals will be assessed using locally specific criteria, having regard to the requirements of UK legislation, the Government's policies on waste and the Mayor's London Plan, including impacts of the proposal on the local environment and residential amenity. 4. All new waste facilities with the potential to have a negative impact on amenity of surrounding areas should be	In response to Policy DP25 para 1: Riverside 1 and Riverside 2 (under construction) are safeguarded waste sites. The quantities of waste received by Riverside 1 and Riverside 2 (once operational) will not change as a consequence of the Proposed Scheme. Further information on the components described above is within **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1)**. In response to Policy DP25 paras 2 – 5: The Proposed Scheme is located within the Belvedere Industrial Area, a designated Strategic Industrial Location (SIL). Further information on the components is described within **Chapter 2: Site and Proposed Scheme Description (Volume 1) of the ES (Document Reference 6.1).** During construction best practice mitigation measures will be in place, including an **Outline Site Waste Management Plan (SWMP) (Document Reference 7.10)** and a **Materials Management Plan (MMP),** secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** **Chapter 21: Cumulative Effects (Volume 1) of the ES (Document Reference 6.1)** reports the	No update required and no revisions to existing documents.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	fully enclosed on all sides and have a roof and fast-acting doors or provide equivalent environmental protection. 5. Proposals for new facilities, extensions and alterations should be well designed and contribute positively to local character.	assessment of the likely significant effects of the Proposed Scheme on Combined and Cumulative Effects. This chapter concludes that in respect of cumulative impact, the Proposed Scheme is not predicted to result in any significant adverse effects on landscape and visual as a result of in-combination effects with other plans and projects. **This demonstrates that the Proposed Scheme complies with Policy DP25.**	
Policy DP26 **Waste management in new development**	1. All proposals for major development (defined in the Glossary) should promote circular economy outcomes and aim to be net zero-waste. Applications should include a circular economy statement in accordance with London Plan policy SI 7 the London Plan. 2. Residential development proposals that provide additional housing, including conversions, should ensure that: Flatted development a. there is adequate space within each flat/apartment for the temporary storage of waste generated by that flat/apartment allowing for the separate storage of recyclable materials; b. there is adequate communal storage for waste, including separate recyclables, pending its collection; c. storage and collection systems (e.g. dedicated rooms, storage areas and chutes or underground waste collection systems) for waste are of high-quality design and are incorporated in a manner which will ensure there is adequate and convenient access for all residents and waste collection operatives and will contribute to the achievement of London Plan waste management targets; d. measures are incorporated to manage, to acceptable levels, impacts on amenity including those that may be caused by odour, noise, and dust; e. the on-site treatment of waste has been considered and any system to be incorporated will take into account the factors listed above and other relevant Development Plan policies; and f. adequate contingency measures are in place to manage any mechanical breakdowns;	In response to Policy DP26 para 1: Methods of best practice surrounding effects relating to waste have been secured as part of the **Outline CoCP (Document Reference 7.4)** to minimise the effects of the Proposed Scheme through the construction phase. During construction best practice mitigation measures will be in place, including a **Site Waste Management Plan (SWMP)** and a **Materials Management Plan (MMP)**, secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. Mitigation measures in place during operation will include the use of existing onsite waste prevention, minimisation and management processes and procedures to drive good practice behaviour and contracts, to maximise action in the highest tiers of the waste hierarchy and adherence to the proximity principle. Circular Economy practices will be identified and considered to design out wastes, reduce waste and to divert materials from landfill, into other productive uses. **Chapter 16: Materials and Waste (Volume 1) of the ES (Document Reference 6.1)** concludes that with mitigation measures (as set out in the **Mitigation Schedule (Document Reference 7.8)**) no significant effects on materials and waste are anticipated. **This demonstrates that the Proposed Scheme complies with Policy DP26.**	No update required save to note that the measures in the **Mitigation Schedule** (**REP1-010)** are secured through Requirement 14 of the **Draft DCO (as updated as part of this submission)**.
Policy DP28	1. Where development is proposed on contaminated land or potentially contaminated land, a desktop study and site	In response to Policy DP28 paras 1,2: The Site has been previously developed and there is the potential for contaminated ground. Ground investigations will	No update required and no revisions to existing documents.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
Contaminated land and development and storage of hazardous substances	investigation, including appropriate proposals for remediation will need to be carried out where required. 2. Development proposals for hazardous installations and development proposals within the relevant consultation zones for existing hazardous installations must consult with the Health and Safety Executive (HSE).	take place prior to the construction phase pursuant to Schedule 2 of the **Draft DCO (Document Reference 3.1)**, and, if required, remediation, will be completed as part of the detailed design of the Proposed Scheme. This is discussed in more detail in **Chapter 17: Ground Conditions and Soils (Volume 1) of the ES (Document Reference 6.2).** The HSE was consulted as part of the Statutory Consultation process. The Applicant will continue to engage with the HSE to ensure that the Proposed Scheme adheres and complies with relevant health and safety legislation. CO_2 and LCO_2 are not currently classed as a Hazardous Substance under the COMAH Regulations and as such the Site would remain a non-COMAH site with the Proposed Scheme in place. **Chapter 20: Major Accidents and Disasters (Volume 1) of the ES (Document Reference 6.1)** confirms that based on the assumptions and mitigation measures as put forward in other relevant ES chapters, it is considered that the identified potential construction and operational phase major accident(s) and/ or disaster(s) events would all be managed to be as low as reasonably practicable (ALARP). **This demonstrates that the Proposed Scheme complies with Policy DP28.**	
Policy SP13 **Protecting and enhancing water supply and wastewater infrastructure**	1. The Council will: a. work with Thames Water in relation to local wastewater infrastructure requirements and support wastewater treatment infrastructure investment to accommodate London's growth and climate change impacts; b. promote improvements to water supply infrastructure, particularly within the defined Sustainable Development Locations, to contribute to security of supply in a timely, efficient and sustainable manner taking energy consumption into account; c. promote the protection and improvement of the water environment in line with the Thames River Basin Management Plan, taking account of catchment plans; Crossness Sewage Treatment Works (CSTW)	In response to Policy SP13 para 1: Details on the water supply options and requirements are provided in **Chapter 2: Site and Proposed Scheme Description and Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)**. A Water Treatment Plant is required as part of the Proposed Scheme to provide process water for the evaporative cooling, wash water and chemical makeup systems. The feed water supply will use a combination of potable water from Thames Water and recycled effluent from the Carbon Capture Facility. The design of the Carbon Capture Facility has included water recycling where possible, to minimise potable water demand and wastewater generation from the Carbon Capture Facility.	No update required and no revisions to existing documents.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	d. support the protection of CSTW as a key infrastructure asset, from the risks of flooding; e. promote public access to the Thames Path through CSTW and the conservation and enhancement of the Crossness Beam Engine House, including the site and buildings within its curtilage, and seek to affect these by means of planning obligations in the event of substantial planning permissions being contemplated in the vicinity.	An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that foul and surface water drainage have been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage and will inform spatial planning across the development. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Consultation Report (Document Reference 5.1)** shows that the relevant water undertakers have been consulted on from an early stage throughout the development of the project. **This demonstrates that the Proposed Scheme complies with Policy SP13.**	
Policy DP29 **Water quality, supply and treatment**	Water quality 1. Development proposals should not adversely affect the quality or quantity of water in watercourses or groundwater. New development will be required to protect and/or enhance the water quality of existing water resources, such as watercourses and groundwater. Water supply and wastewater/sewage infrastructure 2. Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions or obligations to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades. 3. The Council will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/wastewater company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Council will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.	In response to Policy DP29 paras 1 - 5: Details on the water supply options and requirements are provided in **Chapter 2: Site and Proposed Scheme Description and Chapter 3: Consideration of Alternatives (Volume 1) of the ES (Document Reference 6.1)**. The feed water supply will likely use a combination of potable water from Thames Water (Water Supply Zone: 0105) and recycled effluent from the Carbon Capture Facility. The design of the Carbon Capture Facility has included water recycling where practicable, to minimise potable water demand and wastewater generation from the Carbon Capture Facility. **Chapter 11: Water Environment and Flood Risk (Volume 1) of the ES (Document Reference 6.1)**, alongside its appendices such as the WFD Assessment, reports on the assessment of the likely significant effects of the Proposed Scheme on surface water features, groundwater features, WFD designated water bodies, coastal processes, flood risk, and potable water during construction and operation, and concludes that no likely significant effects arise with the implementation of mitigation measures. **This demonstrates that the Proposed Scheme complies with Policy DP29.**	The Water Framework Directive (WFD) Assessment for the Proposed Scheme presented in **Appendix 11-1: Water Framework Directive Assessment of the Environmental Statement (Volume 3) (APP-106)** has been supplemented by the **Sediment Sampling Technical Note (REP5-031)** following additional sediment sampling undertaken in December 2024. The Technical Note contains an explanation of how these results validate the conclusions of the WFD Assessment. The Environment Agency have reviewed the **Sediment Sampling Technical Note (REP5-031)** and confirmed they are content that the Proposed Scheme is WFD compliant for water quality (and as such will not cause a deterioration in status of any of the scoped in WFD waterbodies).

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	4. All development proposals must provide on-site treatment or a connection to the sewerage system at the nearest point of adequate capacity, as advised by the service provider, and should consider future access to the existing sewerage systems for maintenance and upsizing purposes. 5. When considering sensitive development, such as residential uses, close to the Sewage Treatment Works, a technical assessment should be undertaken in consultation with Thames Water. The technical assessment should confirm that: a. there is no adverse amenity impact on future occupiers of the proposed development or; b. the development can be conditioned and mitigated to ensure that any potential for adverse amenity impact is avoided.		
7. Bexley's climate: adapting to and mitigating the effects of climate change			
Policy SP14 **Mitigating and adapting to climate change**	1. The Council will actively pursue the delivery of sustainable development by: a. supporting developments that achieve zero-carbon and demonstrate a commitment to drive down greenhouse gas emissions to net zero; b. administering the borough's carbon offset fund, ring-fencing payments to implement projects that deliver greenhouse gas reductions; c. investigating opportunities for the funding and development of decentralised energy networks in the borough; and, supporting the provision of infrastructure, including safeguarding routes and land for such use, where necessary; d. supporting new and enhanced green infrastructure, including greening of development sites such as living roofs, and the contribution green infrastructure can make to managing flood risk and surface water, and to the mitigation of the urban heat island effect; e. supporting integrated water management (IWM) through a coordinated and holistic approach to land and water management, including managing water storage, supply, wastewater, flood risk, quality of watercourses and water bodies and the wider environment; f. applying the recommendations of Bexley's Strategic Flood Risk Assessment, Local Flood Risk Management Strategy, and Integrated Water Management Strategy; g. directing new development into the most sustainable locations by applying the flood risk	<u>In response to Policy SP14 para 1:</u> The Proposed Scheme would support sustainable development by providing the infrastructure necessary to meet national net zero targets with local enhancement. It is predicted that the Proposed Scheme will capture at minimum 95% of carbon emissions from the Riverside 1 and Riverside 2 EfW plants once operational, equating to approximately 1.3Mt CO_2 per year when operational. This contributes to the UK economies net zero transition and the UK government's environmental ambitions. Consideration of the requirement to adapt to climate change has been considered throughout the design and selection process of the Proposed Scheme. The application of climate resilient design is secured by an explicit Requirement of the DCO. **Appendix 11-2: Flood Risk Assessment (FRA) (Volume 3) of the ES (Document Reference 6.3)** has been prepared in accordance with NPS EN-1 and the NPPF providing a quantitative analysis of flood risk to support this Application. It has been informed by the **Works Plans (Document Reference 2.3)** and is supported by the **Outline Drainage Strategy (Document Reference 7.2)** and discussions with the Environment Agency and the Lead Local Flood Authority.	No update required, however supplemented by the following documents submitted as part of the Examination: • **Appendix 11-2: Flood Risk Assessment of the Environmental Statement (Volume 3) (AS-023)** • **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** • **Works Plans (REP6-003)** • **Outline Drainage Strategy (AS-027)** • **Draft DCO (as submitted as part of this submission)**

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	sequential test across the borough and the exception test to the site allocations in this Local Plan; h. following the sequential approach to flood risk management advocated in national planning policy and its associated practice guidance; i. working with the Environment Agency and others to ensure the recommendations of the TE2100 Plan are implemented in new and existing developments, to keep communities safe from flooding in a changing climate and improving the local environment; and, j. supporting the protection of key infrastructure assets from the risks of flooding.	The **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that foul and surface water drainage has been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage and will inform spatial planning across the development. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy (Document Reference 7.2)** will be used to inform the full drainage design that will be undertaken at the detailed design stage of the Proposed Scheme and presented in the detailed drainage strategy brought forward for approval, as secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. The design of the Proposed Scheme means that it is resilient to any potential impacts arising from climate change. The ES concludes that with the addition of mitigation methods (as set out in the **Mitigation Schedule (Document Reference 7.8)**) that all the effects of climate change on the Proposed Scheme will be considered not significant. **This demonstrates that the Proposed Scheme complies with Policy SP14.**	
Policy DP30 **Mitigating climate change**	Energy reduction in new buildings 1. Major development proposals must meet London Plan requirements and calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. 2. Minor development proposals should aim to achieve net zero carbon; reducing greenhouse gas emissions in operation and minimising annual and peak energy demand in accordance with the London Plan energy hierarchy. Sustainable design standards for all development 3. The Council expects that, where possible: a. new homes be designed to achieve: i. BREEAM Home Quality Mark (HQM), or ii. BREEAM Communities standards (for major housing-led mixed-use development), or iii. Passivhaus, or	<u>In response to Policy DP30 paras 1 - 4:</u> Consideration of the requirement to adapt to climate change has been considered throughout the design and selection process of the Proposed Scheme. **Chapter 13: Greenhouse Gases of the ES (Document Reference 6.1)** provides an assessment of the likely significant effects of the Proposed Scheme on greenhouse gases during construction and operation. The Proposed Scheme would have significant beneficial effect on GHG emissions during operation. Construction emissions will be minimised through design optimisation, therefore no significant effects on GHG emissions are anticipated during construction. In addition, the Applicant has proposed mitigation measures to drive down GHG emissions at all stages of the development. This is discussed further in the **Planning Statement (Document Reference 5.2)**.	The Applicant has taken into consideration the sustainable design measures for the Proposed Scheme within the **Design Principles and Design Code (REP5-009)**, such as: - Form and Layout: • The buildings with the Carbon Capture Facility will be built to high standards of sustainability where practicable. Factors such as embodied energy, provenance, and whether the material is renewable, should be considered during selection. - Campus-Wide: • The materials used for hard landscape and boundary elements will be as sustainable as practicable regarding origin, embodied energy, maintenance equipment, and durability. • The Circular Economy should be implemented where practicable as part of decommissioning.

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	iv. other appropriate sustainability measures. b. residential conversions, refurbishment, extensions and changes of use should be designed to achieve BREEAM Domestic Refurbishment Excellent or other appropriate sustainability measure. c. new non-residential development, refurbishment of existing buildings, and conversions, over 500m2 floor space (gross) must meet or exceed BREEAM 'excellent' rating; and d. minor non-residential development achieves a BREEAM 'Very Good' rating. Water efficiency 4. Development must be designed to be water efficient and reduce water consumption. Residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption). Refurbishments and other non-domestic development will be expected to meet BREEAM water-efficiency credits.	The complete list of mitigations measures embedded in the design to reduce GHG emissions is within the **Mitigation Schedule (Document Reference 7.8)** and are secured through the **Outline CoCP (Document Reference 7.4), Framework Construction Traffic Management Plan (Document Reference 7.7)** and the other management plans secured through a requirements in Schedule 2 of the **Draft DCO (Document Reference 3.1).** The design evolution of the Proposed Scheme is described in the **Design Approach Document (Document Reference 5.6)**. This document provides a full account of the design process demonstrating good design and relevant interactions to inform the design. The **Design Approach Document (Document Reference 5.6)** outlines specific design commitments for approval in the form of Design Principles which are structured to align with the National Infrastructure Commission's guidance and Design Codes, through the requirements in Schedule 2 of the **Draft DCO (Document Reference 3.1)**, will guide the preparation and final detail design of the Proposed Scheme. The Proposed Scheme design will include appropriate drainage systems and attenuation, this is detailed in the **Outline Drainage Strategy (Document Reference 7.2).** Any wastewater generated by the Proposed Scheme will be treated at the Wastewater Treatment Plant proposed as part of the Proposed Scheme. **This demonstrates that the Proposed Scheme complies with Policy DP30.**	- Climate: • Appropriate site drainage and attenuation to support local ground water levels and to enhance grazing marsh and wetland habitat. Surface run-off from the main operational areas on site will be attenuated and treated prior to discharge into the local ditch network to support wetland water quality site wide. The above response is supplemented by the following documents submitted as part of the Examination: • **Framework Construction Traffic Management Plan (REP5-015);** • **Draft DCO (as updated as part of this submission);** • **Design Principles and Design Code (REP5-009);** and • **Outline Drainage Strategy (AS-027).**
Policy DP31 **Energy infrastructure**	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. 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. 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	In response to Policy DP31 paras 1 - 2: The Applicant considers that the Proposed Scheme directly contributes to the UK's Net Zero 2050 target. This is demonstrated by the additional carbon capture and storage facilities which will aid the Government in meeting its energy supply objectives. In response to Policy DP31 para 3: The **Planning Statement (Document Reference 5.2)** explains that that the Secretary of State (SoS) highlighted that one of the reasons that the Proposed Scheme should be	During Examination, the Seventh Carbon Budget recommended by the CCC was published on February 26th 2025. In that budget, in addition to increased recycling and a reduction in food waste, a key element of the Balanced Pathway for waste is that 'CCS is installed to capture 90-95% of emissions from EfW.' (Seventh Carbon Budget, page 247). The Seventh Carbon Budget makes clear that even with future step changes in waste management - including the near elimination of

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	demonstrate that this is not technically feasible or economically viable. Policy DP31 Energy infrastructure Policy implementation.	considered as a Project of National Significance (PNS) is that: *"The carbon capture element of the Proposed Project would provide and support…the achievement of a fully de-carbonised district heating network that crosses local authority areas".* The emission of heat is not relevant to the Proposed Scheme as no significant sources of such emissions are anticipated. **This demonstrates that the Proposed Scheme complies with Policy DP31.**	biodegradable waste sent to landfill by 2028 and the near elimination of all waste sent to landfill by 2045 – there remains an integral role for CCS with EfW, not least 'to balance out the residual emissions remaining in the waste sector. These residual emissions mostly come from hard-to-abate process emissions in wastewater, mechanical biological treatment, legacy methane emissions from landfill, and uncaptured CO2 from EfW with CCS.' (Seventh Carbon Budget, pages 248 and 249). This supports the response to Policy DP31 paragraphs 1-2. In pre-Examination, the Applicant updated the DCO to include Requirement 25, requiring it to develop a Riverside Campus wide Heat Strategy for approval by LBB. In Examination, the role of heat was questioned by Landsul and Munster Joinery, in the context of suggesting that there was insufficient certainty that the heat transfer station proposed as part of the Proposed Scheme (and its associated land take requirements) would be delivered. The Applicant has responded to this suggestion fully in its **Written Summary of Oral Submissions at ISH1 (REP1-025), and its Appendix A (REP1-026);** its **Written Summary of Oral Submissions at CAH2 (REP4-048) and its appendices (REP4-034)** and its **Response to Landsul and Munster Joinery's Deadline 5 submissions (REP6-038).** Appendix H to the **Written Summary of the Applicant's Oral Submissions at CAH2 (REP4-034)** (Heat Note) demonstrates that a substantial amount of heat can be provided from the Riverside Campus to respond to an even more substantial heat demand from across London. These documents demonstrate that it is clear that the heat transfer station will be delivered, given Cory and local and national policy commitments.
Policy DP32	Planning for flood risk	In response to Policy DP33 paras 1 - 12: Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood	**Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)** provides

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
Flood risk management	1. In areas at risk of flooding, as identified in the Bexley Strategic Flood Risk Assessment (SFRA), development proposals must: a. be within a Sustainable Development Location, designated industrial location or the Thamesmead and Abbey Wood Opportunity Area if the site is within Flood Zones 2 and 3a, except for householder development above defined flood levels, and the development type is acceptable within the flood zone, as only these locations have passed the Local Plan sequential test; b. apply the exception test, where required, to sites within Flood Zones 2 and 3a that have met the requirements of part 1a; c. comply with the guidance and recommendations set out in the Bexley SFRA Level 1 and Level 2; d. apply the sequential approach advocated in the NPPF to all sources of flooding, not just tidal and fluvial; e. be used as an opportunity to reduce the causes and impact of flooding; f. make as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and, g. provide floodplain storage capacity as close to the development as possible, where the proposed development will reduce this capacity. Tidal and fluvial flooding 2. Habitable rooms in residential development within the fluvial flood zones, should be set 300mm above the predicted 1 in 100 year plus climate change peak flood water level, and within the tidal flood zones, should be set at the predicted 1 in 200 year annual probability. 3. Development in areas designated as Functional Floodplain (as identified in the SFRA Level 1 and the Policies Map) will not be permitted outside of water-compatible development, as defined in the NPPF. 4. All proposals for development in Flood Zones 2 and 3, and all proposals on sites of 0.25 hectares or larger regardless of what flood zone the site is in, must include a site-specific flood risk assessment (FRA), including a drainage impact assessment.	risk have been carried out in order to identify the potential significant effects associated with the construction and operation of the Proposed Scheme on potentially sensitive receptors. The Proposed Scheme is within Flood Zone 3 as shown in **Sheet 2: Flood Zones of the Environmental Features Plans (Document Reference 2.7)**. However, there are Flood Defence Owner maintained flood defences located along the River Thames, parts of which are within the Site. These currently provide the Site with a reduction in local flood risk. Owner maintained flood defences located along the River Thames, parts of which are within the Order Limits. **Appendix 11-2: Flood Risk Assessment (FRA) (Volume 3) of the ES (Document Reference 6.3)** has been prepared in accordance with NPS EN-1 and the NPPF providing a quantitative analysis of flood risk to support this Application. It has been informed by the **Works Plans (Document Reference 2.3)** and is supported by the **Outline Drainage Strategy (Document Reference 7.2)** and discussions with the Environment Agency and the Lead Local Flood Authority. It concludes that the Proposed Scheme passes all policy tests with regards to flooding, including the Sequential Test, pursuant to a number of mitigation measures, which, alongside the measures in the **Outline Code of Construction Practice (Outline CoCP) (Document Reference 7.4)** and the **Outline Emergency Preparedness and Response Plan (Outline OEPRP) (Document Reference 7.11)** (dealing with flood warnings and emergencies), are secured by DCO Requirement. An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that foul and surface water drainage has been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage and will inform spatial planning across the development. It also considers the disposal route for	additional clarity to that provided in **Appendix 11-2: Flood Risk Assessment of the Environmental Statement (Volume 3) (AS-023)** regarding the flood risk and appropriate mitigation measures, the application of the Exception Test in accordance with NPS EN-1, National Planning Policy Framework, and the Flood Risk and Coastal Change Planning Practice Guidance. The matter of flood risk and the assumptions made about the development platform were the subject of discussion with the Environment Agency during the course of the Examination. With the information provided in **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**, and the updates to the **Design Principles and Design Code (REP5-009)**, the Environment Agency is now understood to be content with the flood risk position as expressed in **Appendix C: Flood Risk Technical Note of the Applicant's Response to Examining Authority's First Written Questions (REP3-035)**. In addition, the above response is supplemented by the following documents submitted as part of the Examination: • **Works Plans (REP6-003);** • **Outline Drainage Strategy (AS-027);** • **Outline Code of Construction Practice (REP5-013);** • **Outline Emergency Preparedness and Response Plan (REP4-014);** and • **Draft DCO (as updated as part of this submission).**

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	5. New developments in riverside locations are required to help reduce flood risk now and into the future. 6. Development proposals located within 100 metres of the Thames tidal flood defences should demonstrate consideration of and act on the recommendations of the TE2100 Plan and be designed in such a way as to easily facilitate the raising and re-engineering of the tidal flood defences. 7. Basements will not be permitted in Flood Zones 2 or 3 Surface water, groundwater and sewer flooding 8. Development must not increase flood risk on-site or off-site, and exceedance flows must be considered and appropriately managed. 9. All basement developments should include, within their proposal, protection to the property by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions Safe refuge, access and egress in, to and from development 10. New developments below the predicted flood water level should include a detailed evacuation plan that clearly outlines how people can easily leave to safety or move upwards from the lower floors to safety. 11. Site design in floodplains must facilitate safe escape, access and egress. Only in exceptional circumstances where this cannot be demonstrated should the emergency plan be to reside in situ and escape upwards in a building. 12. All development that is intended to be occupied below the predicted flood water level must provide internal safe refuge above the design flood level	wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy (Document Reference 7.2)** will be used to inform the full drainage design that will be undertaken at the detailed design stage of the Proposed Scheme and presented in the detailed drainage strategy brought forward for approval, as secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1).** The Applicant carried out early engagement with key stakeholders on the Proposed Scheme, which included a non-statutory consultation and a statutory consultation, both involving the local community. Engagement with key stakeholders including the Environment Agency and London Borough of Bexley (in their role as LLFA) is ongoing. More detail on the engagement and consultation activities carried out, and how feedback has influenced the Proposed Scheme can be found in the **Consultation Report (Document Reference 5.1)**. **This demonstrates that the Proposed Scheme complies with Policy DP32.**	
Policy DP33 **Sustainable drainage systems**	1. All development proposals, whether increasing or decreasing the impermeable area of the site, will be required to manage surface water through sustainable drainage systems (SuDS) in line with all national, regional and local policies and related guidance, in order to minimise flood risk, improve water quality and enhance biodiversity and amenity.	In response to Policy DP33 paras 1, 2 and 3: The Proposed Scheme design will include appropriate drainage systems and attenuation, in consultation with and in accordance with the published requirements of the LLFA and Environment Agency, and in line with the SuDS Manual.	An updated **Outline Drainage Strategy (AS-027)** was submitted. This update was the Applicant taking a pro-active approach to issues raised in Relevant Representations and ongoing discussions with stakeholders. The **Outline Drainage Strategy (AS-027)** was revised to includes an increased lifetime of development up from 50 to 75 years and a 40% climate change allowance. This document has no

London Borough of Bexley Local Plan April 2023			
Policy	**Policy Text**	**Proposed Scheme Compliance with LBB Local Plan**	**Examination Update**
	2. In addition, all development proposals will be required to demonstrate that: a. the drainage for the site achieves greenfield runoff rates for flood events up to and including 1 in 100 years plus 40% climate change; b. surface water run-off has been reduced by sustainably managing run-off on site; c. permeable paving has been used for hardstanding areas (e.g. car parks); d. the nature of water flow (both surface water and groundwater) across a steeply sloping site has been considered in order to provide suitable SuDS; and, e. water reuse mechanisms have been included for either indoor or outdoor purposes. 3. Development proposals on sites of 0.25 hectares or greater require a drainage strategy, which must be accompanied by a suitable maintenance management plan.	An **Outline Drainage Strategy (Document Reference 7.2)** has been prepared to ensure that foul and surface water drainage has been considered at the early stage of design, that it will comply with national and local policies relevant to flood risk and drainage and will inform spatial planning across the development. It also considers the disposal route for wastewater generated by the Carbon Capture Facility (associated with process operation) and welfare facilities. The **Outline Drainage Strategy (Document Reference 7.2)** will be used to inform the full drainage design that will be undertaken at the detailed design stage of the Proposed Scheme and presented in the detailed drainage strategy brought forward for approval, as secured through a requirement in Schedule 2 of the **Draft DCO (Document Reference 3.1)**. **This demonstrates that the Proposed Scheme complies with Policy DP33.**	effect on the Project's compliance with Policy DP33 of the London Plan.

DECARBONISATION

10 Dominion Street
Floor 5
Moorgate, London
EC2M 2EF
Contact Tel: 020 7417 5200
Email: enquiries@corygroup.co.uk
corygroup.co.uk