CORY

DECARBONISATION

APPLICANT'S RESPONSE TO THE SECRETARY OF STATE'S REQUEST FOR INFORMATION: 9.37

Cory Decarbonisation Project

PINS Reference: EN010128

September 2025

The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 19

TABLES

1. INTRODUCTION

1.1. PURPOSE OF THIS DOCUMENT

1.1.1. Following the completion of the Examination on 5th May 2025 the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 5th August 2025.

1.1.2. This Report provides the Applicant's response to the Request for Information received on 2nd September 2025 from the Secretary of State.

1.1.3. Section 2 of this document presents the Applicant's response to Request for Information.

1.2. ENVIRONMENTAL PERMITTING UPDATE

1.2.1. Above and beyond the issues raised in the Request for Information, the Applicant can otherwise update the Secretary of State that the Applicant has made good progress with the submission of the Environmental Permitting application to the Environment Agency. With the first stage of its staged application for the Cory Decarbonisation Project having been submitted on 30 June 2025 and the second stage submitted on 29 August 2025 and are on track for the third and final stage to be submitted on 30 September 2025. This accords with the staged programme for submission agreed with the Environment Agency for attaining Duly Made status.

1.3. DRAFT DEVELOPMENT CONSENT ORDER

1.3.1. In responding to the questions set by the Secretary of State, the Applicant has had cause to review the Requirements in the DCO as a whole and has identified a number of typographical consistency errors that need to be corrected, as set out in red text below. The Applicant would welcome any DCO made by the Secretary of State including these corrections:

Requirement 4(1): No part of Work No. 1, Work No. 2 (except for internal modifications to existing plant, equipment and apparatus under Work No. 2A(iii), 2B(iii) and 2C(i)) or Work No. 5 may commence until details of the layout, scale and external appearance for that part of those Work Nos. have been submitted to and approved by the relevant planning authority in writing

Requirement 11(1): No part of the authorised development may commence until a lighting strategy for that part has been submitted to and approved by the relevant planning authority in writing, in consultation with the PLA

Requirement 14(1): No part of Work No. 1 may be fully commissioned until a written operational environmental management plan for that part has been submitted to and approved by the relevant planning authority in writing.

2. RESPONSES TO REQUEST FOR INFORMATION

Table 2-1 Responses to Request for Information

Table ref	Summary of Issue Raised	Applicant Response
2.1.1	**Planning Obligation with Thames Water Utilities Ltd ("WUL"); Deed of Obligation B** 3. **The Applicant** and **TWUL** are requested to provide an update on the status of the planning obligation relating to the management of land within the Mitigation and Enhancement Area. If no agreement is likely to be reached, the Applicant must provide further information on how it will secure the management Mitigation and Enhancement Area.	TWUL, the Applicant and LBB have continued negotiations since the end of Examination on Deed of Obligation B. The Applicant can confirm that the Deed is close to agreement on both matters of principle and drafting, with completion hoped to follow as soon as practicable. Conscious of the need for this Deed to be completed in sufficient time for the Secretary of State to consider it in his decision making, a further update will be made to the Secretary of State on 26 September in respect of Deed of Obligation B. In the meantime, it is noted that as part of the negotiations with TWUL, TWUL have confirmed that they do not want the 'Member's Area Land', being the land to the west of the STW fence line, to be part of the management regime that is created by the LaBARDS. As set out throughout Examination, the Applicant has always recognised that TWUL's choice on this point was a voluntary one. In light of this, alongside this response, the Applicant has updated the Outline LaBARDS to reflect this position (paragraph 10.1.19). Furthermore, as a result of this, article 50(2)(c) of the **draft DCO** will need to be amended so it reads as follows: *"clause 4 of the 1994 agreement shall ~~be abrogated in its entirety~~ no longer apply to land within the Order limits";*
2.1.2	**Planning Obligation with Western Riverside Waste Authority ("WRWA")** 4. **The Applicant** and **WRWA** are requested to provide an update on the status of their outstanding agreement in relation to the compulsory acquisition of the relevant plots of land.	The Applicant has continued to use its best efforts in seeking to reach agreement with WRWA in relation to all of its concerns. In the context that WRWA had supported the Proposed Scheme in its letter of support for the Applicant's section 35 Direction application, the Applicant is disappointed that a settled position has been unable to be agreed. This is particularly the case given that these negotiations have taken place in the context of the Applicant continuing to consider that, ultimately, the Proposed Scheme will be of material benefit to WRWA – it facilitates the decarbonisation of Riverside 1, which is the principal operating asset to which WRWA sends its waste, and dovetails with the fact that each of the WRWA member local authorities have declared a climate emergency. The Applicant currently sees no other viable option for decarbonising London's waste. In that context, the Applicant has been engaging with WRWA to seek to reach a fully settled position following the good progress made in Examination where the Applicant had: • added WRWA as a consultee for the discharge of various DCO Requirements, as requested by WRWA; and • made the amendments requested by WRWA to the RRRL Protective Provisions ('PPs') (going further than was agreed between the parties on the Riverside 2

Table ref	Summary of Issue Raised	Applicant Response
		DCO) which ensure that their 'step-in' interests as operator of Riverside 1 are protected. Unfortunately, no agreement has been reached between the parties. Despite this, and notwithstanding the Applicant's clear position as set out below, the Applicant wishes to re-emphasise that it remains committed to seeking an agreement with WRWA and will continue its discussions with it post the decision on the DCO with a view to achieving this. However, since an agreement has not been reached at this stage and since the Secretary of State needs to make a decision in respect of DCO drafting in relation to WRWA, the Applicant has set out its position below. Through the PPs, the operations and apparatus of Riverside 1 are protected. Whilst the Applicant notes that WRWA raised Examination submissions expressing technical concerns as to the interaction between Riverside 1 and the Proposed Scheme, these interactions can ultimately be managed and are technically achievable in a way which would ensure that Riverside 1 can continue to operate. The protections afforded in the PPs ensure that a review process of plans and access arrangements will take place to ensure that this outcome is achieved and that the operations of Riverside 1 are not compromised. It is also noted that the Proposed Scheme has been brought forward in the context of the UK Government explicitly supporting the installation of Carbon Capture equipment at EfW plants. As such, the DCO deals with the matters that are of relevance to a DCO decision, i.e. that the operations and apparatus of the affected parties are sufficiently protected. Accordingly, from the Applicant's perspective, the remaining matters between the parties are purely of a commercial nature (in particular, but not limited to, the commercial value of any property rights taken, and the commercial implications of the Proposed Scheme to the existing financing structures between the Applicant and WRWA). In light of this, the Applicant's position therefore remains that its preferred drafting contained within article 31 of the **draft DCO** must be maintained. This is because, fundamentally, given the on-going commercial impasse between the parties, the Applicant is concerned that were WRWA's position in Examination to be accepted (such that all of article 32 would be disapplied from WRWA's interests, without exception) then the delivery of a critical national priority, nationally significant, infrastructure project could become subject to the ability of the Applicant to agree commercial terms with WRWA that align to WRWA's commercial position. Further, this needs to be considered in the context that: • as discussed in Examination submissions, WRWA's property rights are only invoked in an extremely limited set of circumstances – they are not a freeholder or tenant at risk of losing their only property/business; • WRWA is not an individual who benefits from Human Rights or equalities considerations that need to be protected; • the Applicant does not accept that WRWA is a statutory undertaker in respect of its interests affected by this Proposed Scheme (and notes that this was the position

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		found by the ExA in the Examination of the Riverside 2 DCO in respect of WRWA's land interests at Riverside Campus). However, even if the WRWA were to be considered a statutory undertaker by the Secretary of State, no serious detriment is caused to its interests as the practical operation of Riverside 1 is protected by the numerous protections set out in the RRRL Protective Provisions ('the PPs'); and • the ability of the Applicant to take property rights free of WRWA's property and contractual rights does not override the protections in the PPs in respect of the operation of Riverside 1. If the Secretary of State agrees that the Proposed Scheme should be consented as a critical national priority project, the Applicant's considered view is that its delivery should not be put at risk by the DCO being used by WRWA to protect its commercial position. With that in mind the Applicant notes the following: • the Applicant has already conceded that, in the context that full compulsory acquisition powers are to be used as a matter of last resort, those can be subject to WRWA consent, but subject to the caveats in the drafting in article 32(6)(b) that allow, if article 49 (dispute resolution) needs to invoked, for the need for the authorised development to be developed in a timely and cost-effective manner to be taken into account, such that WRWA's commercial interests do not take priority. This would have the potential negative effect of delaying the full extent of powers the Applicant may ultimately need but at least does so from a starting point that places primacy on the critical national priority Proposed Development; • however, the Applicant has not and does not accept this applying to sub-paragraph (2), which allows for existing rights to be suspended or unenforceable if inconsistent with any rights or restrictive covenants sought to be imposed by the Applicant. These powers for the Applicant are important in the context that they are: o the full extent of power sought for the connection of the Proposed Scheme to Riverside 1 (and thus core to the purpose of the Proposed Scheme); and o involve the bare minimum of permanent powers that the Applicant would need for the Proposed Jetty, if felt appropriate, rather than full acquisition following detailed design (noting the Applicant's submissions at CAH1 on this point), or could be utilised initially by the Applicant to ensure it has some form of permanent right over WRWA's interests in the land, whilst any dispute for full compulsory acquisition powers plays out (or indeed if for whatever reason the outcome of the dispute resolution meant that the Applicant could not use its CA powers); • as such, the Applicant needs the ability to be able to take these powers to be able to bring the Proposed Scheme forward with the surety that it will be able to permanently operate the Proposed Scheme. It is noted that this is important not just for the Applicant's confidence in bringing forward the Proposed Scheme, but would be important to any other financing that it was used for the Proposed Scheme, including Government and/or private finance; and

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		• furthermore, for the same reasons it does not accept WRWA's interests being excluded from the operation of sub-paragraph (4) which renders WRWA's private rights unenforceable where temporary possession is taken. This is particularly important as the Applicant would likely use temporary possession powers initially to begin construction of the authorised development prior to the use of compulsory acquisition powers - the ability to construct the Proposed Scheme should not be prevented by the protection of WRWA's commercial interests. The Applicant's position therefore remains that the drafting of article 32 in the **draft DCO** submitted at Deadline 7 (REP7-003) should be what is included in the DCO made by the Secretary of State. Finally, in completing this submission and upon review of the Applicant's land interests, the Applicant has noted that article 32(3) should be deleted, and therefore requests that the Secretary of State do so in any made DCO.
2.1.3	**Planning Obligation with Thamesmead Golf Course; Deed Obligation A** 5. **The Applicant, London Borough of Bexley Council ("LBBC")** and **Peabody Trust** are requested to provide updates on the progress of the Section 106 agreement in relation to the provision of offsite Biodiversity Net Gain at Thamesmead Golf course.	The Applicant has been in extensive commercial discussions with Peabody Trust (including Tilfen Land Limited) and the parties are aligned on the commercial principles for both the delivery of BNG at Thamesmead Golf Course and the acquisition of Norman Road Field. This alignment follows detailed discussions on key commercial and practical matters. However, whilst the overall discussions are close to resolution they are not yet complete. Whilst, in the time available, it is not anticipated that completion will be achieved in time to inform the Secretary of State's decision, the Applicant wishes to re-emphasise that it remains committed to working with Peabody Trust to seek to secure delivery of the Proposed Scheme's BNG and compensation for OMH impacts, at Thamesmead Golf Course. In light of this position, the Applicant's position in respect of Deed of Obligation A and BNG delivery is as follows: DCO Requirement 12 requires and commits the Applicant to achieving 10% BNG and OMH compensation. This outcome is therefore secured, no matter how it is ultimately delivered. As discussions with Peabody Trust will continue on into the future, the Applicant continues to need the ability to be able to flex its BNG delivery strategy, if ultimately agreement with Peabody Trust cannot be secured. In that context, alongside this response, the Applicant has prepared three documents: • an Offsite Ecological Requirements Delivery Options note. This note seeks to set out, if for whatever reason agreement could not be reached with Peabody Trust, the various options that would be open to the Applicant to achieve what is required by Requirement 12, including potential re-designs of the landscape design on-site, as well as other off-site options. This demonstrates that the requirements of Requirement 12 will be able to be met in any scenario;

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		• an update to the **Outline LaBARDS** to provide further context and securing of outcomes (including LBB's requests in the Examination with regards to monitoring and reporting and a more recent request for priority to be given to BNG provision within Bexley) in the position that options other than Thamesmead Golf Course are taken forward. As a result of this Schedule 13 of the **draft DCO** will need to be updated to refer to this submitted Rev G of the **Outline LaBARDS**; and • a document presenting amendments to Requirement 12. These amendments provide that, alongside the LaBARDS, the Applicant must provide copies of any agreements with third parties that have been required in order to meet the outcomes required by Requirement 12 as well as requiring the Applicant to report on how it has sought to the use the BNG Opportunity Area as its offsite solution. These amendments have been agreed with the Peabody Trust. Together, the amendments to the **Outline LaBARDS** and Requirement 12 ensure that LBB will have sight of everything it needs to ensure that Requirement 12 will be met, at the time that discharge of the LaBARDS is sought. In light of the above, the Applicant is no longer proceeding with Deed of Obligation A – the outcome it sought to achieve (i.e. binding Peabody Trust to the Proposed Scheme's BNG commitments) will be delivered post consent, as part of discharging the amended Requirement 12. As a result of this approach, the 'Access Contribution' previously sought as part of Deed of Obligation A, has now been moved to form part of Deed of Obligation B.
2.1.4	**Outline Landscape, Biodiversity, Access and Recreation Delivery Strategy ("oLaBARDS") – Requirement 12** 6. **The Applicant** and **LBBC** are invited to comment on the amended wording relating to Requirement 12 of the DCO, as outlined below: *"12.— (1) No part of the authorised development may commence until a written landscape, biodiversity, access and recreation delivery strategy ~~for that part~~ has been submitted to and approved by the relevant planning authority in writing, in consultation with TWUL.* *(2) The landscape, biodiversity, access and recreation delivery strategy submitted for approval must be substantially in accordance with the outline landscape, biodiversity, access and recreation delivery strategy, except insofar as it provides for multiple full versions in paragraph 3.2.4 of the outline landscape, biodiversity, access and recreation delivery strategy.* *(3) The landscape, biodiversity, access and recreation delivery strategy must include details of all proposed hard and soft landscaping works and ecological mitigation and enhancement measures (as applicable for the relevant numbered work) for that part and where applicable include ~~for that part~~".*	The Applicant has carefully considered the Secretary of State's suggestions in this regard but is of the view that it cannot agree with these proposed amendments to Requirement 12. The drafting in the Applicant's preferred DCO reflects standard DCO drafting that allows for Requirements to be discharged in parts, as is reflected in other Requirements of the DCO for the Proposed Scheme. The Applicant sees no reason why the approach to the LaBARDS needs to take a different approach. In particular, the Applicant is concerned with the proposed amendment to sub-paragraph (3), as it is the case that not all of the matters in sub-paras (a)-(m) will be relevant for all parts of the authorised development. This is important in the context that the exact nature of the phasing of construction for each of the works comprising the Proposed Scheme is not yet known and so the LaBARDS discharge process needs to be clear that it can be done in parts. By way of example, it may be that the Applicant has more clarity on the construction methodology and detailed design of Work Nos. 1 (CCF) and 7 (the Mitigation and Enhancement Area) before the detailed design of Work Nos. 2 (connections to Riverside 1 and 2) and 5 (connection to the Proposed Jetty) is undertaken – the landscaping and ecological measures for those later works are quite different to those for Works Nos.1 and 7.

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		In this context, the Applicant considers it is preferable that the Requirement is clear that discharge can be done in parts. It considers that the proposed drafting in sub-paragraph (2) is more ambiguous as to what should or should not be included in any full LaBARDS brought forward for discharge. However, notwithstanding the above, in discussion with LBB, the Applicant has amended the Outline LaBARDS to include a commitment to the first LaBARDS that the Applicant submits being an overarching document with subsequent submissions making clear how they relate to, amend or supercede it.
2.1.5	**Erith Marshes – Net Loss of Metropolitan Sites of Importance for Nature Conservation ("MSINC") Land** 7. The Secretary of State notes the project will result in a net loss of MSINC land which is important for wildlife on a local and regional scale, and that paragraph 5.4.52 of the National Policy Statement for Energy (EN-1) sets out that due consideration to local and regional sites must be given during decision making. EN-1 also highlights the need to apply the mitigation hierarchy, including considering measures to compensate for any adverse impacts. 8. **The Applicant** is requested to update the oLaBARDS with further measures to offset the loss of MSINC land in spatial terms. For example, reinstating of MSINC land during the decommissioning phase of the project, or the extension of an existing MSINC (such as the Thamesmead Golf Course MSINC). The Applicant should provide reasoning if this is not achievable.	The Applicant has considered this matter and proposed an approach which ensures that the Proposed Scheme will not be a permanent loss of SINC land as a result of the Proposed Scheme. This is explained in detail below. Before doing so, however, the Applicant would note that the Proposed Scheme's impacts to the Erith Marshes SINC should be considered in their full context. The Applicant recognises that the Proposed Scheme will lead to a net loss, in quantitative terms, to a small part of the Erith Marshes SINC, whilst it is in situ. However, it also notes that, through the LaBARDS, the Proposed Scheme will lead to a qualitative improvement to those parts of the SINC that are unaffected by the Proposed Scheme, including in particular the proposed improvements to Norman Road Field, but also more generally, through having a secured consistent management regime for all those parts of the SINC that are in the Order limits. In this context, there are no opportunities for the SINC loss to be compensated within the Order limits. Looking outside of the Order limits, the Applicant notes that the areas adjacent to the extent of Erith Marshes SINC that could be explored for compensation through a quantitative extension, are either made up of green spaces of other forms of ecological designation, are existing residential or industrial areas, or are allocated for development in the LBB local plan. There is therefore limited scope for direct compensation specifically for Erith Marshes SINC. However, it is noted that in the local area, there are areas of the Thamesmead Golf Course which are not part of the adjacent Thamesmead Golf Course SINC. These areas form part of the BNG Opportunity Area that is being discussed with the Peabody Trust. The proposals that the Applicant have been discussing with Peabody Trust for the BNG Opportunity Area will deliver a mixture of grassland, wetland (e.g. reedbed) and woodland habitats that will enhance the ecological value of existing habitats and promote biodiversity. This is in line with the current management targets of Thamesmead Golf Course SINC and so could be an opportunity for potential SINC expansion. As noted in the response to item 5 above, the Applicant is still working closely with the Peabody Trust to seek to secure the delivery of the BNG Opportunity Area, however this will not complete before the Secretary of State's decision is made. As such, whilst the

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		Applicant hopes to deliver proposals that could enable SINC expansion as well as BNG at Thamesmead Golf Course, it acknowledges that, at this stage, the Secretary of State cannot rely on this for the purposes of considering the policies in EN-1. However, consistent with its position throughout Examination, the Applicant has committed to minimise its ecological impacts as much as possible, including in the context that the Proposed Scheme has a design life and will, at a point in the future, need to be decommissioned and that this decommissioning provides an opportunity for ecological outcomes, including the restoration of SINC quality land, to be achieved. The Applicant therefore proposes that Requirement 22(3)(iv), which deals with the decommissioning environmental management plan, can be amended to provide that such a plan must include details of: *any restoration works (including the proposed finished levels of the land following those works and any proposals for the restoration of habitats and watercourses lost as a result of the construction of the authorised development) to restore the land within the limits of deviation of Work No. 1 to a condition (including ecological outcomes which must include that the land could be designated as a non-statutory site of importance for nature conservation and local nature reserve, or equivalent designations as exists at the time of decommissioning) agreed with the relevant planning authority;* This drafting ensures that there will not be a 'permanent' loss of SINC land as a result of the Proposed Scheme.
2.1.6	**Former Belvedere Power Station Jetty; Recording – Requirement 22** **9. The Applicant** is requested to confirm that they are content with the following addition to Requirement 22 of the DCO, as outlined below: 10. *"22. — Heritage Mitigation* *(3) No demolition or modification of the Belvedere Power Station Jetty shall take place until: a) a descriptive record specified and carried out to Level 2 as specified in Historic England guidance: Understanding Historic Buildings: A Guide to Good Recording Practice has been undertaken in accordance with that guidance and written confirmation provided to the relevant planning authority that is has been completed, and b) within six months of the date of commencement of the demolition or alteration that completed record must have been deposited with the Greater London Historic Environment Record and the Archaeology Data Service, and confirmation of the deposit provided in writing to the relevant planning authority".*	The Applicant has carefully considered the Secretary of State's suggestions in this regard but considers that such a Requirement is not needed for the reasons set out below. The Applicant has already made commitments in respect of a Level 2 Historic Building Recording in the **Outline Code of Construction Practice** (REP5-013) that in fact go slightly further than the proposed wording suggested here – see paragraph 7.2.1. Requirement 7 of **the Draft DCO** (REP7-003) ensures that the commitment in the **Outline Code of Construction Practice** (REP5-013) will be taken through into the construction phase, as such it does need to be duplicated in Requirement 22.
2.1.7	**Updated National Flood Risk Assessment** 11. The Secretary of State notes that the Environment Agency has published new data following an update to the National Flood Risk Assessment. The Flood Map for Planning and flood zones were also updated on 25 March 2025.	The Applicant has considered this matter but considers that revised documents do not need to be produced, for the reasons set out below. As described within the **Applicant's Response to Examining Authority's Second Written Questions** (REP5-033) (Q2.9.1), the assessment of flood risk to the Proposed Scheme as presented in **Annex 11-2: Flood Risk Assessment (FRA) of the Environmental Statement (Volume 3)** (AS-023) and **Appendix C: Flood Risk Technical**

Table ref	Summary of Issue Raised	Applicant Response
	12. **The Applicant** is invited to explain whether the updates have any implications for the conclusions of the Environmental Statement Chapter 11 [REP6-014] and the Flood Risk Technical Note Breach Assessment Scenario. The Applicant should provide revised documents, as necessary.	**Note** were informed by Site specific data including hydraulic models to assess the risk of flooding from tidal, fluvial and surface water sources which also include the relevant climate change allowances for the design life of the Proposed Scheme. The assessment does therefore not need to be updated to reflect the updated datasets; as the updated datasets are not included within nor will they influence the site-specific data and assessment.
2.1.8	**Design Principles and Design Code** 13. The Applicant is requested to comment on any concerns relating revisions to the following Requirements in the DCO, as outlined below: • *4.— (3) "The authorised development must be designed and constructed in accordance with the design principles and design code and the details submitted under sub-paragraph (1) must include a statement to confirm both how the design principles and design code have been complied with, and how the advice and recommendations of an independent design review process have been taken into account, in the details that have been submitted."* • *12. — (3)(l) "a statement to confirm both how the design principles and design code, have been complied with, and how the advice and recommendations of an independent design review process have been taken into account, in the details that have been submitted;"* • *16.— (2) "The jetty works environmental design scheme to be submitted under sub-paragraph (1) shall include a statement to confirm how the advice and recommendations of an independent design review process have been taken into account in the details that have been submitted."*	The matter of an independent design review panel was considered in the Examination, and the Applicant set out its final position on this matter in its **Response to the ExA's Second Written Questions 2.0.2** (REP5-033) ('SWQ 2.0.2'); which is copied for ease of reference at the bottom of this response. Further to that response, the Applicant notes that the design review process that the Applicant has committed to is already secured: • section 4.3 of the **Design Principles and Design Code** (REP5-009) confirms that the results of the review will be provided as part of the statement of compliance with the Design Principles and Design Code required by Requirements 4 and 12 of the DCO; and ◦ Requirements 4(3) and 12(3)(l) confirm that detailed design and LaBARDS discharge applications must include a statement to confirm how the **Design Principles and Design Code** has been complied with – pursuant to section 4.3, that will therefore include the results of the review. In light of this, the Applicant considers that the wording proposed by the Secretary of State is not required as the form of design review accepted by the Applicant, in the context that it is not a policy requirement. If the Secretary of State considers that the process above needs to be reflected in the DCO more obviously on its face, then the Applicant considers that the following amendments could be made: • *4.— (3) "The authorised development must be designed and constructed in accordance with the design principles and design code and the details submitted under sub-paragraph (1) must include a statement to confirm how the design principles and design code have been complied with, including how the advice and recommendations of the independent design review process set out in section 4.3 of the design principles and design code have been taken into account, in the details that have been submitted."* • *12. — (3)(l) "a statement to confirm how the design principles and design code, have been complied with, including how the advice and recommendations of the independent design review process set out in section 4.3 of the design principles and design code have been taken into account, in the details that have been submitted;"*

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		In respect of Requirement 16 and a jetty works environmental design scheme, the Applicant notes that the **Design Principles and Design Code** do not have any provision in relation to such works, which reflects the fact that: • any environmental works will need to relate to the technical design of the Proposed Jetty; • any environmental works at this location will be small in scale, and focussed primarily on ecological outcomes, rather than 'good design' per se; and • that some of the works (e.g. to deliver intertidal BNG) may need to take place outside of the Order limits. Given this, the Applicant considers that the role of a design review process for such works would be very limited. However, if the Secretary of State considers this is ultimately necessary, the Applicant would suggest the wording is as follows: *16.— (2) "The jetty works environmental design scheme to be submitted under sub-paragraph (1) shall include a statement to confirm how the advice and recommendations of the independent design review process set out in section 4.3 of the design principles and design code have been taken into account in the details that have been submitted."* **Response to SWQ 2.0.2** *The Applicant would respectfully disagree with the ExA that the value of independent peer review has been underestimated. As set out in response to Q1.0.1.2 of the Applicant's Response to ExA FWQ (REP3-029) the Applicant has taken a proactive approach to ensuring good design lay at the heart of the project process, embracing the use of the Design Approach Document and appointing LDA Design as design lead and to drive the masterplan. Albeit working as part of the project team, LDA Design has been encouraged to challenge the emerging equipment design configuration, driving optimisation and innovation where practicable, even at this relatively early stage in the process. The project has therefore been peer reviewed by highly experienced urban design professionals and this has informed and helped to shape the proposals now before the Examining Authority.* *As confirmed in the Applicant's response to Q1.0.1: There is no specific requirement for an independent design review panel. The PINS Advice Page is not statutory, simply asking applicants whether they intend using one or not. In discussion of the DAD with PINS through the Early Adopter Programme, the use of a design panel was not raised. It was discussed with LBB and determined that it was not necessary.* *Further, there is urban design experience within LBB and the project team and Cory is well established in the area, with a good local knowledge gained from operating in Belvedere since 2011 and this representing the third strategic infrastructure development on Norman Road. Whilst an independent design review panel is not considered necessary, the Applicant recognises that the ExA would like to see greater emphasis placed on the ongoing scrutiny of the design process as it evolves through to construction. The Applicant is willing to enhance the current approach to design through involvement of a third party master planning design consultancy. This organisation will be commissioned to undertake a supporting role through detailed design, advising and ensuring the Design Principles and Design Code (as updated alongside this submission) are appropriately integrated.*

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		To this end, the Applicant has made appropriate provision within the Design Principles and Design Code (as updated alongside this submission) to incorporate independent review by a third party master planning design consultancy as an integral part of design evolution, with a report of that input being reflected in the statement of compliance that would be submitted under Requirements 4 and 12. This approach is agreed between the Applicant and LBB.

DECARBONISATION

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