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RIVERSIDE OPTIMISATION PROJECT - CLARIFICATORY DOCUMENT FOLLOWING CLOSE OF CONSULTATION

1. INTRODUCTION

1.1 This document relates to the application to vary the current section 36 consent for the Riverside Resource Recovery Facility ("**RRRF**" or "**the Facility**") pursuant to section 36C of the Electricity Act 1989 ("**the Application**") submitted to the Secretary of State for Business, Energy and Industrial Strategy ("**the Department**") by Cory Environmental Holdings Limited and Riverside Resource Recovery Limited ("**Cory**" or "**the Applicant**") on 15 April 2021.

1.2 As the Department is aware, the Application is made under section 36C of the Electricity Act 1989 to:

(a) amend the power generation description of RRRF in the 2015 s.36 Variation[1] to change the energy generation limit from 'up to 72MW' to 'up to '80.5MW';

(b) request that the Secretary of State then gives a direction under section 90(2) of the Town and Country Planning Act 1990 ("**TCPA 1990**") granting a new planning permission for RRRF with the same conditions as attached to the 2017 Permission[2] that RRRF currently operates under but varied to increase the maximum waste throughput from 785,000 tonnes per annum ("**tpa**") to 850,000 tpa; and

(c) amend the 2015 s.36 Variation and to incorporate into the new deemed planning permission the amendments authorised by the Secretary of State in the Riverside Energy Park Order 2020 ("**REP DCO**") regarding the ash storage area for RRRF and use of the jetty by both RRRF and Riverside Energy Park ("**REP**").

1.3 The amendments sought in the Application are described collectively in this document as the Riverside Optimisation Project ("**ROP**").

1.4 The consultation period for the Application ended on 5 July 2021. During the consultation period, 17 responses to the Application were received, of which 9 were objections (3 being almost identical) and 8 were representations stating no objection to the Application which were from statutory consultees including the local planning authority.

1.5 The Applicant has reviewed the representations received and considers it appropriate to submit to the Department a response to the submissions in order to provide clarity on a number of points that have been raised by consultees. This is a clarificatory document to support the Application, and does not contain any new or further environmental information that would trigger, in the opinion of the Applicant, the need for further consultation under the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017.

1.6 This document has been prepared by the Applicant with input from its technical and expert advisors where the response pertains to the part of the Application prepared by each consultancy:

(a) Fichtner Consulting Engineers Limited;

(b) Stantec; and

(c) hendeca ltd.

[1] A variation made under section 36C of the Electricity Act 1989 on 13 March 2015 to the Original s.36 Consent (Application reference: GDBC/003/00001C-06).
[2] Application reference 16/02167/FUL.

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1.7 This document is structured in four main sections – the first responds to points raised by the Greater London Authority ("**GLA**") in its objection; the second responds to points and requests for clarification raised by the United Kingdom Without Incineration Network ("**UKWIN**") in its objection, and the third section responds to other matters raised in the consultee objections not already addressed. The fourth section considers the impact of the revised National Planning Policy Framework ("**NPPF**") published on 20 July 2021.

1.8 We are grateful for the Department's co-operation in this matter to date and look forward to continuing to work together as the Application progresses. If you would like to discuss this document, please contact Ruth Taylor (Ruth.E.Taylor@pinsentmasons.com).

2. OBJECTION BY THE GLA

2.1 The objection submitted by the GLA raises the following points, which the Applicant would like to clarify.

Combined Heat and Power ("CHP") readiness

2.2 The GLA's consultation response asserts that progress towards building a district heat network has been slow (paras 6.17, 6.22 – 6.29) and requests an obligation is attached to the consent (if granted) restricting the development until the district heat network is being built out (para 6.28).

2.3 The extant consent (reference 16/02167/FUL) under which RRRF is currently operated, and which the Department has been provided with a copy of, already includes condition 31, which requires '*ongoing monitoring and full exploration of the potential commercial opportunities to use heat from the development as part of a Good Quality CHP scheme...*'. The Environmental Permit held for RRRF (reference: BK0825IU) also requires the operator to regularly review and record suitable opportunities to improve the energy efficiency of RRRF, focussing on the potential for a district heat network. Condition 31 remains in accordance with policy – there is no policy justification for the type of condition being requested by the GLA.

2.4 The Applicant has been working to deliver CHP for a number of years and in May 2020 announced that it is partnering with specialist district heating and low carbon energy company Vattenfall with the aim of developing one of the largest heat networks in the UK. In May 2021, the Applicant was awarded £12.1 million through the Government's Heat Network Investment Project ("**HNIP"**) to progress commercialisation and construction of the proposed district heating network. The Applicant and Vattenfall are currently progressing design and commercial discussions.

2.5 In July 2021 the Applicant submitted a report titled 'Combined Heat and Power Feasibility Review' (June 2021) to the London Borough of Bexley ("**LBB**"). This addresses condition 31 and confirms (in the Executive Summary) that:

'A generic heat profile has been developed and estimates that technically feasible opportunities exist to export an annual average of 10.9 MWth and a peak of 30.9 MWth (accounting for diversity and heat loss) to the proposed developments. Heat supply infrastructure can be accommodated on the RRRF site by constructing a heat exchanger platform, located between the air-cooled condenser and the turbine hall. Additional demand beyond what RRRF can supply could be met by REP, subject to that consent being implemented and when it comes online. There is potential for additional capacity to be added to the heat network, both within the town of Woolwich / West Thamesmead (along the proposed DH pipeline corridor), and within Burt's Wharf to the south-east of RRRF, comprising mostly industrial heat consumers. The heat export medium for these industrial consumers would need to be explored further if this option were pursued.

Based on heat supply to the preferred DH network (residential and commercial developments in Thamesmead), the RRRF scheme would achieve at least 10% savings in primary energy usage compared to the separate generation of heat and power. It would thus qualify as high efficiency cogeneration as defined in the Energy Efficiency Directive (EED). The scheme would not qualify (on a technical basis) as 'Good Quality' CHP under the Combined Heat and Power Quality Assurance

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(CHPQA) scheme Standard issue 3, due to the lack of uplift offered by this standard for nonsubsidised generators.'

2.6 It is clear that the Applicant is being proactive and playing its role in the delivery of important, local, CHP infrastructure. The Applicant is not seeking to vary condition 31 in the Application; it would remain in force were the Application granted consent. Through the ongoing efforts of the Applicant a local district heating network is close to being a reality. The GLA could also have played a positive strategic role in enabling a district heating network to be delivered; instead the Applicant considers that the GLA's proposed condition is unreasonable, unnecessary in planning terms and contrary to policy, serving only to limit the level of opportunity.

Compliance with the Waste Hierarchy

2.7 The GLA's response asserts that if London achieves the Mayor's recycling targets, the additional energy from waste capacity envisaged by the Application will not be required and will be incompatible with these targets and the waste hierarchy (see paragraphs 6.40 – 6.45). The GLA suggests the inclusion of a condition mirroring requirement 16 in the REP DCO setting out how the waste hierarchy will be implemented (paragraphs 6.46 – 6.49) in light of the GLA's concerns that increasing energy from waste capacity will jeopardise London reaching its recycling targets.

2.8 The GLA's representation neither understands nor responds to the evidence that has been submitted with the Application and simply repeats the objection made to the Riverside Optimisation Project EIA Scoping Report, (December 2020, the "**ROP Scoping Report**"), in January 2021. As confirmed at paragraph 4.3.2 of the Planning Statement, the GLA's assertion that its modelling shows that additional recovery capacity is not required, is incorrect.

2.9 The following paragraphs of the Planning Statement present the conclusions of the 'London Environment Strategy Evidence Base', with paragraph 4.3.5 concluding:

'*The GLA's modelling demonstrates that there remains a gap in waste treatment capacity to meet its own targets. This simple fact can be seen from its own modelling, regardless of whether the stated targets are actually met. The GLA's strategy leaves a gap in capacity, whatever form that capacity may take. This does not provide a robust platform for the GLA to assert that no new energy from waste capacity is required in London.*'

2.10 London relies on a substantial quantity of residual wastes to be exported from the capital for either treatment at an energy recovery facility or disposal to landfill. The Applicant has demonstrated that the Application provides an opportunity for residual waste generated in London to be sustainably treated within the capital, at a highly efficient facility that meets all emissions targets, and with the forthcoming CHP connection will exceed the Carbon Intensity Floor ("**CIF**") targets of the London Plan.

2.11 Further, the Applicant has demonstrated in the Application (specifically at Table 4.2 of the Project and its Benefits Report which was originally submitted during the REP DCO examination and was appended to the Planning Statement for this Application) that even if the challenging recycling targets for London are met in full, there is still a need for additional residual waste management infrastructure capacity.

2.12 The Application demonstrates that the basis of the GLA's objection relating to compliance with the waste hierarchy is incorrect and is not corroborated by its own evidence. By contrast, the Applicant demonstrates that ROP does meet the GLA's policy, delivering both renewable/low carbon energy and sustainable waste management.

2.13 As explained from paragraph 4.3.22 of the Planning Statement, delivery of the waste hierarchy is regulated by the Environment Agency. The Applicant also confirms that the consents under which it currently operates RRRF are not subject to a waste hierarchy planning condition and this has not been requested by the LBB. The additional amount of residual waste proposed to be treated at RRRF in the Application is comparatively modest at 65,000 tpa, representing just 8% of the permitted RRRF throughput.

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2.14 As demonstrated in the Planning Statement (particularly sections 4 and 5) ROP is consistent with the development plan; consequently, there is no need to demonstrate a quantitative or market need for the proposed development. Nonetheless, this has been addressed in section 4 of the Planning Statement which demonstrates a policy driven need for additional capacity within London to divert residual waste from landfill (and other facilities located outside of the capital).

2.15 Section 5 addresses all other relevant development management policy, including that in relation to carbon, to confirm the Application complies with it. The most recent government policy (which is reflected in the London Plan and local policy) recognise the role that energy recovery from residual waste should play in both sustainable waste management and the delivery of a renewable/low carbon supply of energy.

2.16 There is therefore no reasonable justification to make ROP, and the whole of RRRF, subject to a waste hierarchy condition.

Impact on waste transfer stations

2.17 Paragraphs 6.50 to 6.55 of the GLA's response relate to the impact of the Application on the four safeguarded riparian waste transfer stations at Smugglers Way, Cringle Dock, Walbrook Wharf and Northumberland Wharf that currently serve RRRF. The response states that '*there is no evidence that the waste transfer stations ('WTS') identified in the s.36 consent (the Port of Tilbury and the four riparian WTS in Greater London) have sufficient capacity to provide the increased waste throughput*' and that they consider these WTSs are already at capacity (paragraph 6.51).

2.18 The GLA raised this point during the REP DCO examination in 2019. At paragraph 6.2.4 and Table 6.1 of Cory's Deadline 5 Submission '*Applicant's response to GLA Deadline 4 Submission'* during the examination, Cory demonstrated that the WTSs have sufficient spare capacity to serve both REP and RRRF. Table 6.1 is copied below:

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Waste Transfer Stations	Tonnes per Annum (tpa) (million) Note: Lowest permitted throughput under planning or permitting	Annual Throughput (tpa) (million) Note: Based 3 Year Average (Tpa 2016 - 2018) (m)	Surplus (tpa) (million)
Smugglers Way- Wandsworth	0.732	0.207	+0.525
Cringle Dock – Battersea	0.308	0.282	+0.026
Walbrook Wharf- City of London	0.175	0.055	+0.12
Northumberland Wharf – Tower Hamlets	0.175	0.124	+0.051
Existing WTSs Sub Total	**1.390**	**0.668**	**+0.722**
Port of Tilbury (site permitted but not operational)	0.075	n/a	+0.075
Existing + Permitted WTSs Total	**1.465**	**n/a**	**+0.797**

2.19 As demonstrated during the REP DCO examination there was 797,000 tpa of surplus capacity at the 4 WTSs and Tilbury. REP, as consented in the REP DCO, has a maximum throughput capacity of 805,920 tpa. Of this, 130,000 tpa can be delivered by road, thus leaving a maximum of 675,920 tpa to be delivered via the 4 WTSs and Tilbury, if REP operates at the maximum capacity. This still leaves a surplus capacity of at least 121,080 tpa available at the WTSs and Tilbury, far exceeding the increased throughput sought in this Application. Furthermore, it should be noted that as explained in the REP DCO examination the nominal design throughout of REP is anticipated to be around 655,000 tpa, which would result in even more surplus being available at the 4 WTSs and Tilbury.

2.20 In terms of the environmental impacts at these WTSs, they operate under their own planning permissions and environmental permits, which in turn have already considered the environmental and traffic impacts associated with the delivery of waste material to them. Furthermore, they do not have any limits placed on them regarding total daily vehicle movements.

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2.21 It is also noted that in the PLA's response to the Application (OBJ13), states that it agrees with Cory's assessment that ROP would not result in significant effects to the navigational safety of the River Thames.

2.22 Cory reconfirms its position as stated in the Application that should ROP be approved, Cory will be able to operate RRRF within the current restrictions as imposed by Condition 6 of the 2017 Permission and is, therefore, not seeking to vary that condition.

Carbon Intensity Floor ("CIF") and compliance with London Plan Policy SI8

2.23 The GLA states that the CIF value for RRRF without ROP is higher than the amount set out in Policy SI8 (paragraph 6.68) and queries why the CIF value is projected to reduce with the inclusion of ROP (paragraph 6.69). The response also states that the Applicant has not set out how RRRF can meet the CIF target in the future (paragraph 6.70) and suggests this should be managed via a condition (paragraph 6.73).

2.24 The Applicant agrees that the CIF value for RRRF (with or without ROP) is above the threshold value of 400 grams of CO2 and states this in paragraph 7.7.13 of the EIA Report. The Applicant also noted, in paragraph 7.7.14 of the EIA Report, that the effective CIF value for the additional capacity would be below 400 gCO2eq/kWh. In short, the CIF value for RRRF is projected to reduce with the inclusion of ROP because RRRF with ROP would be more efficient, as shown in Table 7.7 of the EIA Report.

2.25 Paragraph 5.1.15 of the Planning Statement reflects that RRRF was approved prior to the introduction of CIF in London policy. It is shown in the EIA Report that ROP would, if granted, bring about a reduction in the CIF value of RRRF, an existing facility that has confirmed R1 status (paragraph 4.2.27 of the Planning Statement). It is also confirmed that ROP, of itself, does achieve the target set in London Plan policy SI8 (Planning Statement, paragraph 5.1.14 etc) Further, through the work being undertaken by the Applicant, with Vattenfall, to establish a district heating network, it is clear that the 'demonstrable steps' required under policy S18/E are being made by the Applicant.

2.26 Again, the GLA fails to understand the evidence presented in the Application, and how it delivers London Plan policy. By contrast, LBB raises no objection to the Application. RRRF is already confirmed as achieving recovery status; ROP enables RRRF to operate even more efficiently. The levels of increased efficiency and the consequent carbon reductions achieved through ROP are exactly the outcomes sought in national strategy and development plan policy, including the London Plan.

Air Quality ("AQ") and health implications

2.27 The GLA raises concerns relating to concentrations of PM_{10}, $PM_{2.5}$ and NO_2. Its objection (paragraphs 6.82 and 6.88 – 6.90), states that the Applicant's AQ assessment fails to consider London specific policy requirements (paragraph 6.86), and that they consider the choice of receptors to be poor (paragraphs 6.87 and 6.91 – 6.98).

2.28 At paragraph 6.86, the GLA states that the Applicant's AQ assessment fails to consider the special provisions for London noted in the Air Quality Plan for Nitrogen Dioxide (NO2) in the UK (2017) ("**National Plan for NO2**"). The area to the north of the Thames is recognised in the London Plan as an Opportunity Area (London Riverside). The special provisions for London noted in the National Plan for NO2 comprise a list of measures that the Mayor of London began implementing (in 2017) to achieve compliance by 2025. The air quality modelling presented in Chapter 5 of the EIA Report clearly demonstrates that there will not be a significant impact on potential public exposure to poor quality air within the London Riverside Opportunity Area to the north of the Thames and therefore it is unreasonable and unnecessary for the GLA to expect more stringent limits to be applied in relation to this Application.

2.29 At paragraphs 6.87 and 6.91 – 6.98 the GLA comments on the suitability of receptors used in the assessment, particularly the lack of receptors between the River Thames and B135. The Applicant clarifies that the choice of receptors was considered appropriate for the assessment because they

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are representative of the wide range of properties and settlement types within the study area defined for the air quality assessment.

2.30 In essence, the assessment of significance at each receptor, presented in chapter 5.7 of the EIA Report, takes into account more than simply the numbers of properties impacted. The assessment of the significance of effects also takes into account that ROP does not create an exceedance of an objective or limit value where none was exceeded before, or increase the size of an exceedance area. As stated in the EIA Report at paragraph 5.4.26, this outcome is achieved on the basis of worst-case assumptions being used regarding operational emissions and the size of the RRRF building footprint. The Applicant notes that the extent of the impacts is shown in the contour plots presented in Figures 5.5-5.7 in Appendix B2 of the EIA Report (April 2021), with predicted concentrations shown geographically; consequently, the number of properties affected can be judged by the information provided with the Application.

2.31 The Applicant disagrees with the GLA's assertion that workplaces are relevant locations for long term exposure and consequently receptors between the River Thames and B135 in the industrial area should be considered. Box 1.1 of Defra guidance LAQM.TG(16) (referred to at paragraph 5.2.11 of the EIA Report) makes clear that the objectives apply in relation to people's likely exposure. This can be considered in two categories. Where people are likely to be present for long periods of time, the annual average objective applies and where people are likely to be present for shorter periods of time the 24-hour, 8-hour or 1-hour mean objectives apply. In the case of workplaces, personal exposure is less than 24 hours per day and therefore there would not be exposure over an annual average period.

2.32 The Applicant clarifies that neither the NPPF nor the relevant NPS present specific guidance on what should be considered a relevant receptor; consequently, these locations need to be chosen on the basis of whether people are likely to be present for the relevant averaging period of the objective. It is not appropriate to assess the effects of long term (annual average) exposure to pollution at locations where people would not be exposed for that length of time (i.e. workplaces). Indeed, the London Plan clearly focusses on '…*the extent to which the public are exposed to poor air quality*' (paragraph 9.1.3). Therefore, whilst potential exposure in public areas is a relevant consideration, workplaces are not considered to represent locations of relevant public exposure.

2.33 At paragraph 6.90, the GLA asserts that it is counterintuitive that the marginal increase in NOx emissions (from 28.3 to 28.8g/s in Table 5.6 of the EIA Report) results in marginally lower NO_2 impacts (in Table 5.22 of the EIA Report). The Applicant highlights that Table 5.5 of the EIA Report presents the discharge characteristics which show that the exit velocity of the flue gas increase from 16.6m/s to 18.7 m/s; therefore, slightly improved dispersion is to be expected and the slight decrease in ground level impacts is logical.

2.34 The GLA raises concerns relating to concentrations of PM_{10}, $PM_{2.5}$ and NO_2 in its representation (paragraphs 6.82 and 6.88 – 6.90), focussing on consideration of London-specific target to meet World Health Organisation ("**WHO**") guideline values for $PM_{2.5}$ of 10 µg/m3 by 2030.

2.35 This matter is addressed in paragraph 5.7.4 the EIA Report, which clearly states that:

2.36 "*In terms of PM10 and PM2.5 impacts, the overall PC at discrete receptors due to RRRF post-ROP is presented in Figure 6.5 (Appendix B.1) and Table B.2.1 (Appendix B.2) and does not exceed 0.5% of the relevant EALs and total concentrations are well below the EALs. In relation to the WHO guideline value for PM2.5 (of 10 µg/m3), overall PC at receptors locations would be <0.5% of this guideline. Therefore, based on the IAQM significance criteria the impacts are classified as Negligible*".

2.37 The Applicant considers that the assessment has applied the appropriate legal limits relating to air quality and does not agree that the London-specific target to meet WHO guideline values for $PM_{2.5}$

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of 10 µg/m3 by 2030 has not been considered, nor is it acknowledged that this could result in a moderate or substantial impact.

2.38 In addition to the GLA's representation, other respondents also raised concerns relating to air quality. Objection 001 refers to metallic air pollutants and potential changes to legal limits in the Environment Bill, which is currently progressing through Parliament. The Applicant does not agree that increasing the throughput at RRRF would have a detrimental impact on human health in the area from metallic air pollutants. Chapter 5 of the EIA Report clearly sets out the assessment relating to air quality impacts and at no receptors are there predicted to be significant effects that could affect human health.

2.39 The respondent states that there should be a commitment to making legal air quality targets more stringent. The Applicant confirms that the relevant extant targets have been used in the air quality assessment, and it would be inappropriate for this Application to apply any other targets. The Applicant also refers to the response from Public Health England (see 2.42 below) which states that "*PHE's risk assessment is that modern, well run and regulated municipal waste incinerators are not a significant risk to public health."*

2.40 Objections 003, 006 and the objection from Jon Cruddas MP raise concerns about the health impacts caused by air pollution increasing the incidence of respiratory disease. The Applicant does not agree that increasing the throughput at RRRF would have a detrimental impact on human health in the area. Chapter 5 of the EIA Report clearly sets out the assessment relating to air quality impacts and at no receptors are there predicted to be significant effects which could affect human health.

2.41 Furthermore, the response from Public Health England states that:

2.42 *"…….in general terms we can confirm that Public Health England (PHE) has reviewed research undertaken to examine the suggested links between emissions from municipal waste incinerators and effects on health (https://www.gov.uk/government/publications/municipal-waste-incinerators-emissionsimpact-on-health). PHE's risk assessment is that modern, well run and regulated municipal waste incinerators are not a significant risk to public health. While it is not possible to rule out adverse health effects from these incinerators completely, any potential effect for people living close by is likely to be very small. This view is based on detailed assessments of the effects of air pollutants on health and on the fact that these incinerators make only a very small contribution to local concentrations of air pollutants*."

2.43 The Applicant also notes that Natural England, in its response states that:

"*It is our opinion that the proposed changes to the operation of this scheme will not overly affect any priority areas for Natural England and that the changes will have limited impacts on air quality at designated sites. Therefore we do not object to the proposal.*"

Biodiversity

2.44 Paragraph 6.107 of the GLA's response states that '*to ensure compliance with London Plan Policy G6, any biodiversity offsetting plan imposed by the existing RRRF and the REP DCO permission must be extended to include this application to secure compensatory habitats. This should provide a measurable overall gain of similar types and quality of habitat as that lost as close to the site as possible, as well as a contribution or other suitable mechanism to secure the long-term management of the new habitat*.' The Applicant does not consider this to be relevant for this Application given that there is no physical development proposed on the RRRF site, no loss of biodiversity and no loss of statutory sites of importance for nature conservation that would create the need for the offsetting plan currently in place for the REP DCO to be altered.

2.45 Chapter 6 of the EIA Report assesses the biodiversity impacts of the Application and the assessment concludes there will be no significant effects on biodiversity receptors (see paragraphs 6.7.6, 6.8.10, 6.8.16, 6.8.19, 6.8.24 and 6.8.28). As no significant effects have been identified during the

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assessment of potential effects to biodiversity receptors, the Applicant considers that no further mitigation is required, and therefore no further mitigation is identified in the EIA Report.

Transport

2.46 The GLA states that the Application '*does not consider the transport implications of increasing the power generation of RRRF*' (paragraph 6.115) and that it is not clear whether abnormal loads will need to be transported.

2.47 The Applicant does not agree that the transport implications of increasing the power generation of RRRF have not been considered. The transport implications of ROP were considered within the ROP Scoping Report. As stated in Appendix B of the ROP Scoping Report, it is anticipated that approximately 90 vehicle movements a year (1.73 movements a week) would be required to remove the additional air pollution control residues generated by ROP. Given the limited number of additional movements required, it is not considered that this increase would result in significant effects to the local road network. Consequently, the topic was scoped out of the EIA, a position that was accepted by the Department in paragraph 9 of the Scoping Opinion dated 18 February 2021.

2.48 Additionally, the Applicant clarifies that no abnormal loads need to be transported as a result of ROP.

2.49 Finally, it is noted that Highways England's consultation response states that:

"*Having reviewed the application documents we understand the proposal is not considered to give rise to significant environmental impacts that would impact the Strategic Road Network (SRN) in relation to transport, noise, air quality and / or accidents or safety."*

3. OBJECTION BY UKWIN

3.1 The objection submitted by UKWIN raises a number of points and requests for clarification, which are addressed below.

Parasitic load

3.2 UKWIN requests clarification of how and whether the emissions from the parasitic load were taken into account in the CIF calculation (paragraph 11).

3.3 The Applicant notes that the CIF calculation was carried out using the GLA's Ready Reckoner spreadsheet, as suggested in paragraph 9.8.4 of the London Plan and as stated in paragraph 7.7.12 of the EIA Report. This is appropriate because the CIF threshold is defined by the GLA using the GLA's defined methodology and assumptions. Therefore, the CIF itself should be calculated using the same methodology and assumptions which are built into the Ready Reckoner spreadsheet. While the GLA has commented on the results of the calculation, the GLA has no objections to the calculation itself or the use of its spreadsheet. UKWIN may not be aware of this background and all of its comments on the CIF calculation should be considered in this light.

3.4 The Ready Reckoner spreadsheet does not include an input for parasitic load and the calculation of the CIF is included in a hidden worksheet which, the Applicant understands from the GLA, includes a value for parasitic load. Furthermore, the Applicant can confirm that the carbon emissions associated with the parasitic load are included in the "carbon emissions" output in Table 7.7 of the EIA Report.

Power generation

3.5 UKWIN asks the Applicant to explain the discrepancy between assumed and real-world energy performance (paragraph 16).

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3.6 As stated at paragraph 3.3 above, the Applicant notes that that the CIF calculation was carried out using the GLA's Ready Reckoner spreadsheet. The spreadsheet itself has a limited number of inputs, as many of the parameters are fixed, by the GLA, within the spreadsheet.

3.7 Specifically, the Applicant has set the waste throughput, waste composition (in terms of percentages of waste fractions) and gross electrical efficiency. These are all consistent with the figures in Appendix D to the EIA Report. The GLA Ready Reckoner spreadsheet calculates the energy content of the waste, the power generated, the carbon emissions and the CIF. The Applicant has accepted these calculations without question and reported them in Table 7.7 of the EIA Report.

Carbon Intensity Floor ("CIF") assumptions

3.8 UKWIN asks the Applicant to explain the discrepancy between the historic 454 gCO2eq/kWh and current claims regarding the CO_2 that would be emitted per tonne of waste with additional capacity (paragraph 21).

3.9 As explained above, the figures in Table 7.7 of the EIA Report are taken from the GLA Ready Reckoner, which uses waste composition data provided by the GLA. This means that the calculated carbon emissions cannot be compared directly with the figure from the previous Cory report.

3.10 It would be reasonable to compare the figure of 454 gCO2eq/kWh with the figures presented in the Carbon Assessment (Appendix D to the EIA Report). These are 352,923 tonnes of CO2e released (Table 2) from the combustion of 850,000 tonnes of waste (Table 1), giving 415 kg of CO2e per tonne of waste.

3.11 This is different from the previous assessment because, as explained in section 3.1.1 of Appendix D to the EIA Report: "*Waste composition data has been taken from monitoring data from the RRRF which was published as part of a previous carbon emission assessment for the RRRF. This waste has a NCV of 9.85 MJ/kg. Therefore, the NCV has been adjusted to 9.6 MJ/kg by removing a small quantity of plastics to reflect reductions in plastic usage*."

Comparison with other forms of electricity generation

3.12 UKWIN states that the additional capacity constitutes a high carbon proposal (paragraph 22) and then compares the fossil carbon intensity of RRRF with the fossil carbon intensity of other forms of power generation.

3.13 The Applicant notes that this approach is fundamentally wrong. RRRF carries out two functions, both of which have implications for carbon emissions. It diverts residual waste from landfill and it generates electricity. Therefore, any assessment of the carbon benefits or costs of ROP needs to consider both of these functions, as has been done in the carbon assessment in Appendix D to the EIA Report.

3.14 The Applicant agrees that it could be helpful to compare the carbon intensity of power generated by RRRF with the carbon intensity of power generated by other means. However, the carbon intensity calculation needs to consider the avoided emissions from landfill achieved by ROP, as other forms of power generation, such as CCGTs, wind or solar, do not displace waste from landfill. The calculation also needs to take account of the power that would have been generated if the waste had been sent to landfill. This calculation is set out in section 4.1 of Appendix D to the EIA Report and shows that the effective carbon intensity of the additional power generated by ROP would be -43 $kgCO_2e/MWh$. In other words, there would be net carbon savings associated with the additional power generated. Therefore, UKWIN is incorrect to assert, in paragraph 28 of its objection, that ROP/RRRF is a high carbon technology.

GHG benefits over landfill and the landfill gas capture rate

3.15 UKWIN's objection states that the Applicant should be requested to show what the impact of reduced biodegradability of the biogenic carbon in the feedstock would be for the reduced food waste case (paragraph 46); asserts that the Applicant failed to take into account the impact of biogenic carbon sequestration in landfill (paragraph 47); and states that if supposed errors in the Carbon Assessment

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are corrected they will show the Application performing worse than landfill (paragraph 48). UKWIN also identifies further supposed issues with the Carbon Assessment at paragraphs 52, 56, 63 and 65-75 of its objection.

3.16 In paragraphs 59-62, UKWIN summarises its reasons for claiming that landfill should be given a credit for sequestering biogenic carbon. UKWIN also includes references to other documents. The Applicant does not accept this position, and did not accept the position when UKWIN made similar arguments in its submission on the REP DCO Application. The Applicant's advisor, Fichtner, has responded to this point by UKWIN on numerous occasions and has repeated this response in the paragraphs 3.17 to 3.22.

3.17 In paragraph 61, UKWIN includes a quote from Eunomia's 2006 report for Friends of the Earth and links to a separate document which includes quotes from two further reports from Eunomia (dated 2020 and 2015). The Applicant would like to clarify that the context of the three reports is important:

(a) The 2006 Friends of the Earth report "A changing climate for energy from waste" was written by the Chairman and founder of Eunomia for Friends of the Earth. The quotation represented the author's opinion on the correct treatment of biogenic carbon when comparing EfW with landfill. This opinion has not been generally accepted by relevant authorities or government, although it has remained Eunomia's position (a consultancy business) since then.

(b) The 2010 report was prepared for the European Commission but, again, represents the author's opinion on the correct treatment of biogenic carbon. The lead author from Eunomia was the same as for the 2006 report. As far as the Applicant is aware, the 2010 report did not lead to any changes in the approach to lifecycle assessment.

(c) The 2015 report was again prepared by the same author as the 2006 and 2010 reports. It was commissioned by Zero Waste Europe (a group that opposes the use of EfW) and was specifically intended to attack the approach taken under the United Nations Framework Convention on Climate Change ("**UNFCCC**") to assessing greenhouse gas emissions from the waste sector as part of the national inventories. The UNFCCC reporting guidelines currently mandate the use of the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, which specifically exclude biogenic carbon. As far as the Applicant is aware, neither the UNFCCC nor the IPCC has changed its guidelines in response to the Eunomia report.

3.18 In summary, while these quotations demonstrate that the Chairman of Eunomia has held a consistent position on this point since 2006, and that UKWIN agrees with this position, the quotations do not support a change in approach by the relevant carbon authorities.

3.19 In paragraph 62, UKWIN states that similar views have been expressed in the academic literature, but provides only one reference to an article published in the Journal of Industrial Ecology in January 2012. UKWIN provides a link to "a version of this paper", which makes it clear that the article is based on the PhD thesis of Annie Levasseur of the University of Montreal in which Ms, now Dr, Levasseur proposes a new approach to biogenic carbon in dynamic life cycle assessment. While this is an interesting thesis, the Applicant does not consider that it represents "the academic literature".

3.20 The Applicant also notes that the conclusion of the thesis is counterintuitive. The thesis considers the case study of the use of a wooden chair over 100 years, and it concludes from a climate change perspective, it would be preferable to landfill the chair at the end of its life or to burn it with energy recovery, rather than refurbishing the chair. Dr. Levasseur's conclusion does not match the waste hierarchy, in promoting disposal or recovery over reuse.

3.21 In paragraphs 63-64, UKWIN disputes the suggestion that a combination of 50% sequestration and 68% landfill gas capture rate is conservative, but does not appear to understand the point being made, which is that the two assumptions interact.

3.22 Section 6.3 of the Defra Report titled, "Energy Recovery from Residual Waste – A carbon-based modelling approach", ("**the Defra 2014 Report**"), read as a whole and attached as Appendix A,

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clearly indicates that the authors did not recommend that the potential carbon sink effect be included, as explained below:

(a) While the impact of the sequestration effect on the carbon model was considered in paragraphs 172-184, the Defra 2014 Report notes that there was considerable uncertainty around the calculation. Paragraph 179 states:

"A range of different values exist in the literature for the amount of biogenic carbon that is sequestered in landfill. The baseline assumptions used in this model result in a very high level of sequestration, around 53% for the baseline composition. The outcome will be sensitive to the level of sequestration in two ways. Reducing the level of sequestration will require less biogenic carbon to be included in the EfW side of the model and will also result in more methane being emitted from the landfill side. Both factors will favour EfW over landfill."

(b) In the Carbon Assessment (Appendix D of the EIA Report), the Applicant has used a sequestration rate of 50%, which is considered to be a conservative assumption. The UK Government report titled, "Energy from Waste – A Guide to the Debate" (2014) suggests that up to half of the biogenic carbon would be sequestered.

(c) Paragraph 184 of the Defra 2014 Report concludes that further work is required to understand sequestration levels:

"There is an additional complicating factor regarding the assumptions around sequestration levels. The proportion of landfill gas captured is difficult to measure directly so assumed levels have previously been derived from a combination of measurement of the amount of landfill gas captured as a proportion of the amount modelled as being produced. However, the modelling for this also contains assumptions on sequestration. Therefore, any lowering in the sequestration assumptions will also inherently reduce the assumed level of landfill gas capture. This interaction has not been captured in the above analysis. As a result the scenarios outlined above will be particularly sensitive to sequestration levels with any drop in assumed sequestration significantly favouring EfW over landfill. Given all of these interactions there is a high degree of uncertainty and further work is required."

(d) The Applicant considers this section of the Defra 2014 Report, taken as a whole, provides an explanation that the assumed landfill gas capture rates in the Defra 2014 Report are based on a high sequestration rate, which may not be correct, and is at the higher end of rates in the literature (as stated in paragraph 179). If the sequestration rates are lower, then more landfill gas is being generated than expected and so the capture rates would be lower, making the impact of landfill considerably worse. Hence, the approach used in the Defra 2014 Report and in the Carbon Assessment submitted as part of the Application (i.e. using high sequestration and landfill gas capture rates and not giving an additional credit for sequestered carbon) is considered to be conservative, in that it will tend to favour landfill over EfW facilities.

3.23 In paragraphs 76-82 of its objection, UKWIN questions whether the assumption that 50% of the biogenic carbon will be sequestered is conservative. The Applicant has evaluated the sequestration rate that would be expected using the Decomposable Organic Carbon Content (DDOC) figures from Melmod, as reported in "Review of Landfill Methane Emissions Modelling (WR1908)".

(a) For the base case, the sequestration rate would be 44.7%.

(b) For the reduced food case, the rate would be 46.4%.

(c) For the future waste case, the rate would also be 46.4%.

3.24 Therefore, while UKWIN is correct to state that the sequestration rate is higher if food waste is removed, it can be seen that the assumption of 50% is conservative in all three cases. As requested by UKWIN, the Applicant has recalculated the benefit of ROP for the reduced food case using the calculated sequestration rate of 46.4%. The benefit increases from 20,722 tCO_2e/annum (as stated in Table 17 of Appendix D) to 23,197 tCO_2e/annum.

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3.25 UKWIN suggests in its response that the biodegradability of waste would be reduced using mechanical biological treatment ("**MBT**") before sending the residues to landfill (paragraph 84). The Applicant is not aware of any plans for new MBT plants in London and the Defra report "The Economics of Waste and Waste Policy" which UKWIN references is now over 10 years old; this objection from UKWIN is not considered to be relevant.

Use of CCGT as the energy generation counterfactual

3.26 UKWIN asserts that given the shift to renewable energy sources, CCGT is not the appropriate energy counterfactual and it is more likely EfW will be displacing wind and solar (paragraph 91).

3.27 The Applicant maintains its position (explained at section 3.1.3 of Appendix D and 3.14 above) that CCGT is an appropriate counterfactual for an EfW plant operating at present, as RRRF is. EfW facilities are continuing to obtain capacity market contracts, in direct competition with fossil-fuel generation, as can be seen in the capacity market auction results available from https://www.emrdeliverybody.com. As an example, EfW facilities secured 74 MW of capacity (4.5%) in the T1 Delivery Year 2021/22 auction and 629 MW of capacity (5%) in the T4 Delivery Year 2024/5 auction, both conducted in March 2021.

3.28 UKWIN asserts in paragraph 94 of its objection that "*BEIS grid displacement factors which are lower than 280g (the lowest grid displacement factor considered in the application) are regularly considered as part of the consideration of the impacts of waste incinerators*" and quotes two examples of assessments by Fichtner. However, the lowest grid displacement factor used in this assessment is 205g, as UKWIN noted in the previous paragraph, so UKWIN's assertion is incorrect. In any event:

(a) the lowest factor used for the Portland ERF assessment referred to in paragraph 94 was 230g, which is higher than 205g; and

(b) the carbon assessment for the Alton plant also referred to in paragraph 94 included a lifetime assessment rather than a specific sensitivity assessment. This used the long run generation-based marginal grid displacement factors, which were also used in the lifetime assessment for ROP, and in both cases this was for illustrative purposes only.

4. KEY CONCERNS RAISED BY OTHER CONSULTEES

4.1 The Applicant also makes the following representations in response to points raised by other consultees.

Air Quality and health implications

4.2 A number of consultees raised concerns about air quality impacts and the potential health implications of the Application proposals.

4.3 As per the response in 2.27 to 2.43 above, the Applicant does not agree that increasing the throughput at RRRF would have a detrimental impact on human health in the area. Chapter 5 of the EIA Report clearly sets out the assessment relating to air quality impacts and at no receptors are there predicted to be significant effects which could affect human health.

4.4 Furthermore, as referred to above, the response to the Application from Public Health England states that "*PHE's risk assessment is that modern, well run and regulated municipal waste incinerators are not a significant risk to public health."* (see 2.42 above)

The need for the Application

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4.5 A number of consultees queried the need for the Application, notably the GLA that queried whether there was a need for increased energy from waste capacity in London in the context of the Mayor's recycling targets and carbon reduction proposals.

4.6 The policy driven need for ROP is set out at section 4 of the Planning Statement and the London Waste Strategy Assessment ("**LWSA**"), annexed to the Planning Statement and originally prepared for the REP DCO. In short, the LWSA takes current waste arisings and applies development plan targets for its management; this includes both a forecast reduction in the amount of waste generated and a forecast increase of the amount recycled. Existing residual waste treatment capacity is subtracted and the amount remaining is the remaining need for new capacity.

4.7 A number of different scenarios were considered within the LWSA, to accommodate the different policy positions presented by the GLA in its policy and strategy documents and to consider the different effects of London continuing to export its waste to facilities outside of the capital or achieving the stated policy of 100% self-sufficiency by 2026.

4.8 The LWSA demonstrates that should London meet its core waste strategy targets of reduced waste arisings, increased waste recycling, all treatment of London's waste in London, there remains a need for c.1 million tpa of residual waste management capacity within London.

4.9 This outcome is important to ROP because the nominal capacity for REP is 655,000 tpa. The demonstrated need for an additional c.1 million tpa residual waste management capacity both exceeds the throughput aligned to REP and the additional throughput proposed through ROP (65,000 tpa). This outcome is presented in Figure 4.1 of the Planning Statement.

4.10 The Planning Statement confirms that even assuming a recycling level of 80% within London's commercial and industrial waste is achieved, there remains a need for new residual waste treatment capacity. This demonstrates the robust nature of the policy driven need case that has been set out.

4.11 Furthermore, the Planning Statement provides evidence to demonstrate that a strong network of energy recovery infrastructure complements good levels of recycling (see paragraph 4.3.20). This is seen across mainland Europe and within England, where the highest recycling rates are achieved by the local authorities who also utilise energy from waste capacity.

4.12 As confirmed at paragraph 4.3.21 of the Planning Statement, this is also demonstrated within LBB. Since 2008-09, the Borough has achieved the highest household recycling rate across London, consistently achieving over 51%. LBB's residual wastes go to RRRF for treatment, demonstrating that materials recovery and energy recover work well together.

The Climate Change Committee's Sixth Carbon Budget

4.13 UKWIN's response refers to the Climate Change Committee's Sixth Carbon Budget, published in December 2020 (see paragraphs 33 – 45), as does Objection 006. At paragraphs 34 and 35 respectively, UKWIN quote the 'Policies for the Sixth Carbon Budget Report'[3] and the 'Local Authorities and the Sixth Carbon Budget'[4] report, both of which recommend that carbon capture and storage be retrofitted at existing energy from waste facilities. UKWIN then state at paragraph 36 that '*the applicant does not include Carbon Capture and Storage (CCS) within their proposed development, nor are they proposing a planning condition requiring the use of CCS within a specified timeframe.*'

4.14 The Applicant would like to clarify that the recommendations of the Sixth Carbon Budget are recommendations only and do not comprise a change in law or policy. The Statutory Instrument that was before Parliament simply specified a new carbon budget for the 2033 – 2037 budgetary period of 965,000,000 tonnes of carbon dioxide equivalent.

[3] https://www.theccc.org.uk/wp-content/uploads/2020/12/Policies-for-the-Sixth-Carbon-Budget-and-Net-Zero.pdf
[4] https://www.theccc.org.uk/publication/local-authorities-and-the-sixth-carbon-budget/

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4.15 As such, there is currently no requirement for the Application to include proposals for carbon capture and storage at RRRF. The Government's press release of 20 April 2021 in response to the recommendations of the Sixth Carbon Budget stated the following, making it clear that it in making legislative and policy changes it will not follow each of the Climate Change Committee's specific recommendations:

'The government will look to meet this reduction target through investing and capitalising on new green technologies and innovation, whilst maintaining people's freedom of choice, including on their diet. That is why the government's sixth Carbon Budget of 78% is based on its own analysis and does not follow each of the Climate Change Committee's specific policy recommendations.'[5]

The UK is bringing forward bold blueprints setting out its own vision for transitioning to a net zero economy and how the government can support the public in transitioning to low carbon technologies, including publishing the Heating and Building Strategy and the Transport Decarbonisation Plan later this Spring."

4.16 As a result, there was simply an indication that policy would follow the announcement in the future, but also an express statement that the Government was not minded to follow the recommendations of the CCC as to the policies that will ensure the 6th Carbon Budget and Net Zero target are met.

Breach of current planning permission for RRRF

4.17 Objections 002, 003, 004 and 005 state that RRRF is in breach of its current planning permission with respect to tree planting around the site. Objection 006 also highlights the lack of trees around the site.

4.18 RRRF has been constructed and operated wholly in accordance with the consents granted and the associated conditions. Details regarding soft landscaping on site (including tree planting) were approved by LBB on 25 September 2007; details that have been implemented and maintained as approved.

4.19 As outlined below in the section titled '*Socio-economic impacts*', Cory is a good employer and a good neighbour, providing opportunities for the local community to learn new skills, knowledge and confidence. In 2018, Cory donated £125,000 to secure the future of Crossness Pumping Station as a local community asset. The Crossness Pumping Station is a Grade 1 listed industrial heritage site, designed as part of the first sewage system for London

Green barges

4.20 Objections 002, 003, 004, 005 state that transportation of waste by barge along the River Thames, as currently takes place at RRRF and as would continue to take place were the Application granted, is not green. The Applicant would like to clarify that this is not a correct assertion to make: firstly, the use of river transport is itself sustainable; and secondly, the Applicant recently converted all of its tugs to biofuel.

4.21 Cory has been operating on the River Thames since the company's incorporation 125 years ago in 1896. The River Thames is used to transporting non-recyclable waste on barges using tugs via riverside transfer stations in Wandsworth, Battersea, the City of London and Tower Hamlets, with the current fleet of tugs responsible for transporting more than 1 million tonnes of recyclable and non-recyclable waste per year. The Applicant's use of the river to transport waste is unique in the UK and saves 100,000 truck movements annually (Reference: A Carbon Case for Energy, 2017, endorsed by The Carbon Trust[6]). The use of the river to transport both waste and incinerator bottom ash

[5] https://www.gov.uk/government/news/uk-enshrines-new-target-in-law-to-slash-emissions-by-78-by-2035
[6] https://www.ice.org.uk/ICEDevelopmentWebPortal/media/Documents/Disciplines%20and%20Resources/Case%20Studies/Cory-Riverside-Energy-A-Carbon-Case.pdf

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minimises road vehicle use, providing a significant benefit to London's overall air quality, reducing congestion on London's roads and decreasing carbon emissions.

4.22 As a river-based business, the Applicant is proud to support the growth of the Thames economy and the wider inland waterways sector. In the context of London's growth, sustainable use of the River Thames is vitally important. As the city's population grows, the Mayor of London and Transport for London (not least as set out in its 2019 Freight and Servicing Action Plan) are committed to reducing road freight to:

(a) Ease congestion, including its economic burden (congestion cost £9.5 billion in 2017);

(b) Make roads safer – HGVs account for a disproportionate number of deaths or serious injuries; and

(c) Reduce emissions resulting from road use.[7]

4.23 Increased use of river freight is key to achieving these goals. Firstly, it is safer, cleaner and has less impact on the road network and street environment. The Port of London Authority estimates that achieving four million tonnes a year of intra-wharf freight will remove 400,000 HGV trips from London's roads.[8]

4.24 In June 2021, the Applicant switched its fleet of tugs to run on biofuel. The move follows successful trials that have resulted in a reduction of net carbon dioxide emissions by 90% – a major step in decarbonising the company's river operations and transport on the Thames as the UK targets net zero greenhouse gas emissions by 2050. The biofuel, hydrotreated vegetable oil ("**HVO**"), will bring additional air quality benefits – reducing nitrous oxide (NOx) and particulate matter emissions by 19% and 21% respectively. HVO is produced from waste materials such as used cooking oil and waste fats, which do not release any new carbon dioxide into the atmosphere. The effective use of waste is consistent with the Applicant's broader business approach, to ensure there is no waste from waste.

Transport

4.25 A number of objectors other than the GLA and UKWIN raised the issue of increased road transport as a result of the Application.

4.26 As per the response at 2.46 to 2.49 above, the Applicant does not agree that the transport implications of increasing the power generation of RRRF have not been considered. The transport implications of the project were considered within the ROP Scoping Report. As stated in Appendix B of the ROP Scoping Report, it is anticipated that approximately 90 vehicle movements a year (1.73 movements a week) would be required to remove the additional APCR generated by ROP. Given the limited number of additional movements required, it is not considered that this increase would result in significant effects to the local road network. Consequently, the topic was scoped out of the EIA, a position that was accepted by the Department.

Socio-economic impacts

4.27 Objection 001 and Jon Cruddas's MP's objection letter state that the Application will serve to increase inequality in this area of South East London due to the effects of ROPA exacerbating health inequalities.

4.28 This clarification note has previously responded in regard to health impacts, including reference to PHE's representation of no objection to ROP – see sections 2.27 to 2.43 above.

4.29 The representations received provide no justification for the claim that ROP will increase inequality in the area. In fact, the Applicant is active within the local community, both as a local employer and also in contributing to a range of initiatives that raise awareness and understanding of STEM topics,

[7] https://content.tfl.gov.uk/freight-servicing-action-plan.pdf
[8] Ibid. See p.88.

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waste and resource management. These initiatives provide opportunities to the local community, and actively help to address inequality through education and enabling young people to learn key skills that will aid their employability in the future.

4.30 These initiatives include the Industrial Cadets, the Engineering for a Cleaner World programme with Crossness Power Station and Bexley Eco-Fest with LBB. Cory also welcomes thousands of people from local schools and community groups to tour its facilities every year. The tours seek to raise awareness of responsible waste management and the circular economy.

(a) **Industrial Cadets** is a structured framework; giving 11–19-year-olds the opportunity to participate in industry-based activities, develop their personal skills and raise awareness of career opportunities. Employers delivering accredited programmes are able to develop a structured approach to their talent pipeline. Cory actively engages with this initiative.

(b) The **Engineering for a Cleaner World** programme gives year eight pupils the opportunity to visit Crossness and Cory sites and compare, contrast and assess the effectiveness of their engineering solutions to waste management. The programme is run jointly by Cory and Crossness Pumping Station to demonstrate innovation in the waste management sector and inspire local school children to consider careers in engineering. Following an introduction to the programme, pupils visit both the Crossness Pumping Station and Cory's RRRF. The programme concludes with pupil presentations of their own mechanical devices to earn a certificate from the Engineering Development Trust.

(c) The **Bexley Eco-Fest** provides tips and resources for living more sustainable lives, reducing environmental impact and getting more involved in the local community. Residents can show how they had put the tips into action by participating in Cory's Community Eco Challenge, which offers prizes for the most engaging, innovative and inspiring eco-friendly upgrades people have made to their homes. Cory sponsors the annual event, and is pleased to continue this support.

4.31 Cory offers apprenticeships to its staff, enabling them to progress their knowledge and skills through their career with the company.

4.32 In July 2021, it was confirmed that the Applicant had been re-accredited as an Investor in People ("**IIP**"). The status is recognised as an important, independent assessment of what the company needs to do to help its employees to thrive. The confirmation of accreditation was achieved following a robust process which included an all-employee survey, interviews with the CEO and over 25 one-to-one interviews with people from all areas of the business. The company's policies, procedures, benefits and systems were also measured against the IIP's framework.

4.33 The Applicant is committed to making its operations at Norman Road a desirable place to work, attractive to a diverse workforce, and offering sustained career progression prospects.

5. IMPLICATIONS OF THE NEWLY PUBLISHED NPPF

5.1 On 20 July 2021, the National Planning Policy Framework ("**NPPF 2021**") was revised. As with its predecessors, it does not address waste related developments directly, but does provide strategic policy for energy. The key change is an increased focus on design quality, not only for sites individually but for places as a whole. Terminology used in NPPF 2021 is more precise on priorities of protecting and enhancing the environment and promoting a sustainable pattern of development.

5.2 The Planning Statement refers to a number of paragraphs in the previous NPPF. To assist with the Department's review of the Planning Statement, the Applicant has compared the previous NPPF to the NPPF 2021 and has noted the changes below. The Applicant considers that there is no substantive change to policy to warrant any update to the Planning Statement nor the flood risk assessment that is incorporated within it:

(a) 8/c - this remains as 8/c within NPPF 2021. Whilst it is amended, the language in NPPF 2021 is more precise, but does not change the policy objective;

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(b) 38 – remains as 38 within NPPF 2021, the text is not changed;

(c) 80 – renumbered to paragraph 82 in NPPF 2021, the text is not changed;

(d) 109 – renumbered to paragraph 111 in NPPF 2021, the text is not changed;

(e) 117 – renumbered to paragraph 119 in NPPF 2021, the text is not changed;

(f) 118/a&d - renumbered to paragraph 120 in NPPF 2021, the text is not changed;

(g) 148 - renumbered to paragraph 152 in NPPF 2021, the text is not changed;

(h) 149 - renumbered to paragraph 153 in NPPF 2021, the text is not changed;

(i) 151 - renumbered to paragraph 155 in NPPF 2021, the text is not changed;

(j) 153 – renumbered to paragraph 157 in NPPF 2021, the text is not changed;

(k) 154 - renumbered to paragraph 158 in NPPF 2021, the text is not changed;

(l) 160 - renumbered to paragraph 163 in NPPF 2021, Whilst it is amended, the language in NPPF 2021 is more precise, but does not change the policy objective;

(m) 161 – renumbered to paragraph 164 in NPPF 2021, the text is not changed;

(n) 162 - renumbered to paragraph 165 in NPPF 2021, the text is not changed;

(o) 170/d - renumbered to paragraph 174 in NPPF 2021, the text is not changed;

(p) 181 - renumbered to paragraph 186 in NPPF 2021, the text is not changed; and

(q) Introduction of a new Annex 3, which reconfirms energy generating stations to be essential infrastructure and waste facilities such as ROP to be less vulnerable.

6. CONCLUSION

6.1 The principle of the Application is the optimised operation of RRRF, realised through an increased annual fuel input and increased energy output. The proposed development will not require any built form or even any external physical change to an existing consent. Instead, it is seeking permission to amend the consents that RRRF currently operates under in order to realise improved efficiency that can be achieved through utilising technological upgrades.

6.2 Even with substantial change across the energy sector, increased efficiencies in energy supply, and a dramatic decrease in greenhouse gas emissions associated with the UK's former reliance on coal, there remains an urgent and significant demand for more renewable/low carbon electricity supply, and preferably plant that can also supply a heat network.

6.3 ROP is a demonstration of private investment seeking to optimise a proven decentralised electricity generating station, enabling policy priorities to be realised at a site already in operation and demonstrated to bring net benefits in carbon terms.

6.4 RRRF is demonstrated to sit at the correct level of the waste hierarchy; it is a recovery operation, not disposal and therefore sits above landfill. ROP consequently diverts residual waste from landfill, the likely destination for such wastes after practicable opportunities for recycling. Evidence submitted to the REP DCO examination and discussed at section 4.3 of this Planning Statement shows that, even following consent for REP, there remains a policy driven need for new residual waste management

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capacity to sustainably manage those wastes that remain after high recycling targets are assumed to have been met.

6.5 The most recent government policy and public statements recognise the role that energy recovery from residual waste should play in both sustainable waste management and the delivery of a renewable/low carbon supply of energy.

6.6 RRRF, already successfully operating, will be even more efficient following the implementation of ROP and will continue to provide London with a decentralised energy source and a reduction in the city's carbon emissions.

6.7 Of key importance to the Government's 2050 net zero carbon target is the assessment of climate change within the EIA Report. The assessment shows that ROP would lead to the release of 10,331 tCO2e per year but would avoid the release of 39,477 tCO2e per year from landfill. Hence, the net benefit of ROP would be a reduction in greenhouse gas emissions of 29,146 tCO2e per year. The sensitivity of this result to changes in waste composition, landfill operation and the type of electricity displaced has been assessed in the EIA Report and ROP continues to have a net benefit under all scenarios.

6.8 The EIA Report presents a series of comprehensive assessments undertaken to consider those topics for which the potential for significant environmental effects had been identified through the scoping process. The topics considered are air quality (including human health); biodiversity; climate change; and accidents and disasters. None of the predicted effects, either alone or cumulatively, are concluded to be significant; there is no significant adverse environmental impact identified as a result of ROP.

6.9 The planning balance in this application is demonstrably in favour of approving the proposed development.

6.10 We are grateful for the Department's cooperation to date and look forward to hearing the outcome of the Application. Should the Department require any further points of clarification, we would be happy to provide them.