

## **Appendix A.3 BEIS EIA Scoping Opinion**



Department for  
Business, Energy  
& Industrial Strategy

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Your ref: 119434068.1\rt34\657629.070 27

Our ref:

18 February 2021

Dear Mr Wilkinson,

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)  
(ENGLAND AND WALES) REGULATIONS 2017 – REQUEST FOR A  
SCOPING OPINION**

**THE ELECTRICITY GENERATING STATIONS (VARIATION OF CONSENTS)  
(ENGLAND AND WALES) REGULATIONS 2013**

**RIVERSIDE RESOURCE RECOVERY FACILITY (“RRRF”), NORMAN ROAD,  
BELVEDERE, KENT**

1. I refer to your letter of 18 December 2020 requesting an environmental impact assessment (“EIA”) scoping opinion from the Secretary of State under Regulation 18 of the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017. Your letter also contained an EIA scoping report entitled “Riverside Optimisation Project” prepared by Santec UK Limited dated December 2020. The scoping report sets out the further environmental information that Cory Environmental Holdings Limited (“the Applicant”) intend to provide in support of its proposed variation to the original consent for the RRRF energy from waste facility granted on 15 June 2006 and subsequently varied in March 2015. It also provides details of the topics to be scoped out of the EIA. The Applicant is currently operating the RRRF under the varied 2015 consent and a



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planning permission issued by the London Borough of Bexley in October 2017 (the “2017 Permission”).

2. It is noted that the proposed amendment sought to the 2015 Section 36 consent will be to amend the power generation description of the RRRF to increase the stated maximum capacity from up to 72MW capacity to up to 80.5MW capacity.
3. The Applicant also intends to request that the Secretary of State gives a direction under section 90(2) of the Town and Country Planning Act 1990 to amend the tonnage restriction in Condition 4 of the 2017 Permission, to increase the maximum waste throughput from 785,000 tonnes per annum to 850,000 tonnes per annum.

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4. The Secretary of State carried out a consultation exercise on the scope and level of detail of environmental information to be contained within the EIA Report when it is submitted by the Applicant with its section 36C variation application. The Applicant has submitted to the Secretary of State a Scoping Report that proposes which areas require review to assess the potential for likely significant environmental effects. The areas identified by the Applicant are air quality, biodiversity and climate change. It has also stated that the proposed variation application will include a carbon assessment.
5. The responses received have been taken into account in the preparation of this scoping opinion, to which the Applicant should refer in undertaking the EIA. These have been provided to you after the consultation period closed. The Secretary of State received responses to his consultation from Historic England, Friends of Crossness Nature Reserve, the Health and Safety Executive, Highways England, the London Borough of Bexley, the Greater London Authority, the Port of London Authority, and the London Borough of Tower Hamlets.
6. The Secretary of State considers that the key issues which have been identified in the Scoping Report should properly be included in the further environmental information document (or, as appropriate, also covered in the section 36C variation application).
7. However, in respect of the issues identified that have been scoped out, the Secretary of State considers that, although not proposed for inclusion by the Applicant, Accidents and Disasters should be included and assessed within the further environmental information document as highlighted in the consultation responses from the London Borough of Bexley and the Health and Safety Executive.



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8. The Secretary of State is satisfied that the issues that have been scoped out, other than Accidents and Disasters, do not need to be included in the Applicant's EIA.
9. In respect of air quality, the Secretary of State is satisfied with the Applicant's proposal to assess the impacts of stack emissions in the Air Quality Assessment within the EIA report. The Secretary of State does not consider it necessary to have the impact of HGV movements included within the Air Quality Assessment within the EIA report given that the anticipated road traffic increase is minimal, with two additional HGVs anticipated per week.
10. The Secretary of State does, however, wish to draw the Applicant's attention to the Greater London Authority's views set out in its response, together with the comments from London Borough of Tower Hamlets which the Applicant may wish to consider.
11. It has been noted by the Secretary of State that the following designated sites (i.e. Special Areas of Conservation ("SAC") and Sites of Special Scientific Interest ("SSSI") are within 15 kilometres of the proposed development:
  - Epping Forest SAC;
  - Inner Thames Marshes SSSI;
  - Ingrebourne Marshes SSSI;
  - Oxleas Woodlands SSSI;
  - West Thurrock Lagoon and Marshes SSSI;
  - Ruxley Gravel Pits SSSI;
  - Darenth Wood SSSI;
  - Grays Thurrock Chalk Pit SSSI;
  - Epping Forest SSSI;
  - Hainault Forest SSSI;
  - Farningham Wood SSSI;
  - Hangman's Wood & Deneholes SSSI;
  - Curtismill Green SSSI;
  - Crofton Woods SSSI; and
  - Thorndon Park SSSI.
12. The Applicant's attention is drawn to the consultation response from the London Borough of Bexley, who noted that the following SSSI and locally designated sites should also have been included in the list of identified biodiversity receptors. The Secretary of State therefore requests that the Applicant takes the following receptors into account in its EIA:
  - Lesnes Abbey Wood (SSSI);
  - M015 Lesnes Abbey Woods and Bostall Wood site of Metropolitan Importance for Nature Conservation; and
  - BxBI03 Franks Park (Ancient Woodland).



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13. The Secretary of State has considered the information within the supplied documentation and consultation responses received and is of the opinion that the environmental information included in the Applicant's Scoping Report plus the addition of the matters at paragraphs 7 and 9 above, will be sufficient for the Applicant to submit an EIA alongside its section 36C variation request.
14. The Secretary of State would like to make the Applicant aware that when submitted, the Section 36C variation application and supporting documents (if accepted) will need to be advertised, consulted upon, an opportunity given for representations to be made and will be subject to further analysis. This could also include a request under Regulation 25 of the 2017 Regulations for further environmental information following consultation if deemed necessary at that stage.
15. Please do not hesitate to contact me should you have any queries about the opinion expressed above.
16. I am copying this letter to consultation respondees identified at paragraph 5 above. The Secretary of State's Scoping Opinion will also be published on the Department's Energy Infrastructure Decision page of GOV.UK here: <https://www.gov.uk/government/collections/energy-infrastructure-development-applications-decisions>

Yours sincerely,

Denise Libretto

Head of Planning,  
Energy Infrastructure Planning