

Application by Sembcorp Utilities (UK) Limited for an Order Granting Development Consent for the Proposed Tees CCPP Project

The Examining Authority's Written Questions and Requests for Information (ExA WQs)

Issued on Wednesday 18 April 2018

The following table sets out the Examining Authority's (ExA's) Written Questions in relation to the proposed Tees CCPP Project. Responses are required by **Deadline 2 in the Examination Timetable, Wednesday 16 May 2018**. Please note that if this deadline is missed the ExA is not obliged to take account of your response.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of **Friday 9 March 2018**. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and Other Persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. If the answer to a question is set out in, for example, a statement of common ground (SOCG) then a cross reference to where the issue is addressed is acceptable.

This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 1 (indicating that it is from ExA WQ1) and then has an issue number and a question number. For example, the first question on Air Quality and Emissions is identified as ExA WQ1.1.1. When you are answering a question, please start your answer by quoting the unique reference number. If you are responding to a small number of questions, answers in a letter will suffice.

In some areas there may be a degree of overlap between the answers to questions and it is acceptable to provide a single answer which responds to multiple questions or answer questions individually and provide cross references between multiple answers where appropriate. If you do so, please use all number references and ensure all elements are addressed. It was noted at the Preliminary Meeting that there may also be some overlap with the Agenda items set out in Annex G of the Rule

6 letter dated 9 March 2018. Where there is such overlap, the ExA does not require separate answers, but requests that the respondent ensures that ALL issues identified in the Written Questions and in Annex G are covered in the written submissions due by Deadline 2. Responses should also address implications of the proposed change to the development which the Applicant outlined at the Issue Specific Hearing on 10 April 2018 (i.e an increase in the height of the turbine hall).

If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact TeesCCPP@pins.gsi.gov.uk.

Responses are due by **Wednesday 16 May 2018**

Ref No.	Respondent:	Question:
1	Air Quality and Emissions	
Q1.1.1	Applicant	<p>Paragraph 7.8 of the Environmental Statement (ES) [APP-049] states that emissions from the short term use of auxiliary boilers are negligible and only contribute 3% of the total oxides of nitrogen (NO_x) emissions.</p> <p>Please explain the use of auxiliary boilers and how this scale of emissions has been determined.</p>
Q1.1.3	Applicant	<p>Paragraph 7.13 of the ES [APP-049] describes the impacts on sensitive human receptors as being focused on the maximum off-site impacts, impacts at the nearest sensitive receptor locations, and impacts at locations with '<i>elevated baselines</i>'.</p> <p>Please clarify how elevated baselines have been determined.</p>
Q1.1.4	Applicant Environment Agency	<p>Paragraph 7.30 of the ES [APP-049] states that '<i>At the Permitting stage consideration will need to be given to whether the Project will need to comply with BAT AELs</i>'. [Best Available Technology Associated Emission Levels]</p> <p>As the permitting process is separate from the DCO process, could the design proposed in the DCO application require any other technologies or emission control measures (ie that are not assessed in the ES/ Habitats Regulations Assessment (HRA) report) in order to achieve BAT?</p>
Q1.1.5	Applicant EA	<p>In Table 7.1 of the ES [APP-049] the Environment Agency (EA) commented that an Environmental Permit will be required. The Applicant's response was that the EA had indicated that it was not unlikely that the EA would issue a permit.</p> <p>Can the Applicant please provide evidence to confirm that the EA has no major permitting concerns and the necessary Environmental Permit is therefore capable of being granted?</p>

Ref No.	Respondent:	Question:
Q1.1.6	Applicant EA	<p>As set out in Table 7.1 of the ES [APP-049] the EA commented that the Predicted Environmental Concentration/Critical Load (PEC/CL) is greater than 100% at 7 habitat locations. This is because the data is dominated by high background levels which the applicant noted is not due to project contributions which are an output of the dispersion modelling. Nevertheless, as acknowledged in paragraph 7.85 of the ES the issue for ecosystems is the possibility that the deposition rate of acid or nutrient nitrogen may be in excess of the amount that the ecosystem can tolerate ie the critical load.</p> <p>Please clarify.</p>
Q1.1.7	Applicant	<p>Why have the PEC and PEC/CL (%) metrics generally not been presented in the context of each designated site in Tables G1.4-G1.7 of Annex G1 [APP-073] and Tables 1-4 of the HRA report [APP-076]?</p> <p>In the case of many of the identified receptors, background conditions are already in excess of the critical loads/levels. The Applicant should provide updated versions of Tables G1.4-G1.7 and Tables 1-4 which populate the PEC and PEC/CL (%) metrics.</p> <p>Please also check that the tables in the HRA report (e.g. Appendix A (Table 1) and Table H2.1) as some of these appear to be missing title headers, and update as necessary.</p>
Q1.1.8	Redcar and Cleveland Borough Council Applicant	<p>In Table 7.1 of the ES [APP-049] Redcar and Cleveland Borough Council (RCBC) identified that Dormanstown air monitoring station had seen some 1 hour NOx '<i>spike</i>' concentrations.</p> <p>Why do you consider that this might have occurred and what effect would it have on nitrogen dioxide (NO₂)?</p> <p>RCBC indicated a spike of up to 200ug/m3 whilst the applicant indicated 93.7. Why is there such a difference?</p>
Q1.1.9	Applicant	Paragraph 7.82 of the ES [APP-049] states that the sensitive human receptors set out in Table 7.12

Ref No.	Respondent:	Question:
		are shown in Figure 7.3. In fact the receptors shown in Figure 7.3 are reflective of those presented in Table 7.14 rather than Table 7.12. Please clarify.
Q1.1.10	Applicant	Whilst acknowledging that the majority of land uses to the north of the application site, as described in paragraph 7.83 of the ES [APP-049] are industrial, why did the assessment not consider the nearest sensitive human receptors to the north / north west particularly when Figure 7.1 shows the prevailing wind direction to be mainly from the south west?
Q1.1.11	Applicant	With reference to paragraph 7.96 of the ES [APP-049], is it appropriate to use current baseline pollution concentrations to represent future baseline concentrations, particularly as paragraphs 7.103/7.104 indicate that NO ₂ levels are in a downward trend?
Q1.1.12	Redcar and Cleveland Borough Council Applicant	<p>In Table 7.14 of the ES [APP-049] the annual mean baseline NO₂ at Plantation Road and West Lane, Grangetown are significantly higher than at the other sensitive receptor locations.</p> <p>What are the reasons for this and the implications?</p>
Q1.1.13	Applicant	<p>In paragraph 7.108 of the ES [APP-049] it is stated that the Institute of Air Quality Management (IAQM) guidance on the assessment of dust from demolition and construction sites (2014) '<i>has not been followed exactly</i>' for reasons presented.</p> <ul style="list-style-type: none"> • Please provide further clarification as to why the IAQM guidance has not been followed exactly and explain the effect that deviation from the guidance has on the determination of significance of effect. • Table 7.10 of the ES [APP-049] presents the determination of significance of effects on human health receptors but no reference is made to how magnitude of impact is defined for construction dust at the identified human health receptor. Please clarify. • Confirm the closest human health receptor points and the significance of effect prior to mitigation and as a residual effect (for both Scenario 1 and 2). • Confirm the significance of effect at the Wilton Primary School and the primary school in

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		Lazenby, categorised as having 'high' significance in Table 7.10.
Q1.1.14	Applicant	<p>What distances have been considered in the context of the construction dust assessment, taking account of the IAQM guidance which defines 'Screening Criteria' where a detailed assessment will normally be required for human receptors within 350m of the boundary of the site and for ecological receptors within 50m?</p> <p>In addition, the IAQM guidance advocates a 'Step 2' process to consider risks of dust impacts separately (defining impact magnitude and impact and sensitivity of receptors) for different activities. Has this been undertaken and if not, can the Applicant provide a justification in this regard?</p>
Q1.1.15	Redcar and Cleveland Borough Council Applicant	ES paragraph 7.112 indicates that as the PEC is well below 50% of the AQS, due to the low baseline it is not considered to be sufficient to warrant further mitigation. Please explain with reference to relevant guidance, criteria and National Policy Statements, why further mitigation is not proposed.
Q1.1.16	Applicant	For the avoidance of doubt, please provide a plan/plans showing the specific modelled receptor locations to correspond to Tables 7.15 and 7.16 of the ES [APP-049].
Q1.1.17	Redcar and Cleveland Borough Council	Does RCBC accept the baseline for the air quality assessment used by the applicant? If so, please confirm/provide an appropriate reference. If not, why not?
Q1.1.18	Applicant	<p>The potential effects of dust emissions at nearby industrial facilities as described in paragraph 7.109 of the ES [APP-049] require mitigation measures to be implemented.</p> <p>Please provide in tabular form how the proposed mitigation will be secured in the Development Consent Order (DCO) and the relevant references.</p>
Q1.1.19	Applicant	Work No. 1A as defined in Schedule 1 of the draft DCO (dDCO) [APP-005] states that the works include 'emission and ambient monitoring system'. Nevertheless, there does not appear to be a requirement in Schedule 2 of the dDCO to secure a programme of emissions monitoring.

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		<p>Explain, with reference to the potential effects on human health and ecological receptors, when, how and where emissions to air would be monitored and how this would be secured through the dDCO, or justify why no monitoring is proposed.</p>
Q1.1.20	Applicant	<p>Explain what (if any) mitigation is proposed to limit the effects of operational emissions on designated ecological sites which are sensitive to NO_x. If no mitigation is proposed, why not?</p> <p>Have any mitigation measures (either embedded or further mitigation) been relied upon to reach the conclusions of the relevant ES assessments or the HRA report?</p>
Q1.1.21	Applicant Redcar and Cleveland Borough Council	<p>Dust from construction is identified in the ES (7.130) [APP-049] as having a potentially significant effect if unmitigated. Whilst construction mitigation is proposed through the Construction Environmental Management Plan (CEMP) [APP-081], there is no reference to air quality impacts and mitigation/control measures within the draft CEMP. The CEMP is also not referred to in the air quality chapter of the ES. Given the conclusions in ES paragraph 7.125 that IAQM mitigation measures will be adopted, why does the CEMP not specify what those minimum measures should be to enable an understanding of how they are effective and the extent to which they have been relied upon in the conclusions of residual effects? Please update the CEMP to include these measures.</p> <p>If best practice measures to control the effects of dust are not followed by contractors or prove to be ineffective, what further action could be taken by the local authority?</p>
Q1.1.22	Applicant	<p>Paragraph 7.120 of the ES [APP-049] indicates that for visible plumes the ADMS model has been used for the exercise using the same set up as the Aermom model. Please explain the differences between the two models and why the ADMS model was used.</p>
Q1.1.23	Applicant	<p>Paragraph 7.131 of the ES [APP-049] concludes that during the operational phase there are no significant effects on human health at the large majority of receptors. It goes on to note that '<i>the air quality standard is not exceeded and the effects are not significant for the large majority of locations</i>'. For those locations where the effect is significant, explain how the effect will be mitigated.</p>

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Q1.1.24	Applicant	In Table 17.1 [APP-059] there is only one construction mitigation measure for air quality – why is this considered to be sufficient?
Q1.1.25	Applicant	Provide a table showing the concentrations of all pollutants considered at all of the identified receptor points and not just the worst affected.
Q1.1.26	Applicant	<p>What stack locations have been assumed as part of the air quality modelling (and HRA Report) in respect of a 'worst case' approach to the assessment, noting that their location is not defined within the works plans or dDCO?</p> <p>How does the modelling presented in the ES [APP-073], presumably based on a 75m stack height, reflect the fact that the dDCO allows for a lower stack height?</p> <p>ES Table 7.1 reports on the request by the EA that a stack diameter sensitivity study is prepared. If such a study has been undertaken, please provide details; if not, why not?</p>
Q1.1.27	Applicant	<p>With reference to Table 7.14, and Figures 7.5 and 7.6 of the ES [APP-049], please confirm the location of the maximum off-site impact, as it appears to differ between short and longer term effects.</p> <p>Confirm, in each case, whether there are any 'human health' or sensitive ecological receptors at the point of maximum off-site impacts identified.</p>
2	Biodiversity, Ecology and Natural Environment	
Q1.2.1	Applicant Natural England	<p>Table 9.1 of the Environmental Statement (ES) [APP-051] refers to Natural England's (NE) letter to the Applicant (dated 26 April 2017) regarding the scope of surveys.</p> <p>Please provide a copy of the letter. In commenting on the letter, reference is made to 'off-site effects on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site' [ES Table 9.1].</p>

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		<p>Why was this particular location highlighted?</p> <p>It is noted that paragraph H1.32 of the HRA report does not refer to hydrologic connectivity between the European sites and the Proposed Development. Paragraph 6.145 of the ES states that the proposed Development would generate 'an increase in trade effluents (cooling water discharge) to the Wilton Site Drainage System, and ultimately into the River Tees estuary'. Can the Applicant confirm the extent to which any hydrological pathways of likely significant effect exist between the Proposed Development and the European sites as identified in the HRA report?</p>
Q1.2.2	Applicant Natural England	With reference to paragraph 9.35 of the ES [APP-051], please expand on the reasons why the 15km radius from the application site was agreed with NE as the basis for assessing impacts on internationally and nationally designated nature conservation sites and why a 2km radius was adopted for locally designated nature conservation sites and protected and priority habitats and species.
Q1.2.3	Applicant	In line with paragraphs 5.3.3 and 5.3.4 of the Overarching National Policy Statement for Energy (EN-1) please demonstrate how the Proposed Development has conserved and enhanced biodiversity conservation interests.
Q1.2.4	Applicant	Table 9.7 indicates that the Tees and Hartlepool Foreshore and Wetlands SSSI is the second closest nationally designated site to the Application site. Looking at Figure 9.1 please confirm whether this is the case and its distance from the Application site.
Q1.2.5	Applicant Natural England	Table 9.10 of the ES [APP-051] provides a 'Screening Summary for Nationally and Locally Designated Sites', based on the detailed data tables in Annex G1 [APP-073]. Explain further the basis on which sites were assessed either to be scoped out of requiring further assessment or the criteria was not exceeded.
Q1.2.6	Applicant Natural England Environment Agency	Can the Applicant, EA and NE comment on the reliance placed on the EA's significance criteria as set out in Table 7.11 of the ES [APP-049] and Table H2.2 of the HRA report [APP-076] in concluding no likely significant effects (LSE) of the project alone

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		and in-combination for the purposes of HRA. In particular, why the relevant thresholds are applicable for HRA (e.g. increases in process contributions to critical loads of less than 1% being considered 'insignificant').
Q1.2.7	Applicant Natural England	For the last sentence of question 1.2.6 above, can NE specifically confirm that the EA's EPR Risk Assessment screening criteria, set against UK Air Quality Strategy Objectives, which defines 'insignificant effects' as being where long-term process contributions should be less than, or equal to 1%, is a suitable criteria for the assessment of likely significant effects on European sites in respect of HRA.
Q1.2.8	Applicant Natural England Environment Agency	Can the Applicant, EA and NE explain if and why the thresholds applied in the Applicant's assessment for determining the absence of LSE (or otherwise) are appropriate for European sites where there are already exceedances above the critical loads or levels for given pollutants (as acknowledged in paragraph H1.57 and set out in Appendix A of the HRA report [APP-076]. The ExA notes that Table H2.1 of the HRA report includes links to Site Improvement Plans for the Teesmouth and Cleveland Coast SPA and the North York Moors SPA and SAC, which refer to atmospheric nitrogen deposition as issues which are currently impacting or threatening the sites. The explanation provided should take into account the impact of the Proposed Development alone and in-combination with other plans and projects.
Q1.2.9	Applicant Natural England	The judgment in <i>Wealden District Council v Secretary of State for Communities and Local Government</i> [2017] EWHC 351 highlights the procedural requirement of the Habitats Regulations in regard to the assessment of in-combination effects. The ExA acknowledges the Applicant's current approach as described in the HRA report (sections H3.3.4 and H3.3.5 [APP-076]), which explains that the in-combination assessment has been undertaken on a qualitative basis. However the ExA is unclear as to how the conclusions that there would be no likely significant in-combination effects are substantiated with reference to the thresholds applicable to the findings of LSE referred to in question Q1.2.6 above. The ExA requests the Applicant provide the information necessary to undertake the assessment of LSE of the Proposed Development in-combination with other plans and projects, with particular reference to the thresholds of LSE as referred to above. The ExA also requests a response from NE on the apparent relevance of the <i>Wealden</i> judgement to the need for a quantitative in-combination assessment in respect of the Proposed Development.

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Q1.2.10	Natural England	With regard to the above, the ExA requests NE to confirm if they are still content with the Applicant's conclusions of no LSE (alone and in-combination with other plans and projects) at the European sites identified as being relevant in the assessment.
Q1.2.11	Redcar and Cleveland Borough Council Natural England	Sections 6 and 7 of Annex G2 [APP-074] recognise that construction activity on site would need to avoid harm to any nesting birds or avoid destroying or damaging their nests, acknowledging that although the likelihood of impact is low, the impact would be high without mitigation. Does Requirement 11 in the dDCO [APP-005] appropriately address this matter? If not, please provide suggested amendments to the wording of this requirement.
Q1.2.12	Natural England Environment Agency Redcar and Cleveland Borough Council	Please confirm whether all relevant plans/projects which may result in in-combination effects together with the Proposed Development have been identified and considered in the Applicant's HRA report [APP-076].
3 Draft Development Consent Order		
Q1.3.1	Applicant	The Applicant is asked to ensure that all application or subsequent plans and documents referred to in the draft Development Consent Order (dDCO) [APP-005] in whatever provision are identified by Drawing or Document and Revision Numbers in subsequent versions of the dDCO. Where revisions are prepared to plans and documents, these should be reflected in the latest version of the dDCO. The Applicant should undertake a final audit of plans and documents referred to in the dDCO prior to submitting its final preferred dDCO to the Examination. Where it is necessary to refer to document numbers the Applicant should use the Examination Library system.
Q1.3.2	Applicant	The references for footnotes in the main text of the dDCO [APP-005] are not in line with previous Orders while the use of brackets and reference numbers extensively in Schedule 1, Part 2 does not follow normal practice. Please ensure that the formatting is revised to provide consistency with previously made orders and that the correct template is used.

Ref No.	Respondent:	Question:
Q1.3.3	Applicant	<u>Preamble</u> The Applicant is asked to draft the Preamble to the next version of the dDCO [APP-005] to confirm that the Examination is being carried out by a single appointed person.
Q1.3.4	Applicant Redcar and Cleveland Borough Council	<u>Art. 2</u> of the dDCO [APP-005]. Interpretation of ' <i>Commence</i> '. <ul style="list-style-type: none"> • Please clarify the justification for the exempted works including regarding the timescales for such works. • Is such flexibility necessary? If so, please provide reasons and consider whether these matters need to be addressed in a separate Requirement relating to preliminary works? • Should any exempted works be covered by the Construction Environmental Management Plan (CEMP) [APP-081] which is addressed in Req. 13?
Q1.3.5	Applicant	<u>Art. 2</u> defines Environmental Statement (ES) as ' <i>...any supplemental or further environmental information submitted by the undertaker in support of the application</i> '. As such information is likely to change during the Examination and the DCO will certify the ES, the applicant is requested to provide and keep under review a schedule to confirm which documents form part of the ES and would therefore be certified.
Q1.3.6	Applicant	<u>Art. 2</u> . Paragraphs 2.6-2.10 of the Explanatory Memorandum (EM) [APP-006] identify the drafting approach taken in the dDCO [APP-005] to ancillary development. The EM states that a prescriptive definition of ancillary works has not been included to provide flexibility in line with model provisions. Notwithstanding the approach taken in other recently made DCOs, as the model provisions have a definition of ' <i>ancillary works</i> ', is the absence of a definition of ' <i>ancillary works</i> ' appropriate? If the Applicant considers that it is, please provide reasons.
Q1.3.7	Applicant	<u>Art. 2</u> . Interpretation of ' <i>Maintain</i> '. The EM [APP-006] states that the power to maintain is only permitted to the extent that it is assessed in the ES and that the definition follows the form of the Wrexham Order. However, the definition is not identical to Wrexham and there is no explanation provided for the variation.

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		Please explain why the wider scope of ' <i>maintain</i> ' is provided in the dDCO [APP-005], what ' <i>unlikely</i> ' means in this context and whether it is appropriate in the dDCO. Consequently, please comment on the appropriateness of the definition of ' <i>maintain</i> ' in the dDCO.
Q1.3.8	Applicant	<u>Art. 2.</u> Please clarify the difference between Order land and Order limits in Art. 2 of the dDCO [APP-005].
Q1.3.9	Applicant	<u>Art. 2.</u> ' <i>Existing access plan</i> ' is defined in Art 2. Where is the term used in the dDCO [APP-005]?
Q1.3.10	Applicant	<u>Art. 2.</u> ' <i>Works Plan</i> '. The definition will need to be revised to reflect the revised Works Plan submitted during pre-examination [AS-001].
Q1.3.11	Applicant	<u>Art. 3.</u> Please explain the reasons for the inclusion of the phase ' <i>and Schedule 1 (authorised development) has effect for that purpose</i> ' at the end of Art 3 (1) [APP-005].
Q1.3.12	Applicant	<p><u>Art. 6.</u> The limits of deviation in Art. 6 shown on the Works Plan [APP-013 and APP-014] allow the authorised development to extend laterally.</p> <ul style="list-style-type: none"> • Demonstrate how this has been addressed within the ES and provide an explanation as to why such deviation is necessary. • Why is it necessary to provide deviation vertically and to have such a wide definition? • Confirm that the placement of the works anywhere within the limits of deviation would not affect the conclusions of the ES or Habitats Regulation Assessment (HRA).
Q1.3.13	Applicant	<p><u>Art. 7.</u></p> <ul style="list-style-type: none"> • Why does the dDCO [APP-005] contain an exception for the need for the Secretary of State to approve the transfer of the benefit of the Order in respect of a holder of a licence under s6 of the Electricity Act 1989 or s7 of the Gas Act 1986? • Explain why it is necessary or appropriate to state in Art. 7 (2) that consent may not be unreasonably withheld or delayed.

Ref No.	Respondent:	Question:
		<ul style="list-style-type: none"> • Would Art.7 provide for National Grid to construct, operate and maintain the grid connection works if required?
Q1.3.14	Applicant	<p><u>Art. 8.</u> Although the EM (para 4.7) [APP-006] makes reference to other made Orders to justify this Article, the provisions in Art. 8 [APP-005] are wider than the cited DCOs.</p> <p>Please explain why the scope has been extended to broaden the powers.</p>
Q1.3.15	Applicant	<p><u>Art. 10.</u> Notwithstanding that this Article [APP-005] is a model provision and has been used in the cited Order and others, explain why it is necessary in this case.</p>
Q1.3.16	Applicant	<p><u>Art. 12.</u> As presently drafted Art. 12 [APP-005] does not state the purpose for which the undertaker needs to submit documents to the Secretary of State. Please review the wording of similar Articles in other recently made DCOs and provide justification for the current drafting. If satisfactory justification cannot be provided, can the Applicant provide alternative drafting for consideration?</p>
Q1.3.17	Applicant	<p><u>Art. 12</u> addresses the certification of plans etc. [APP-005].</p> <p>Please confirm whether the ES [APP-042] means all of the documents listed under category 6.0 of Table 2.1 in the Application Guide [APP-002] or only those documents listed under 6.2.</p> <p>If it is the former, should additional documents such as the CEMP [APP-081], the Site Waste Management Plan (SWMP) [APP-068] and the Construction Traffic Management Plan (CTMP) [APP-078] be listed as well?</p> <p>If it is the latter, is there any need to identify the Flood Risk Assessment (FRA) separately? Furthermore, is there any need to certify the FRA if there is no Requirement which specifically applies to it?</p> <p>In addition, is it necessary to separately certify other documents which are proposed to provide</p>

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		control during both the construction and operational phases including the Construction Environmental Management Plan (CEMP), SWMP and CTMP or would they be certified as Annexes to the ES?
Q1.3.18	Applicant	<p><u>Art. 12</u> of the dDCO [APP-005] does not use terminology which is consistent with that used for individual documents. This also applies to some of the documents which are interpreted in Art. 2 such as the indicative landscaping and biodiversity plan.</p> <p>Please ensure that there is consistency in terminology.</p>
Q1.3.19	Applicant National Grid	<p>The dDCO [APP-005] does not contain any protective provisions. National Grid in their Relevant Representation [RR-005] set out their request for a Protective Provision, notwithstanding the submission of a Connection Application.</p> <p>In the light of this request, please provide further comments on the applicability of Protective Provisions. In addition, are there any unresolved matters preventing the approval of the Connection Application?</p>
Q1.3.20	Interested Parties Redcar and Cleveland Borough Council	<p>Paragraph 6.3 of the EM [APP-006] indicates that there is no requirement relating to the setting up of a local liaison committee for the reasons given.</p> <p>Are Interested Parties including the Council content with this approach?</p>
Q1.3.21	Applicant	<p>Paragraph 6.3 of the EM [APP-006] indicates that there is no requirement in relation to foul water drainage as a permitted system is already in place.</p> <p>Please provide details of the permit and demonstrate that it can meet the needs of the proposed development.</p>
Q1.3.22	Applicant	<u>Schedule 1 Part 1</u> . Authorised Development. [APP-005]

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		<p>Please confirm whether or not this is fully consistent with the description of the project components in paragraphs 1.9 and 1.10 of ES [APP-043]. In addition, please explain why Work No 1A (2) and (3) indicate that elements '<i>may comprise</i>' or '<i>may include</i>' and why paragraph 1.10 of the ES states that the Project '<i>is likely also to include</i>' various elements. Are these elements not necessary?</p> <p>Furthermore, have these elements which '<i>may</i>' be included been taken into account in the Environmental Impact Assessment? Please indicate where the evidence is located and explain whether or not it would alter the conclusions of the assessment.</p>
Q1.3.23	Applicant	<p><u>Schedule 1 Part 1. Authorised Development: Work No. 2 (5).</u> [APP-005]</p> <p>What is the reason for, and effect of, the inclusion of '<i>unlikely</i>' in this Article?</p> <p>In the event that associated development does give rise to materially different environmental effects from those assessed in the ES [APP-042] how would the impact be assessed and what mitigation would be necessary?</p>
Q1.3.24	Applicant	<p><u>Schedule 1 Part 1. Work No. 1</u> [APP-005] is described as '<i>a natural gas fired electricity generating station</i>'.</p> <p>Is it necessary to specify that it is natural gas fired? Furthermore, is it necessary to state that the land includes the site of a former CCGT power station?</p>
Q1.3.25	Applicant	<p><u>Req. 1: Interpretation.</u> [APP-005] Please ensure consistency in the naming of documents and definitions eg. Durham Tees Valley Airport.</p>
Q1.3.26	Applicant	<p><u>Req. 2.</u> [APP-005] The ES [APP-042] indicates that Scenario 2 would see the second CCGT train constructed within an estimated five years after the first train. Req. 2 (2) provides for the proposed phasing of the authorised development to be submitted to and approved by the relevant planning authority.</p>

Ref No.	Respondent:	Question:
		<p>On this basis, can the Applicant guarantee (through the dDCO) that construction of the second train will not commence at a point later than that assessed? In the event that this cannot be guaranteed, can the Applicant confirm that the approach to the assessment and the findings of the ES would remain valid? If not, what would be the controlling mechanism to ensure that any likely significant effects (beyond those currently assessed) are taken into account before the development proceeds?</p>
Q1.3.27	Applicant	<p><u>Req. 4.</u> [APP-005] Comment on the meaning of '<i>all new or modified buildings</i>' within Req. 4 (1)(a). Consider whether '<i>all buildings and structures comprising the authorised development which are to be retained following commissioning</i>' would achieve the same objective. Is there a need for Req. 4 to end with a statement that the authorised development must be carried out in accordance with the approved detailed design?</p>
Q1.3.28	Applicant	<p><u>Req. 4</u> [APP-005] provides thresholds for the development of different structures. How do these structures relate to the works identified in Part 1? Why are maximum lengths, widths and floor spaces of main structures not specified? Confirm that the maximum dimensions have been assessed through the ES and HRA.</p>
Q1.3.29	Applicant	<p><u>Req. 5.</u> [APP-005] Explain the inclusion of the phrase '<i>unless otherwise agreed with the relevant planning authority</i>' within Req. 5 (3). Should this confirm that it is the approved scheme for external lighting which must be implemented before, and maintained during the construction, operation and decommissioning of the authorised development? Should minimum measures for construction and operational lighting schemes be secured through outline plans as for other construction measures/design proposals?</p>

Ref No.	Respondent:	Question:
		Req. 5 (2) refers to 'aviation warning lights which are subject to Requirement 17 below'. Req. 17 does not provide for any aviation warning lights to be provided on the main stacks as described in the EM [APP-006]. Please clarify.
Q1.3.30	Applicant	<u>Req. 8.</u> [APP-005] does not make any reference to pedestrian access in spite of the EM [APP-006] doing so. Please comment.
Q1.3.31	Applicant	<u>Req. 10.</u> [APP-005] Should 'controlled waters' be defined?
Q1.3.32	Applicant	<p><u>Req. 13.</u> [APP-005] provides for a CEMP [APP-081] to be prepared and approved. (The heading states 'environment'; in Art. 2 it is defined as 'environmental'.) It states that the CEMP must include a Code of Construction Practice (CoCP).</p> <p>Various references in the Scoping Report (Annex A) [APP-062] state that a CoCP will be developed for the project and outline some of the core elements, but these have not been addressed in Req. 13.</p> <ul style="list-style-type: none"> • Ensure that all relevant measures included within the Mitigation Summary Table (17.1) [APP-059] including air quality and stipulated within the ES are addressed within the CEMP. • Req. 13 refers to approval by the relevant planning authority in consultation with the relevant highway authority. Why is there no reference to the EA when the EA is identified in paragraph L5 of the CEMP as a consultee? • Explain the relationship between the CEMP and the CoCP. • Should monitoring be included in the list of measures to be included within the CEMP/CoCP in Req. 13 (2)? • How does the SWMP [APP-068] relate to Req. 13? • A CEMP is required which 'accords with the principles' set out in the draft CEMP. Requirements in other DCOs have used the phrase 'substantially in accordance with'. Is there a material difference between these phrases? • Req. 13 (2)(a)(ii) refers to the need to minimise the impacts of construction works addressing noise. Table L2.3 of APP-081 also refers to measures designed to minimise the noise impacts of

Ref No.	Respondent:	Question:
		<p>construction activities. Please provide clarification as to the measures required.</p> <ul style="list-style-type: none"> The EM [APP-006] states in relation to Req. 13 that the Council confirmed on 14 September 2017 that the hours of construction were acceptable. Please provide evidence of the Council's support. In addition, confirm that any departures from normal construction hours permitted by Req.13 (2) (iv) would not result in any likely significant effects on the environment beyond those assessed in the ES.
Q1.3.33	Applicant	<p><u>Req. 14.</u> [APP-005] addresses the framework SWMP and the scope is set out in Req. 14 (2). Is the scope of the framework SWMP adequate or should it also include proposals for the monitoring, auditing and review of waste?</p>
Q1.3.34	Applicant Redcar and Cleveland Borough Council	<p><u>Req. 15.</u> [APP-005] uses a variety of terminology including 'traffic management and travel plan', 'construction traffic management and travel plan', and 'traffic management plan'. Annex I2 [APP-078] is referenced as a 'construction transport management plan'.</p> <ul style="list-style-type: none"> Please ensure that where appropriate there is consistency in terminology and where there are different documents that these are clearly identified. With reference to abnormal indivisible loads (AIL), is this a term which needs defining as it has in other DCOs? As set out in the EM [APP-006] with regard to Req. 15, the Council's position expressed during discussions on 14 September 2017 was that there is no need for a requirement to cover operational traffic. If this position is correct, why does the Council not seek to control parking or require an operational travel plan in order provide demand management measures to mitigate transport impacts as paragraph 5.13.4 of National Policy Statement EN-1 advises? Req. 15 provides for a travel plan to be prepared for the construction phase of the Proposed Development. Section I5 of the draft Construction Traffic Management Plan (CTMP) [APP-078] sets out some very broad headings for a workers travel plan. Should this be a standalone framework document with a broader outline of its requirements in line with the advice in paragraph 5.13.4 of National Policy Statement EN-1? The draft CTMP indicates a willingness by the applicant to work with respective applicants of

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		other schemes to co-ordinate construction programmes (paragraph 1.53 of the CTMP). Should this also be referred to in Req. 15 (2) as one of the minimum measures to be included in the final CTMP?
Q1.3.35	Applicant	<u>Req. 16.</u> [APP-005] Should approval also be subject to consultation with the lead local flood authority?
Q1.3.36	Applicant	<p><u>Req. 17.</u> [APP-005] The EM [APP-006] indicates that there is no need to fit aviation warning lighting on the main stacks because such lighting is not necessary on the basis that there are no other stacks on the Wilton International site with warning lights.</p> <p>What are the appropriate standards for lighting of tall structures and has this approach been discussed with appropriate authorities such as the Ministry of Defence and the Durham Tees Airport and the CAA? In responding, please make reference to National Policy Statement EN-1.</p>
Q1.3.37	Applicant Redcar and Cleveland Borough Council	<p><u>Req. 18.</u> [APP-005] provides for a fire prevention method statement.</p> <p>Does this requirement duplicate other legislation or guidance?</p> <p>Is it appropriate that fire suppression measures and fire appliances are maintained to the reasonable satisfaction of the relevant planning authority. Please explain further why Req. 18 is necessary.</p>
Q1.3.38	Applicant	<p><u>Req. 20.</u> [APP-005] makes reference to the western and southern acoustic walls.</p> <p>How do the terms '<i>fully reinstated</i>' and '<i>necessary works</i>' ensure that the acoustic walls achieve their objectives / meet an appropriate standard?</p> <p>How can the western wall be fully reinstated when it has not previously existed?</p>
Q1.3.39	Applicant	<p><u>Req. 21.</u> [APP-005]</p> <ul style="list-style-type: none"> Why does the term '<i>commercial</i>' precede use in (1)?

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		<ul style="list-style-type: none"> • Why is the phrase '<i>unless otherwise agreed with the relevant planning authority</i>' included in (5)? • How does the '<i>CHP review</i>' in Req. 21 relate to the definition of '<i>CHP assessment</i>' in Req. 1, the latter not appearing to be used in Req. 21?
Q1.3.40	Applicant Redcar and Cleveland Borough Council	<u>Req. 29.</u> [APP-005] addresses employment and skills. Should it be extended to support local tendering as part of a local economic benefit requirement?
Q1.3.41	Applicant Redcar and Cleveland Borough Council Applicant Health and Safety Executive	<p><u>Req. 30.</u> [APP-005] Please explain why it is necessary to include this bespoke requirement relating to safety.</p> <p>In the light of the Relevant Representation of the Health and Safety Executive [RR-011] please consider the suggestion about consultation in this Requirement and provide alternative wording for Req. 30.</p>
Q1.3.42	Applicant Redcar and Cleveland Borough Council Health and Safety Executive	<p><u>Req. 31.</u> [APP-005] Please explain why it is necessary to include this bespoke requirement relating to accident and emergency response.</p> <p>If such a requirement is necessary, is it appropriate to leave the emergency response plan for future approval? In addition, should it be subject to consultation with other bodies?</p>
Q1.3.43	Applicant	Paragraph 1.27 of the Planning Statement [APP-036] states that the DCO [APP-005] does not include a development consent obligation as the EIA has not identified the need for mitigation in order to make it acceptable in planning terms. Please explain.
Q1.3.44	Applicant	Paragraph 7.9 of the Planning Statement [APP-036] indicates that the requirements ensure that the relevant planning authority has control over the final design of the proposed development in relation to a range of matters including the highway accesses. As the connection to the highway is outside of the Project site boundary please explain how this is the case.

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Q1.3.45	Redcar and Cleveland Borough Council	<u>Schedule 2</u> [APP-005] sets out the procedure for the discharge of Requirements, as described in section 6.4 of the EM [APP-006] which places various responsibilities upon the relevant planning authority. Does the Council wish to comment on these procedures?
Q1.3.46	Applicant	<u>Explanatory Note.</u> [APP-005] Why is there a reference to tolerance of up to 5% in the Explanatory note instead of the DCO itself? Why is a Book of Reference referred to?
4 Economic and Social Effects		
Q1.4.1	Redcar and Cleveland Borough Council Applicant	Table 13.1 of the Environmental Statement (ES) [APP-055] indicates that mitigation measures such as skills and training programmes would promote local employment. Are skills and training programmes appropriately addressed through the DCO [APP-005]?
Q1.4.2	Applicant Redcar and Cleveland Borough Council	As set out in paragraph 13.14 of the ES [APP-055] Policy CS4 of the Redcar and Cleveland Borough Council (RCBC) Core Strategy states that the Council will ' <i>develop energy industries...focused on hydrogen and renewable energy</i> '. The applicant also states that the project is not renewable but is lower in emissions than traditional coal fired power stations. Please comment on the project's compliance or otherwise with Policy CS4.
Q1.4.3	Applicant Redcar and Cleveland Borough Council	As set out in paragraph 13.16 of the ES [APP-055] Policy CS10 of the Core Strategy concerns steel, chemical and port related industries. The applicant considers that the proposed use is of a similar classification as those identified within Policy CS10. Please comment on the project's compliance or otherwise with Policy CS10. Can the applicant also update Table 5.4 of the Planning Statement [APP-036] which omits reference to Policy CS10.

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Q1.4.4	Applicant Redcar and Cleveland Borough Council	In paragraph 13.17 of the ES [APP-055] reference is made to Policy LS4 of the Draft Publication New Local Plan. What weight should be attached to this emerging policy?
Q1.4.5	Applicant Redcar and Cleveland Borough Council Tees Valley Combined Authority	Paragraph 13.18 of the ES [APP-055] states that the site is within the Tees Valley Enterprise Zone. Please explain the implications of this for the proposed development.
Q1.4.6	Redcar and Cleveland Borough Council	Does the Council accept the assumptions made in paragraph 13.44 of the ES [APP-055] regarding the multipliers for indirect and induced jobs?
Q1.4.7	Applicant	How will the applicant ensure that its contractors provide training for employees as set out in paragraph 13.80 of the ES [APP-055]? How will this be secured through the DCO [APP-005]?
Q1.4.8	Applicant Redcar and Cleveland Borough Council	How will contractors and sub-contractors be actively encouraged to adopt local procurement policies as set out in paragraph 13.82 of the ES [APP-055]? Is encouragement enough? Paragraph 13.85 states that the EPC contractor will be incentivised to procure locally/regionally. How would this be secured.
Q1.4.9	Applicant Redcar and Cleveland Borough Council	The applicant recognises the importance of recruitment campaigns reflecting the skills set of the surrounding area and intends to work with RCBC's Routes to Employment Service to maximise local opportunities as set out in paragraph 13.108 of the ES [APP-055]. Would Req. 29 [APP-005] address the matter adequately?
Q1.4.10	Applicant Redcar and Cleveland Borough Council	The applicant intends to develop a policy to manage tendering and sub-contracting for service and supply contracts to source personnel locally as set out in paragraph 13.111 of the ES [APP-055]. How would this be secured through the DCO [APP-005]?

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Q1.4.11	Applicant	Please explain how the regional operational employment multiplier and regional employment loss to leakage in Tables 13.8 and 13.9 of the ES [APP-055] were determined.
Q1.4.12	Applicant	Please clarify the last sentence of paragraph 13.118 of the ES [APP-055] which states that ' <i>provisionally</i> ' the project will not generate new risks for the Ensus site.
Q1.4.13	Applicant	It is indicated in section 13.4.6 of the ES [APP-055] that suitable mitigation will reduce, remove or compensate for significant adverse effects. Please demonstrate in tabular form how it is proposed to mitigate socio-economic impacts through the DCO [APP-005].
Q1.4.14	Redcar and Cleveland Borough Council	<p>Paragraph 13.75 of the ES [APP-055] indicates that the regional economy would benefit from the creation of 98 jobs during the construction of the scheme in a single phase and paragraph 13.101 indicates a net employment gain of 247 jobs during the operational phase.</p> <p>Set out the extent to which this assessment is agreed by the Council, identifying any areas where you disagree with the analysis and providing reasons.</p> <p>In the Council's Relevant Representation [RR-008] reference is made to 80 permanent jobs. Please explain the basis of this comment.</p>
5 Environmental Impact Assessment		
Q1.5.1	Applicant	Please provide a comprehensive list of abbreviations used in the Environmental Statement (ES) [APP-042].
Q1.5.2	Applicant	Chapter 1 of the ES [APP-043] lists Annex E as including Annex E.1, Air Quality Modelling Results, with Annex E2 comprising the Stack Height Assessment and Annex E3 the Greenhouse Gas Statement. However the air quality modelling appears to be provided in Chapter 7 [APP-049] and in Annex G1 [APP-073] whilst Annex E1 provides the Stack Height Assessment and Annex E2 the

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		Greenhouse Gas Statement. Please confirm that no documents are missing in relation to these matters.
Q1.5.3	Applicant	<p>The ES does not adopt a consistent approach to how significance has been derived. For example, it is stated in paragraph 11.21 of the ES [APP-053] that in accordance with the EIA Regulations, major and moderate impacts are judged to be significant whereas minor and negligible impacts are considered to be not significant. However, in paragraph 13.48 [APP-055] it is stated that effects of minor significance and above are considered to be significant for the purposes of the socio-economic assessment and the EIA Regulations.</p> <p>Paragraph 3.68 of the ES [APP-045] records that the residual effects and their significance are based on the Project as planned and designed fully inclusive of all proposed mitigation. However, this approach does not identify the significance of effects prior to mitigation which is necessary to assess the effectiveness of proposed mitigation.</p> <p>For each technical chapter of the ES the applicant should:</p> <ul style="list-style-type: none"> • Confirm the level of significance that is considered to be 'significant' in EIA terms; and • Provide a table which identifies the significance of effects prior to mitigation and confirms the overall significance of residual effects.
Q1.5.4	Applicant Redcar and Cleveland Borough Council Natural England Environment Agency	<p>Table 3.6 of the ES [APP-045] identifies other developments which have been considered cumulatively with the proposed development for the cumulative effects assessment (CEA).</p> <ul style="list-style-type: none"> • Confirm whether the scope of the CEA was agreed with relevant consultees. • Are Redcar and Cleveland Borough Council (RCBC) Natural England (NE) and the Environment Agency (EA) content that all relevant developments have been considered in the cumulative assessment? • With reference to paragraph 11.54 of the ES [APP-053] which records that developments within a 5km study area were considered for the cumulative assessment for the landscape and visual assessment, can the applicant confirm that no other plans/projects have been proposed since

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		the Scoping Report was produced in February 2017 which could have cumulative landscape and visual effects upon the Proposed Development?
Q1.5.5	Applicant	In Tables 3.4 and 3.5 of the ES [APP-045] references to cultural heritage/archaeology only address scheduled monuments. Why were other heritage assets, such as listed buildings and conservation areas not included?
Q1.5.6	Applicant	In the ES, [APP-042] Planning Statement [APP-036] and in various other documents reference is made to Scenario 2 involving the construction of a second CCGT train ' <i>within an estimated five years</i> ' from the completion of the first train. It is indicated that this scenario has been fully assessed within the ES but has the ES considered the possibility of the second train being delayed beyond five years, say to eight or 10 years? If so, what are the implications, if not, why not?
Q1.5.7	Applicant	Chapter 5 of the ES (Project Description) does not contain details of the works likely to be required for the decommissioning of the Proposed Development. Please indicate where this information is already provided or set out the necessary details.
Q1.5.8	Applicant Redcar and Cleveland Borough Council	Section 6.6 of the ES [APP-048] makes reference to a MMP (Materials Management Plan) and SCP (Sediment Control Plan). Please provide information about the scope of these documents, their relationship to the Site Waste Management Plan (SWMP) [APP-068] and how they would be secured through the DCO [APP-005]. Is it necessary for outline versions of these documents to be prepared during the Examination?
Q1.5.9	Applicant	What activities associated with maintenance (routine and major overhaul) would be required for the proposed power station? Have these been set out in the ES? If so, please indicate where; if not, why not?

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		<p>Have all potential maintenance activities and works been assessed in the ES and HRA report?</p> <p>Would any likely significant effects occur as a result of maintenance works?</p>
Q1.5.10	Applicant	<p>Paragraph 11.4 of the ES [APP-053] describes the worst case scenario for maximum heights of the tallest structures as including 44m for the heat recovery steam generators and 23 m for the turbine halls. These heights conflict with Tables 5.3 [APP-047] and 7.6 [APP-049] of the ES (which are not consistent with each other), with the heights provided in Table 2.4 of the Design and Access Statement [APP-037] and those within the dDCO Req. 4 [APP-005].</p> <p>Please confirm the maximum height as assessed in the ES and as currently envisaged if different.</p>
Q1.5.11	Applicant Redcar and Cleveland Borough Council	<p>Annex L of the ES [APP-081] presents a framework for the Construction Environmental Management Plan (CEMP) and Req. 13 of the dDCO provides for the submission of the detailed CEMP.</p> <ul style="list-style-type: none"> • Please provide a contents page for the CEMP and confirm whether or not the document ends with paragraph L29. • In comparison with framework CEMPs in other DCOs the Tees CCPP proposal is not comprehensive in its scope. The Applicant should update the CEMP to include all relevant mitigation measures stipulated in the ES. Please also give consideration to the inclusion of such matters as legal requirements, standards and policies, implementation (responsibilities, training and communication) complaints procedures, corrective and preventive action, emergency preparedness and process, management review and environmental management systems. • Is the framework CEMP sufficiently detailed to provide confidence that the matters it addresses can be satisfactorily discharged at a later stage? Should good practice and the principles for monitoring and responsibilities be established at framework stage? • Does the Management and Mitigation Plan (section 1.2.5) adequately reflect Table 17.1 of the ES [APP-059]: Mitigation Summary Table? • Update the Mitigation Summary Table (Table 17.1) to cross reference each mitigation measure to the relevant paragraph in the framework CEMP. In revising Table 17.1 identify and

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		<p>distinguish between embedded mitigation measures and 'further' mitigation. (Previously suggested in the Scoping Opinion [APP-063].)</p> <ul style="list-style-type: none"> • Why does the Management and Mitigation Plan (section 1.2.5) not address air quality? • Is the CEMP subject to a process for verification /sign-off when construction is complete such as the preparation of a Handover Environmental Management Plan as occurs in other DCOs? • Does the framework CEMP meet the requirements of the relevant local planning authority in terms of construction management?
Q1.5.12	Applicant Redcar and Cleveland Borough Council Environment Agency	In paragraph L5 of Annex L [APP-081] reference is made to the detailed CEMP being agreed with Redcar and Cleveland Borough Council and the Environment Agency whilst paragraph L6 refers to the final scope also being determined by other relevant regulatory authorities. Which other authorities should be involved?
Q1.5.13	Applicant	Paragraph L16 of Annex L [APP-081] states that the operational start date is Q1 2022 whilst paragraph 10 of the Planning Statement (Summary) [APP-036] states that the proposed development 'could' be operational by 2022. Section 5 of the Transport Assessment [APP-077] indicates that the predicted operational year is 2023. Please clarify.
Q1.5.14	Redcar and Cleveland Borough Council	<p>Paragraph L16 of Annex L [APP-081] states that the size of the parking provision together with access and egress routes will be set out in the final CEMP. Paragraph L21 also indicates that designated routes for HGV movements and construction workers car movements will be provided in the CEMP.</p> <p>Are the Council content to leave these matters for later determination or should they be included in the framework CEMP based on material within the Transport Assessment [APP-077]?</p>
Q1.5.15	Applicant Redcar and Cleveland Borough Council	Paragraph L16 of Annex L [APP-081] refers to a Considerate Constructors Scheme (CCS). Please provide details of the scope of this scheme and demonstrate how it would be secured through the DCO.
Q1.5.16	Applicant	Section L2.5 of Annex L [APP-081] purports to set out mitigation and management measures to be

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	Redcar and Cleveland Borough Council	included as a minimum in the CEMP. Some of the mitigation / enhancement measures are vague or simply a repetition of guidance whilst the monitoring requirements and responsibilities are not yet defined. Please provide greater clarity. In addition, how do these measures relate to the mitigation measures set out in Table 17.1 of the ES?
Q1.5.17	Applicant	In Table L2.6 of Annex L [APP-081] what is meant by a Precautionary Working Method Statement? How will this be secured through the DCO?
Q1.5.18	Applicant	Please identify the different colours used in ES Fig 5.1 'Sembcorp Plot on the Wilton International Site' [APP-047]. Present the table showing areas for each plot at a larger size and show the DCO site boundary.
Q1.5.19	Applicant	Please reproduce Figures 5.3 and 5.4 of the ES [APP-047] at a larger scale to provide greater clarity.
Q1.5.20	Applicant Redcar and Cleveland Borough Council	Monitoring of construction phase impacts would be undertaken in accordance with paragraph L2.8.1 and Tables L2.2-L2.10 of the draft CEMP [APP-081] with details of monitoring confirmed in the detailed versions of the CEMP, CTMP and SWMP. Please provide a description of the monitoring measures which are likely to be required in relation to each environmental topic during construction and operation. Where monitoring is not proposed, confirm that this is the position. Does the Council wish to comment on the scope of the monitoring?
6 Historic Environment		
Q1.6.1	Applicant Redcar and Cleveland Borough Council	A 5km radius around the project site was identified for the assessment of historic environment information, as set out in paragraph 12.32 of the Environmental Statement (ES) [APP-054]. Based on a site visit and consultation response from Historic England the study area for the assessment was

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	Historic England	<p>based on a 2km radius around the site.</p> <p>Please provide the Historic England consultation response on which the study area was based and comment on the appropriateness of a 2km radius.</p>
Q16.2	Applicant	<p>In paragraph 12.57 of the ES [APP-054] Old Hall Farmhouse and Garden Wall, Lackenby is identified as Grade II listed. In Annex J [APP-079] it is identified as Grade II* (List entry 1139659). Similarly in paragraph 12.59 of the ES the Church of St Cuthbert is identified as Grade II whilst in Annex J it is identified as Grade II* (List entry 1310519).</p> <p>Please clarify the listed status of these buildings.</p> <p>Please confirm the location of the Church of St Cuthbert as identified as No.28 in AS-005.</p>
Q1.6.3	Applicant Redcar and Cleveland Borough Council Historic England	<p>Paragraph 12.79 of the ES [APP-054] indicates that a number of listed buildings at Lazenby will be masked from views of the project by surrounding buildings and there will therefore be no effect on the heritage significance of these assets.</p> <p>Please comment on this statement in the light of the assessment of setting in paragraphs 12.30-12.31.</p>
Q1.6.4	Applicant Redcar and Cleveland Borough Council Historic England	<p>Paragraph 12.83 of the ES [APP-054] describes a '<i>designed</i>' (sic) view (viewpoint 13 within Chapter 11).</p> <p>Please provide details of its designation/status.</p>
7	Infrastructure	
Q1.7.1	Applicant	Please clarify whether the existing demineralised water connection to the site [APP-021] would be

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		served by a new structure or building.
Q1.7.2	Applicant	Demonstrate how the proposed grid and gas connections are secured through the Authorised Development in Schedule 1 Part 1 of the dDCO [APP-005].
Q1.7.3	Applicant	Please explain the annotation on [APP-023] where the existing gas connection enters the site and confirm whether this is an existing or proposed building or structure.
Q1.7.4	Applicant Northumbrian Water	<p>Paragraph 5.47 of the Environmental Statement (ES) [APP-047] states that water for the hybrid water coolers will be sourced from an existing raw water connection which is currently in service and has sufficient capacity to supply the requirements of the Project without variation to existing agreements.</p> <ul style="list-style-type: none"> • Demonstrate why you consider that there is sufficient water capacity and no need to vary existing agreements. • What agreements are already in place? • What discussions have taken place with Northumbrian Water about the water requirements in the light of their comment set out in the Scoping Report [APP-062] recommending that the applicant contact them? If no dialogue has taken place, why not?
Q1.7.5	Applicant Environment Agency	<p>Paragraph 4.21 of the Carbon Capture Readiness (CCR) Statement [APP-039] indicates that an 8 hectare site for CCR would be required based on International Energy Agency estimates. Paragraph 4.22 goes on to estimate that based on other studies the requirement may only be 4.6 hectares. The area available for CCR at the application site is 5.4 hectares.</p> <p>Does the fact that the total area of 5.4 hectares is split between two areas create any difficulties?</p> <p>What further reassurance can be provided that this area would be adequate for CCR?</p>
Q1.7.6	Applicant	Please provide a copy of Figure 1 from the CCR Statement [APP-039] at a larger scale in order to improve clarity.

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Q1.7.7	Applicant	<p>Paragraph 4.26 of the CCR Statement [APP-039] indicates that additional land would be available on the adjacent Wilton International site if required.</p> <p>How could this be addressed through the DCO?</p>
Q1.7.8	Applicant	<p>Paragraph 4.26 of the CCR Statement [APP-039] states that a carbon capture plant retrofitted to Tees CCPP would capture approximately 500 tonnes of CO₂ per hour and paragraph 6.9 indicates that CO₂ captured would be in the region of 2.7m tonnes per annum. It goes on to indicate that the alternative storage areas are 15 Mtpa.</p> <p>Please demonstrate whether the storage areas have capacity for the capture proposed.</p>
Q1.7.9	Applicant	<p>In paragraph 5.77 of the ES [APP-036] reference is made to a 15 million tonne per annum Carbon Capture and Storage network. Please provide further details of this network.</p>
Q1.7.10	Applicant	<p>Paragraph 5.67 of Planning Statement [APP-036] states that the Gas Connection Statement [APP-034] demonstrates the feasibility of connecting to the National Transmission System (NTS) and provides information on <i>'who will be responsible for designing, building and operating the Proposed Gas Connection, including details of the name, owner, start and end point, length in kilometres and external diameter of the pipeline...'</i> .</p> <p>Please comment on this statement with reference to the appropriate reference in the Gas Connection Statement.</p>
Q1.7.11	Applicant	<p>The Grid Connection Statement [APP-033] does not provide details of responsibilities for designing and building the connection. Please provide details.</p>
Q1.7.12	Applicant	<p>Paragraph 2.3 of the Grid Connection Statement [APP-033] indicates that the new power plant will also be able to supply the Wilton International site. Please give an indication of the amount of</p>

Ref No.	Respondent:	Question:
		electricity which it is envisaged would be provided to the Wilton site.
Q1.7.13	Applicant National Grid	Paragraph 3.2 of the Grid Connection Statement [APP-033] indicates that a connection application was submitted to National Grid to connect to the national electricity transmission system. Please indicate what progress has been made with this application.
Q1.7.14	National Grid	Paragraph 2.4 of the Gas Connection Statement [APP-034] states that the Applicant believes that the proposed gas connection infrastructure provided by existing assets is entirely feasible and deliverable. Paragraph 2.3 states that the gas supply capability of the pipeline is well in excess of the requirement for the new Tees CCPP. Would National Grid wish to comment on these statements?
Q1.7.15	Applicant National Grid	Please provide an update regarding the application to National Grid for connection and capacity as referred to in paragraph 3.1 of the Gas Connection Statement [APP-034].
Q1.7.16	Applicant	Please provide an update to Table 2.1 of the Other Consents and Licences [APP-035] and ensure that this is kept updated and resubmitted at each subsequent deadline of the Examination.
Q1.7.17	Applicant	Paragraphs 2.5 and 2.6 of the Combined Heat and Power (CHP) Assessment [APP-038] state that the Wilton International site has extensive utilities infrastructure and established CHP generation equipment and that the former Teesside Power Station provided supplementary steam and power to Wilton. Please provide evidence that the existing connections to utilities as shown in Figure 1 of the CHP Assessment would be adequate to provide CHP to the Wilton International site or other sites.
Q1.7.18	Applicant Environment Agency	Paragraph 4.6.6 of EN-1 sets out the need for proposals for thermal power stations to include CHP or contain evidence that the possibilities for CHP have been fully explored. This should include an audit trail of dialogue between the applicant and prospective customers. Paragraph 12 of the Guidance on

Ref No.	Respondent:	Question:
		<p>Background Information to Accompany Notifications under Section 14 (1) of the Energy Act 1976 and Applications Under Section 36 of the Electricity Act 1989 (the 2006 DECC Guidance) state that if a proposal is for generation without CHP the application should provide a description of future heat requirements in the area.</p> <p>Paragraph 3.4 of the CHP Assessment [APP-038] indicates that the development of the Tees CCPP with CHP capabilities would enable the applicant to attract new energy intensive manufacturing customers to the Wilton site. Paragraph 5.2 then concludes that there are currently no immediate opportunities for the supply of heat.</p> <p>In the light of the guidance in paragraph 4.6.8 of EN-1:</p> <ul style="list-style-type: none"> • Demonstrate whether or not it is economically feasible to exploit existing regional heat markets. If it was concluded that it was not feasible to exploit existing markets was a high level economic appraisal undertaken?; • Provide an audit trail which demonstrates the dialogue which has taken place with prospective customers and a description of future heat requirements in the area; and • Explain the provisions in the proposed scheme for exploiting any potential heat demand in the future.
Q1.7.19	Redcar and Cleveland Borough Council Tees Valley Combined Authority	<p>Paragraph 16 of the 2006 DECC Guidance requires applicants to demonstrate that they have properly consulted the results of the UK heat mapping exercise.</p> <p>Demonstrate how the UK heat mapping exercise (UK CHP Development Map) has been taken into account in the development of proposals and what work has been undertaken with Redcar and Cleveland Borough Council and the Tees Valley Combined Authority to identify whether development opportunities in the area can support CHP.</p>
Q1.7.20	Applicant	<p>Has the CHP Assessment [APP-038] taken account of the possibility of the Proposed Development being constructed as two steams under Scenario 2? If so, what are the implications; if not, why not?</p>

Ref No.	Respondent:	Question:
Q1.7.21	Environment Agency	<p>The Environment Agency requires applications for Environmental Permits for new installations to demonstrate the use of Best Available Techniques (BAT) for various criteria including energy efficiency. The applicant states [APP-038] that:</p> <ul style="list-style-type: none"> • First BAT Test: There are currently no immediate opportunities for the supply of heat but the growth of business will require new steam raising capacity; • Second BAT Test: The new Power Plant will be CHP Ready; and • Third BAT Test: The applicant will carry out periodic reviews of opportunities for the supply of heat. <p>Does the Environment Agency consider that the three BAT Tests have been adequately addressed? If not, what additional information needs to be provided?</p>
Q1.7.22	Applicant	How would the initial electricity efficiency of the CHP Ready plant compare with the equivalent non CHP Ready plant?
Q1.7.23	Applicant	<p>Figure E3.1 of Annex E1 (Stack Height Assessment) [APP-069] shows Modelled NO_x Concentrations.</p> <p>Please clarify how this assessment contributed to the determination of 75m being the lowest stack height at which impacts on sensitive human receptors are deemed to be acceptable and why a stack height of 40-45m is deemed to be impractical in terms of managing environmental impacts on ecological receptors.</p>
Q1.7.24	Applicant	<p>Paragraph E1.9 of Annex E1 [APP-069] states that the applicant will carry out a further stack height assessment among other assessments as part of the environmental permit process.</p> <p>What would be the implications of a change to the stack height for the EIA and the DCO?</p>
Q1.7.25	Applicant National Grid	Table 15.3 of the ES [APP-057] describes the mitigation in the event of a gas transmission pipeline rupture as maintenance of an easement zone for the pipeline. Would this require a protective

Ref No.	Respondent:	Question:
		provision?
8 Landscape and Visual		
Q1.8.1	Applicant Environment Agency	<p>Paragraph 4.7 of the Design and Access Statement [APP-037] states that the location and height of the CCGT stacks have been fixed whilst paragraph 4.8 states that the maximum height of the co-located stacks is 75m above existing ground level. Table 11.1 of the Environmental Statement (ES) [APP-053] indicates that during the detailed design and environmental permitting processes there may be scope to reduce stack heights below 75m only if this is approved by the Environment Agency (EA). Req. 4 of the dDCO [APP-005] also specifies a <u>maximum</u> height for the stacks to be 75m.</p> <p>Explain how these statements reconcile with paragraph E1.9 of Annex E1 [APP-069] which states that <i>'the stack height of 75m is the <u>lowest</u> stack height at which impacts on sensitive human receptors are deemed to be acceptable and not significant on ecological receptors'</i> and that the applicant will carry out a further stack height assessment among other assessments as part of the environmental permit process with the implication being that the height could change?</p> <p>Provide an update as to the potential to reduce the stack heights.</p> <p>Whilst the location of the power station units is shown on the layout plans in Figures 5.3 and 5.4 of the ES [APP-047] and on the Works Plan [APP-013] it is not clear where in this envelope the stacks would be located. Why have the locations of the stacks not been fixed within the dDCO, for example by grid reference?</p> <p>What assumptions have been made in the relevant ES assessments on the location of the stacks, noting that their location is not defined within the Works Plans for dDCO? This should include confirmation of what stack locations have been assumed as part of the air quality modelling (and HRA Report) in respect of a 'worst case' scenario.</p>

Ref No.	Respondent:	Question:
		Table 7.5 of the ES [APP-049] indicates that the diameter of the stacks would be 8m. How would the final diameter of the stacks be determined? Would this be through the environmental permitting process?. Please explain why the diameter of the stacks has not been specified in the dDCO.
Q1.8.2	Redcar and Cleveland Borough Council	<p>The applicant has stated in paragraph 11.9 of the ES [APP-053] that the landscape and visual assessment has been carried out in conformity with the European Landscape Convention and the Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3).</p> <p>Is the Council content that the assessment was appropriately undertaken in line with this advice?</p>
Q1.8.4	Applicant	<p>As presented, Figure 11.3: Baseline Landscape View and Green Infrastructure) [APP-053] is unclear in print and CD formats.</p> <p>Please print the images in an A4 landscape format and ensure the Green Wedge designation is clear.</p>
Q1.8.5	Applicant	<p>As presented, the smaller images forming part of Figure 11.4 [APP-053] are unclear.</p> <p>Please print the images in an A4 landscape format.</p>
Q1.8.6	Applicant Redcar and Cleveland Borough Council	<p>Figure 11.4 of the ES [APP-053] shows the Local Landscape Character Areas with the project location being within the urban area and not within any defined Local Landscape Character Area.</p> <p>Whilst not formally characterised, what is the local character of the area within which the Project is located?</p> <p>There does not appear to be a conclusion of the likely significant effects on the National Character Areas (NCA), although paragraph 11.34 of the ES [APP-053] states that NCA 25 would be largely unaffected due to topographical screening. On what basis was it decided not to assess the effects on NCA?</p>

Ref No.	Respondent:	Question:
Q1.8.7	Applicant	How have the effects from the operation of the first train concurrently with the construction of the second train under Scenario 1 been assessed in the landscape and visual impact assessment?
Q1.8.8	Applicant	Paragraph 11.65 of the ES [APP-053] describes the mitigation measures proposed to address landscape and visual effects during construction. Why have these measures not been included in the framework CEMP?
Q1.8.9	Applicant	Paragraph 11.67 of the ES refers to the ' <i>Indicative Landscaping and Biodiversity Plan (Document 4.11)</i> ' [APP-029]. Document APP-029 is titled ' <i>Indicative Landscaping Plan</i> ' and does not refer to biodiversity. Please ensure consistency in naming documents. How would implementation of this plan impact on ecological receptors?
Q1.8.10	Applicant	At what point in the programme would the Landscaping Scheme, secured by Req. 12 be implemented? Is an amendment to Req. 12 necessary to secure its implementation?
Q1.8.11	Applicant	What assumptions have been taken into account in the assessment of visual impacts from night-time lighting? How would such assumptions be secured through the DCO?
Q1.8.12	Applicant	The effect of the Proposed Development on visual amenity at Viewpoint 4 is assessed as minor to moderate. Nevertheless in Table 11.6 it is stated that the range of effect is more towards minor due to the fact that the stacks would be viewed alongside other tall industrial components in the skyline. Can the Applicant provide further explanation of how this judgement has been made?
Q1.8.13	Applicant Redcar and Cleveland Borough Council	Can the Council confirm that the viewpoints are appropriate and provide reasonably representative views of the Project Site? In responding, please explain why there are no representative viewpoints from the north. In addition, please explain how sensitivity was determined.
Q1.8.14	Applicant	As set out in paragraph 11.53 of the ES [APP-053], the assessment of cumulative effects is based on

Ref No.	Respondent:	Question:
	Redcar and Cleveland Borough Council	developments of a similar type and excludes other types of development. Is this approach supported by reference to the GLVIA3 or other guidance or practice?
Q1.8.15	Applicant	Section 11.6 of the ES [APP-053] indicates that the residual effects will reduce over time. Demonstrate why and how this will occur.
Q1.8.16	Applicant Redcar and Cleveland Borough Council	Annex K of the ES [APP-080] provides photomontages and photowireline images of the proposed development. Why were viewpoints 7, 11 and 12 from Figures 11.6/11.7 [APP-053] not chosen when the sensitivity of the viewpoints is described as high? For the Council, should these viewpoints have been shown as photomontages/photowireline images?
Q1.8.17	Applicant	Have any assumptions been made in the ES [APP-042] about the location of the stacks within the envelope provided by the Works Plans [AS-001 and APP-014]?
Q1.8.18	Applicant Redcar and Cleveland Borough Council	Indicative Landscaping Plan [APP-029] shows an area for partial tree/shrub/grass and flower planting to the west of the site. Would it be appropriate to introduce similar soft landscaping within the areas reserved for Carbon Capture and Storage to the east of the site in the period until that scheme is brought forward? If not, why not? Why is the area to the south of the site identified for hard landscaping – tarmac rather than soft landscaping?
Q1.8.19	Applicant	Do the photomontages and photowirelines present the worst case extent of development in line with

Ref No.	Respondent:	Question:
		<p>the description of development in ES Table 5.3, [APP-047] and Table 7.6 [APP-049] and do they reflect the dimensions set out in the dDCO [APP-005]?</p> <p>For the avoidance of doubt, please confirm that the full height of the stacks as shown on the photomontages and photowirelines represent the 90m worst case scenario?</p>
Q1.8.20	Applicant	<p>Table 11.1 of the ES [APP-053] states that grey cladding is regarded as the least visible. Nevertheless, it is not clear what assumptions have been made regarding the external appearance of the Proposed Development which would be secured through Req. 4 of the dDCO.</p> <p>What assumptions about appearance were made in undertaking the landscape and visual impact assessment?</p>
Q1.8.21	Applicant	<p>Viewpoint 10 in APP-080 shows the existing noise barrier/wall on the southern edge of the application site in the photomontage. The proposed western noise barrier/wall is not shown.</p> <p>Can the Applicant confirm whether the proposed western noise barrier/wall has been considered in the LVIA?</p>
Q1.8.22	Applicant Redcar and Cleveland Borough Council	<p>Req. 12 secures the provision of a written landscaping scheme which must be based on the indicative landscaping and biodiversity plan [APP-029] which would be a certified document under the DCO. As presented the indicative landscaping and biodiversity plan simply indicates areas of the site which would be vegetated.</p> <p>Is it appropriate or necessary for the indicative landscaping and biodiversity plan to provide greater detail at this stage?</p>
9	Noise and Vibration	

Ref No.	Respondent:	Question:
Q1.9.1	Applicant Redcar and Cleveland Borough Council	<p>Paragraph 8.8 of the Environmental Statement (ES) [APP-050] states that the assessment of construction noise was based on an even spread of construction sources around the site which was thought to be a more realistic distribution than adopting a worst case view of all plant operating at the site boundary.</p> <p>Was this approach agreed with relevant consultees?</p>
Q1.9.2	Applicant Redcar and Cleveland Borough Council	<p>Paragraphs 8.31 and 8.63 of the ES [APP-050] indicate that survey data to establish baseline noise conditions was agreed with RCBC.</p> <p>Please provide evidence of such an agreement and for the Council please confirm whether the methodology for the data collection and assessment is acceptable.</p> <p>Identify any matters where agreement was not reached and explain why.</p>
Q1.9.3	Applicant	<p>Paragraph 3.73 of the Scoping Opinion [APP-063] stated that vibration from traffic movements should be addressed although there is no evidence that this has been assessed within the ES.</p> <p>Please confirm whether any significant effects are likely from vibration from traffic movements?</p>
Q1.9.4	Applicant Redcar and Cleveland Borough Council	<p>RCBC have indicated in a letter to the applicant dated 8 March 2017 (Table 8.1) [APP-050] that anything above a 3dB(A) increase above background noise level would not be acceptable.</p> <p>Can the Council explain why they suggest this noise level and can the applicant comment on it.</p>
Q1.9.5	Applicant Redcar and Cleveland Borough Council	<p>Paragraph 8.58 of the ES [APP-050] states that sensitivity to the impact of industrial noise is increased as a result of known history of feedback regarding noise from residents in Lazenby and isolated properties such as Old Hall Farm.</p> <p>What feedback has been provided and how has this has been addressed in terms of increasing</p>

Ref No.	Respondent:	Question:
		sensitivity?
Q1.9.6	Applicant Environment Agency Redcar and Cleveland Borough Council	It is proposed to retain and where necessary reinstate an acoustic wall on the southern boundary of the application site [APP-014]. Why was the efficacy of the wall not verified at pre-application stage?
Q1.9.7	Applicant Environment Agency Redcar and Cleveland Borough Council	Draft DCO Req. 20 (2)(e) requires details of any works and maintenance to the wall to be submitted to and approved by the relevant planning authority in consultation with the EA prior to commissioning whilst Req. 20 (6) states that commissioning cannot take place until any necessary works have been carried out. What certainty can the Applicant provide that the existing noise barrier will prove as effective in mitigating construction noise as assumed in the noise model?
Q1.9.8	Applicant	Has the proposed noise barrier/wall (on the western site boundary) been included within the noise modelling presented in ES Annex F2 [APP-072]? If so, what assumptions were made regarding this barrier and how would these assumptions be incorporated into the completed barrier.
Q1.9.9	Redcar and Cleveland Borough Council	Does the Council consider the predicted construction noise levels set out in Table 8.9, operational noise levels in Table 8.10 and Initial Estimate of Noise Impacts at Night in Table 8.11 [APP-050] to be reasonable?
Q1.9.10	Applicant	Table 8.14 of the ES [APP-050] sets out the mitigation measures to reduce noise. Please set out in tabular form how the individual mitigation measures would be secured through the DCO during both construction and operational phases. Please ensure that all mitigation measures relevant to construction are included in the CEMP.
Q1.9.11	Applicant	Has the operational noise assessment [APP-072] taken account of the need for maintenance works?

Ref No.	Respondent:	Question:
		If it has, what would be the impact of such works and how would any short term effects be mitigated if necessary. If not, why not?
Q1.9.12	Applicant	In Table F2.1 of Annex F1 [APP-071] it is stated in footnote b) that the JV06 flare has been lit at all points up to and including Yearby, whilst footnote e) comments that the flare was not lit at JV06. Please explain the relevance of these comments to the background noise levels.
Q1.9.13	Applicant	Section F4 of Annex F1 [APP-071] provides wind direction analysis whilst paragraph 8.61 of the ES indicates that wind direction has an important effect on noise levels at receptors. Show how the wind direction analysis has had an effect on noise levels.
Q1.9.14	Applicant Redcar and Cleveland Borough Council	In paragraph F1.3 of Annex F2 [APP-072] it is stated that it is not appropriate to combine operational and construction noise levels in Scenario 2. Explain further why this is the case and specifically, why it would not be possible to use the operation of the first train as the future baseline and then assess construction noise impacts of the second train?
Q1.9.15	Applicant	In Annex F2 [APP-072], why are the operational noise contours in Figures F2.1 and F2.2 skewed to the north-east?
Q1.9.16	Applicant	In Table 17.1 of the ES [APP-059], item 105 states that the wall of the HRSG building has been assumed to be acoustically upgraded cladding material. <ul style="list-style-type: none"> • Is there a need for acoustically upgraded cladding material and what would this achieve? • How would this be secured through the dDCO?
Q1.9.17	Applicant	The operational noise assessment is based on both trains operating as a worst case scenario with

Ref No.	Respondent:	Question:
		operational assumptions and predictions provided in Annex F2. [APP-072] The assessment has been informed by noise modelling by potential contractors based on their experience and the types of mitigation required will be developed during the detailed design process to ensure that the plant design meets the levels assumed in the modelling. How will this be ensured?
Q1.9.18	Applicant	Table 8.14 [APP-050] identifies mitigation works for the operational phase including that gas turbines will be inside buildings and within enclosures. Please provide details of the proposed enclosures, indicate whether or not this would have any effect on noise propagation and whether or not this has been taken into account in the noise assessment.
Q1.9.19	Applicant	<p>Paragraph L18 of the CEMP [APP-081] states that construction noise limits have been identified for nearby noise sensitive receptors and that compliance with the noise limits will ensure that adverse effects are unlikely. Confirm where in the application documents these noise limits are presented and how they would be monitored and enforced.</p> <p>Paragraph L18 also states that for out of core-hours working/abnormal or emergency construction traffic, measures would be put in place to reduce potential noise impacts at noise sensitive receptors. Please provide details of these measures.</p>
10	Risk and Hazard Management	
Q1.10.1	Applicant Redcar and Cleveland Borough Council	<p>As set out in paragraph 14.13 of the Environmental Statement (ES) [APP-056], the National Policy Statement for Energy (EN-1) indicates that the positive effects of energy policy for health can achieve '<i>positive medium and long term effects...for equalities</i>'.</p> <p>Please indicate how the proposed development has a positive effect on equalities.</p>
Q1.10.2	Applicant Redcar and	Emerging Policy SD4 of the Redcar and Cleveland Draft Publication New Local Plan states that a Health Impact Assessment (HIA) will be required where the development is likely to have a significant impact

Ref No.	Respondent:	Question:
	Cleveland Borough Council	on the health and wellbeing of the local population or particular groups within it [APP-056]. What matters should a HIA address and does the DCO application meet those requirements.
Q1.10.3	Applicant	Paragraph 6.190 of the ES [APP-048], states that a site emergency response and contingency plan will be developed in consultation with the Environment Agency, Redcar and Cleveland Borough Council and the EPC (Engineering, Procurement and Construction) contractor and that the plan will be a requirement of the DCO. Expand on what matters the plan should address and how it will be secured through the DCO.
Q1.10.4	Applicant	With reference to paragraph 14.23 of the ES [APP-056], please demonstrate how the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines to prevent the effects of electromagnetic fields (EMF) have been taken into account in assessing potential health effects.
Q1.10.5	Applicant	As set out in paragraph 14.36 and Table 14.4 of the ES, decommissioning may have an impact upon several attributes of health but is beyond the scope of the assessment. Please provide further explanation as to why decommissioning has not been assessed.
Q1.10.6	Applicant	Notwithstanding the applicant's comment in paragraph 14.90 of the ES [APP-056], that there will be no new EMF effects and that there will be compliance with applicable codes, how does this address ICNIRP guidelines?
Q1.10.7	Applicant	Paragraph 14.132 of the ES [APP-056], indicates that noise resulting from the project is unlikely to result in sleep disturbance although some noise may be audible outside of domestic properties. Has the assessment taken account of the possibility of windows being open?
Q1.10.8	Applicant	Please clarify what is meant by ' <i>none of these effects are expected to be minor or not significant</i> ' in

Ref No.	Respondent:	Question:
		paragraph 14.140 of the ES [APP-056].
Q1.10.9	Applicant National Grid	<p>Section 14.6.9 of the ES [APP-056] indicates that there are no predicted impacts associated with EMF during construction.</p> <p>Please clarify this statement having regard to the proximity of construction taking place close to existing sub-stations on site.</p> <p>With regard to the operational phase of the project it is stated that National Grid will adopt accepted design codes. Similarly, on page 15-8 of the ES (Table 15.1) [APP-057], in response to the comments of National Grid it is stated that all guidance will be fully complied with. Should this be secured through the DCO, and if so, how?</p>
Q1.10.10	Applicant	How will the HIA mitigation measures set out in 14.7 [APP-056] be appropriately secured through the DCO [APP-005]?
Q1.10.11	Applicant	<p>Paragraph 15.8 of the ES [APP-057] states that the Project Site is within the consultation distance of the adjacent Ensus plant with part of the site within an area possibly affected by a major accident at the Ensus facility.</p> <p>Is the layout of the Proposed Development influenced by this consultation zone?</p> <p>What would be the effect of the proposed development on the Ensus site in hazard terms?</p>
Q1.10.12	Applicant Health and Safety Executive	On page 15-7 of the ES (Table 15.1) [APP-056], in response to the comments of the Health and Safety Executive it is stated that Ensus, Lotte and Sabic have been contacted in relation to the project. What is the outcome of those discussions?
Q1.10.13	Applicant	Section 15.4.2 of the ES sets out an assessment of construction and operational phase effects with separate tables dealing with construction (Table 15.3) and operation (Table 15.4) [APP-056].

Ref No.	Respondent:	Question:
		Has an assessment been undertaken to consider the risks associated with Scenario 2 as well as Scenario 1? If not, why not?
Q1.10.14	Applicant Health and Safety Executive	Reference is made in paragraph 5.88 of the ES [APP-047] to a ' <i>health, safety and environmental (HSE) management plan</i> '. How does this relate to the assessment to be provided under Req. 30? If they are different documents how would the HSE management plan be secured?
11 Transportation and Traffic		
Q1.11.1	Applicant	Paragraph 10.15 of the Environmental Statement (ES) [APP-052], indicates that for Scenario 1 there will be 48 new members of staff when the project is operational whilst paragraph 10.16 states that in Scenario 2, Phase 1 the operational workforce will be 46 and paragraph 3.17 of Annex I1 [APP-077], indicates that this will rise to 48 once the second CCGT is operational. This appears to conflict with the figures in paragraph 13.103 of the ES [APP-055], which indicates that for Scenario 2 the first train will employ approximately 40 staff and when both trains are operational approximately 60 staff will be required. Please comment on this discrepancy and confirm the basis on which the transport assessment [APP-077] has been undertaken.
Q1.11.2	Applicant	In Table 10.1 of the ES [APP-052], Highways England indicated that there was a need for the Project to be co-ordinated with other major construction projects. The applicant's response stated that it was intended to co-ordinate projects prior to construction and that the approach had been agreed in principle with Highways England. In Appendix A of Annex I1 [APP-077], a response from CH2M on behalf of Highways England recommended that further information on committed major developments should be built into the traffic impact assessment.

Ref No.	Respondent:	Question:
		Please demonstrate how this has been done.
Q1.11.3	Applicant	<p>Paragraphs 10.22 and 10.95 of the ES [APP-056] indicate that the provision of a shuttle bus from the Wilton International main access to the project site is being considered. Similarly paragraph 4.14 of Annex I1 [APP-077] indicates that the Project will consider the provision of a pedestrian/cycle link from the Wilton International site main access to the Project Site.</p> <p>Please indicate how these matters are being progressed and how they will be secured through the DCO.</p>
Q1.11.4	Applicant Redcar and Cleveland Borough Council	<p>Paragraph 10.26 of the ES [APP-056] states that a Travel Plan for the operational phase of the project is not necessary due to the low level of operational trips.</p> <p>For the applicant please demonstrate how this conclusion was reached in terms of policy and guidance. Is this view shared by the Council?</p>
Q1.11.5	Applicant Redcar and Cleveland Borough Council	<p>The proposed mitigation measures identified in Table 10.13 of the ES [APP-056] for abnormal indivisible loads (AIL) would in part be secured through Req. 15 of the dDCO [APP-005].</p> <p>Whilst Req. 15 addresses routeing and scheduling, does it adequately address the management of AILs?</p> <p>What consideration has been given to the movement of AIL by water and have discussions taken place with Highways England's abnormal loads team?</p>
Q1.11.6	Applicant Redcar and Cleveland Borough Council	Paragraph 1.2 of Annex I2 [APP-078] states that the EPC contractor will meet or exceed the framework provisions of the draft Construction Transport Management Plan (CTMP) and adapt it to their project specific construction methodology.

Ref No.	Respondent:	Question:
		Please confirm that this relates to Req. 15 of the draft DCO [APP-005] and not Req. 25 as stated and that the reference within paragraph 1.2 should be to Highways England and not the Highways Agency. Req. 15 is addressed above.
Q1.11.7	Applicant Redcar and Cleveland Borough Council	Paragraph 1.25 of Annex I2 [APP-078] states that HGV arrivals will be spread evenly between the hours of 0800-1800 to avoid on-site congestion and avoid peak traffic on adjacent roads. Paragraph 2.9 of the Transport Assessment states that the AM peak is between 0730-08.30 whilst the PM peak is between 1630 and 1730. Is there any conflict between these statements and if so how will the situation be managed? Will abnormal indivisible loads be restricted to particular time periods?
Q1.11.8	Applicant Redcar and Cleveland Borough Council	Section I5 of Annex I2 [APP-078] addresses the need for a Workers Travel Plan. It comments that there are no train services and no bus stops nearby. Do these comments conflict with Section 4 of the Transport Assessment [APP-077] which considers the potential for public transport trips?
Q1.11.9	Applicant Redcar and Cleveland Borough Council	Paragraph 1.52 of the CTMP [APP-078] indicates that the construction contractor will ensure that arrangements are in place to maximise car sharing and the use of minibuses. Set out the extent of measures to be addressed through a Workers Travel Plan and demonstrate how they would be secured through the DCO?
Q1.11.10	Applicant	The ' <i>Existing Access and Rights of Way</i> ' Plan [APP-015] identifies ' <i>major road</i> ' and ' <i>private road</i> '. What is the status of these roads in terms of the Highways Act 1980?
Q1.11.11	Applicant	Item 15 of Table 2.1 in the Other Consents and Licences document [APP-035] identifies North

Ref No.	Respondent:	Question:
	Redcar and Cleveland Borough Council	Yorkshire County Council as local highway authority. Can the applicant confirm the correct local highway authority?
12 Water Environment		
Q1.12.1	Environment Agency Redcar and Cleveland Borough Council	Can the Environment Agency (EA) and the Lead Local Flood Authority confirm whether or not they are content with the scope, assessment, methodology and conclusions of the Flood Risk Assessment [APP-064]? If not, please provide details of the specific areas of concern and confirm how these should be addressed by the applicant.
Q1.12.2	Environment Agency	Can the EA confirm whether or not it agrees that the Water Framework Directive (WFD) information provided in the application appropriately demonstrates the Proposed Development's compliance with the requirements of the WFD? Do any other matters relevant to WFD need to be taken into account?
Q1.12.3	Applicant	The scope of the Applicant's WFD assessment is unclear but appears to be limited to assessment of impacts on the Tees Estuary (South Bank). Can the applicant confirm and justify the scope of the WFD assessment? If other bodies have been assessed explain the outcome of the assessment and where this information can be found.
Q1.12.4	Redcar and Cleveland Borough Council	Table C1.2 of Annex C (Flood Risk Assessment) [APP-064] refers to Policy SD7 of the Draft Publication New Local Plan which has a requirement for brownfield developments to limit runoff to 50% of that previously discharged. The applicant considers this to be impractical. Please comment.
Q1.12.5	Applicant	Paragraph C1.41 of Annex C [APP-064] states that drainage features are shown on Figure C3.1. Please provide an amended figure which shows these features.

Ref No.	Respondent:	Question:
Q1.12.6	Applicant	<p>Paragraph C1.48 of Annex C [APP-064] states that the updated flood map for surface water flooding indicates that there are some areas of surface water flood risk within the site itself. Plan BGS Flood GFS Data in Annex D2 [APP-066] also shows the potential for groundwater flooding.</p> <p>Please explain the implications of this finding.</p>
Q1.12.7	Applicant Environment Agency	<p>In paragraph C1.59 of Annex C [APP-064] it is asserted that climate change is not considered likely to increase flood risks within the vicinity of the project site.</p> <p>Please comment further on this statement.</p>
Q1.12.8	Applicant Environment Agency Redcar and Cleveland Borough Council	<p>What relevance, if any, does the Redcar and Cleveland Strategic Flood Risk Assessment have for the Project site?</p>
Q1.12.9	Applicant	<p>In its response to the s55 checklist the applicant responded to matters concerning the WFD. Nevertheless the applicant is requested to provide an updated version of Figure 6.1 [APP-048] which labels the water bodies and confirms the WFD of each.</p>
Q1.12.10	Applicant	<p>What discussions have taken place with Northumbrian Water about waste water requirements in the light of their comment set out in the Scoping Report [APP-062] recommending that the applicant contact them? If no dialogue has taken place, why not?</p>
Q1.12.11	Applicant	<p>Please clarify what the annotations are (Q8, AS etc.) on the '<i>Indicative Drainage Plan</i>' [APP-027] and how drainage within the Project site would drain to the connection.</p>
Q1.12.12	Applicant	<p>Please clarify whether the existing demineralised water connection to the site [APP-019], potable</p>

Ref No.	Respondent:	Question:
		<p>water connection plan [APP-023 – Sheet 1] and raw water connection plan [APP-023 – Sheet 2] would be served by new structures or buildings.</p> <p>Please also confirm the feature shown as concentric circles in the north west corner of the site.</p>
Q1.12.13	Applicant	Would trade effluent discharges in the form of cooling water require Trade Effluent Discharge Consent? If not, why not?
Q1.12.14	Applicant	<p>Table 6.17 of the ES [APP-048] states that the discharge of process water and surface water runoff from the Project site will take place to the existing Wilton site drainage system through which it will be monitored through the Environmental Permit.</p> <p>Would separate Surface Water Discharge Consent be required and should this be included in Table 2.1 of Other Consents and Licences [APP-035]?</p>
13 Other Matters		
Q1.13.1	Applicant	With reference to paragraphs 1.14 and 1.15 of the Statutory Nuisance Statement [APP-040], what is the difference between ' <i>no significant ... nuisance effects following the implementation of identified mitigation</i> ' and ' <i>the mitigation committed ... will ensure no statutory nuisance effects are likely to occur</i> '?
Q1.13.2	Applicant Environment Agency	<p>In the light of the advice within EN-1 that where possible, applicants are encouraged to submit applications for Environmental Permits at the same time as applying for a DCO could the applicant explain their position with regard to Environmental Permits.</p> <p>Paragraph 7.4 of the Planning Statement states that the applicant has received a positive indication from the Environment Agency (EA) that an Environmental Permit for the proposed power plant will be granted. Please provide a copy of the letter dated 1 March 2017.</p>

Ref No.	Respondent:	Question:
		<p>Would the EA wish to comment further on whether the necessary Environmental Permit is capable of being granted?</p>
Q1.13.3	Applicant	<p>Why do the dimensions on the indicative generating station plan [APP-019] refer to FFL (presumably finished floor level) when the DCO [APP-005] refers to height above ordnance datum (AOD)?</p> <p>Additionally, why does APP-019 have the height of the stacks fixed in terms of AOD whilst other heights are up to FFL?</p>
Q1.13.4	Applicant	<p>The Works Plans [APP-013 and APP-014] show the various works proposed under the DCO, some of which overlap. Because of the overlapping colours the plans lacks clarity. Please reproduce the plans with insets to show each of the works/colours individually, as part of the original Works Plans.</p>
Q1.13.5	Applicant	<p>The Works Plan [APP-014] shows two sound walls, partially along the western boundary and partially along the southern boundary. In articles 2 and 20 of the dDCO the sound walls are described as acoustic walls.</p> <p>Please ensure that a consistent term is used.</p>
Q1.13.6	Applicant	<p>In paragraph 6 of the Schedule of Land Ownership and Interests [APP-007] it is stated that there are only two Section 44 Persons, namely National Grid and Northern Powergrid (Northeast) Limited.</p> <p>Please explain whether any other utility service providers such as those providing water and gas have any interests within the Order Limits.</p>
Q1.13.7	Applicant	<p>Paragraph 5.44 of the ES [APP-047] states that design will have regard to appropriate guidance including the Design Council guidelines.</p> <p>Please provide details of the guidelines indicated.</p>

Ref No.	Respondent:	Question:
Q1.13.8	Applicant	<p>Redcar and Cleveland Borough Council's Relevant Representation [RR-008] states that the output of the power plant will satisfy the energy needs of 5m people in 1.3m households.</p> <p>Please indicate the output of the power plant in terms of people/households served.</p>
Q1.13.9	Applicant National Grid	<p>Table 2.1 of Other Consents and Licences [APP-035] sets out the need for a Bilateral Connection Agreement for connection to the National Grid substations.</p> <p>Is further consent required to export electricity to the National Electricity Transmission System through a Bilateral Embedded Generation Agreement?</p>