

## **Net Zero Teesside Project**

Planning Inspectorate Reference: EN010103

Land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stocktonon-Tees, Teesside

**The Net Zero Teesside Order** 

**Document Reference: 1.6 – Signposting Document for Updated Application Documents** 

The Planning Act 2008
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)



Applicants: Net Zero Teesside Power Limited (NZT Power Ltd) & Net Zero North Sea Storage Limited (NZNS Storage Ltd)

Date: October 2021



## **DOCUMENT HISTORY**

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## 1.1 Introduction

- 1.1.1 This Signposting Document has been prepared on behalf of Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the 'Applicants') in respect of the application (the 'Application') for a Development Consent Order (a 'DCO'), that was submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy, under Section 37 of the Planning Act 2008 ('PA 2008') on 19 July 2021. The SoS accepted the Application for Examination on 16 August 2021.
- 1.1.2 The Applicants are seeking development consent for the construction, operation and maintenance of the Net Zero Teesside Project (the 'Proposed Development') on land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stockton-on-Tees, on Teesside (the 'Site').
- 1.1.3 The Proposed Development will be the UK's first commercial scale, full chain Carbon Capture, Usage, and Storage project and will initially capture up to 4 million tonnes (Mt) of carbon dioxide (CO<sub>2</sub>) emissions per annum. It will comprise a number of elements, including a new gas-fired electricity generating station with post-combustion carbon capture plant; gas, water and electricity connections (for the generating station); a CO<sub>2</sub> pipeline network for collecting CO<sub>2</sub> from a cluster of local industries on Teesside; a CO<sub>2</sub> compressor station (for the compression of the CO<sub>2</sub>) and the onshore section of a CO<sub>2</sub> export pipeline.
- 1.1.4 The Signposting Document (Document Ref. 1.6) sets out how the Applicants have addressed the matters raised by the Planning Inspectorate ('PINS') in its advice dated 16 August 2021 that was issued under Section 51 of the PA 2008 (the 'Section 51 Advice').

## 1.2 Signposting

1.2.1 **Table 1.2.** on the following pages sets out how the matters raised by PINS in its Section 51 Advice have been addressed, where the relevant information can be found and which Application Documents have been updated.



Table 1.2: Applicants' Response to Section 51 Advice

Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
Consultees identified on a precautionary basis:		
The Applicants may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when serving notice of the accepted application under s56(2((a).  The section 55 checklist (Box 6) identifies one body (Indigo Power Limited) who was not consulted by the Applicants pursuant to s42 and who the Applicants should consider consulting on a precautionary basis.	The Applicants have added Indigo Power Limited to the list of bodies/persons to be notified of the accepted application under s56 of the PA 2008. s56 notification letters are anticipated to be issued during the week commencing 25 <sup>th</sup> October 2021. The Applicants would highlight that Indigo Pipelines Limited (of the same address as Indigo Power Limited) were consulted under s42.	n/a
Submission of updated documents:		
The following documents are corrupt, the Applicant is requested to provide amended versions:  • 6.3.74 ES Vol II Figure 17-7a Viewpoint 1 – Albion Terrace Hartlepool (Summer).	The Applicants have submitted uncorrupted versions of the Project Need Statement, the Indicative Lighting Strategy and ES Vol II Figure 17-7a. Minor changes have been made to the Indicative Lighting Strategy (repagination and correction of a table reference).	Document Ref. 5.2 'Project Need Statement' – May 2021 Rev. 1.0  Document Ref. 5.8 'Combined Heat and Power Assessment' – October 2021 Rev. 2.0
• 5.2 Project Need Statement.	In addition, the Applicants have submitted an updated version of the Combined Heat and Power	



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5.11 Indicative Lighting Strategy.	Assessment, with the references to 'Confidential' omitted from the page footers and the removal of technology specific references and information to allow the document to be shared on a nonconfidential basis.	Document Ref. 5.11 'Indicative Lighting Strategy' – October 2021 Rev. 2.0  Document Ref. 6.3.75 'ES Volume II Figure 17-7a Viewpoint 1 – Albion Terrace Hartlepool (Summer)
Works Plans:		
The Applicants are requested to provided updated Works Plans providing a legend defining MLWS and making the limits of deviation referred to in the Acceptance Checklist sufficiently clear.	The Works Plans have been amended to show Mean Low Water Springs (MLWS) on the relevant plan sheets.  The Draft DCO and Works Plans delineate the area within which each Work No. can be constructed, maintained, and operated (see Article 4(3) of the Draft DCO). The areas within which each work can be constructed are shown on the Works Plans, which now comprise of 13 key plans identifying the geographic extent of a further 37 detailed plan sheets that overlay the red line boundary of the Proposed Development. The 37 detailed plan sheets in turn show the locations within which each Work No. (as set out in Schedule 1 of the Draft DCO) must be constructed. The Draft DCO no	Document Ref. 2.1 'Draft Development Consent Order' – October 2021 Rev. 2.0  Document Ref. 2.2 'Explanatory Memorandum – October 2021 Rev. 2.0 Document Ref. 4.4 'Works Plans' – Key Plans 1 to 13 and Sheets 1 to 37 – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
	longer refers to limits of deviation as that is not necessary as well as the aspects outlined above. Further explanation is provided at paragraphs 3.3.1 to 3.3.2 of the Explanatory Memorandum.	
Works Plans:		
Further clarification is needed in relation to Work No. 1E in the draft DCO. An explanation is required as to why this work has not been included in documents such as the Explanatory Memorandum, Works Plans, Land Plans, Environmental Statement, and any other documents expected to hold details of works. It is requested that the above documents listed, and any other documents in which works are expected to be seen are submitted to the Planning Inspectorate.	The Draft DCO and Explanatory Memorandum have been updated in order to treat Work No. 1E as a standalone work no. (in the same way as Work Nos. 1A to 1D). The geographic area within which the works listed at Work No. 1E of Schedule 1 of the Draft DCO must be constructed are now defined on Work Plan Sheet 5. As Work No. 1E is for ancillary works in connection with Work Nos. 1A to 1D, the area of Work No. 1E comprises the entirety of the land area comprising Work Nos. 1A to 1D.	Document Ref. 2.1 'Draft DCO' – October 2021 – Rev. 2.0  Document Ref. 2.2 'Explanatory Memorandum' – October 2021 Rev. 2.0  Document Ref. 4.4 'Works Plans' – Key Plans 1 to 13 and Sheets 1 to 37 – October 2021 Rev. 2.0
	There is no change to the land requirements as a consequence of including Work No. 1E as a standalone Work No. Accordingly, there has been no updates to the Land Plans.  Chapter 4 of the Environmental Statement (Proposed Development) has been updated to	Document Ref 6.2.4  'Environmental Statement –  Chapter 4 'Proposed Development'  – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
	specifically include Work No. 1E as a standalone Work No. The Environmental Statement had already taken account of and assessed ancillary works in connection with Work Nos. 1A to 1D, so there is no change to the outcome of the assessment.	
Works Plans:		
The Applicant is requested to provide a Works Plan Key Plan that clearly demonstrates the relationship between the sheets as referred to in the Acceptance Checklist.  s55 Checklist Box 28: The Works Plans (Doc. 4.4) Key Plan show all of the works on one sheet; however, it doesn't show the relationship between the plans that make up the Works Plans.	The Works Plans have been amended to include 13 separate key plans, which now separate the Work Nos. and clearly show the relationship between 37 detailed plan sheets that show the locations and extent of each Work No. (i.e. the area within which each Work No. must be constructed). Further explanation is provided at paragraphs 3.3.1 to 3.3.2 of the Explanatory Memorandum.	Document Ref. 2.2 'Explanatory Memorandum' – October 2021 Rev. 2.0  Document Ref. 4.4 'Works Plans' – Key Plans 1 to 13 and Sheets 1 to 37 – October 2021 Rev. 2.0
Minor errors and omissions		
Environmental Statement (Docs. 6.1 – 6.4):		
Some of the Requirement numbers in ES     Appendix 25A: Commitments Register	The Commitments Register and Draft DCO have been cross-checked against each other and have	Document Ref. 2.1 'Draft DCO' – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
(Doc 6.4.48) do not align with the Requirement numbers in the dDCO.	been updated to ensure that the Requirement numbers align.	Document Ref. 6.4.49 'ES Vol III, Appendix 25A: Commitments Register' – October 2021 Rev. 2.0
Minor errors and omissions		
Draft Development Consent Order (Doc.2.1):		
<ul> <li>Work No. 1 includes a subsection E which contains works not identified on the Works Drawings/ Plans, the locations of some of which are set out elsewhere in the application documents.</li> <li>It is unclear whether the 'further development' listed after Work No 10 ('In connection with and in addition to Work Nos. 1 to 10, further development including—') is intended to be Associated Development in terms of s115(2) of the PA2008</li> </ul>	See explanation above in respect of "subsection E" of Work No. 1. This is now a new standalone Work No. 1E.  See paragraphs 2.3.1 to 2.3.10 of the Explanatory Memorandum for a detailed explanation of "further development". In summary, the "further development" listed after Work No. 10 in Schedule 1 is intended to capture any ancillary development that is required to form part of Work Nos. 1 to 10. It follows that some of the "further development" will form part of Work Nos. that are "development for which development consent is required" under s115(a) of the PA 2008 (i.e. Work Nos. 1, 6, 7 and 8). Accordingly, such "further development" would not be "associated development".	Document Ref. 4.4 'Works Plans' – Key Plans 1 to 13 and Sheets 1 to 37 – October 2021 Rev. 2.0  Document Ref. 2.2 'Explanatory Memorandum' – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
	Where the "further development" relates to other Work Nos. that comprise "associated development" pursuant to s115(1) (b) of the PA 2008 (by virtue of being development associated with Work No. 1) the "further development" would constitute "associated development".	
	As set out in paragraph 2.3.6, the works comprising "further development" listed in Schedule 1 are not intended to be exhaustive and other works required in connection with Work Nos. 1 to 10 may be carried out provided they are within the parameters of the Environmental Impact Assessment (EIA).	
Minor errors and omissions  Explanatory Memorandum (Doc. 2.2):		
<ul> <li>Cross referencing between the Explanatory Memorandum and the draft Development Consent Order is not consistent and comprehensive. For example, explanation of Article 21 has not been included within section 3.5.</li> </ul>	The cross-referencing has been checked and amended versions of the Draft DCO and Explanatory Memorandum are provided.	Document Ref. 2.1 'Draft DCO)' – October 2021 Rev. 2.0  Document Ref. 2.2 'Explanatory Memorandum – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
Minor errors and omissions		
Funding Statement (Doc 3.3):		
• Lack of explanation on the timing of the availability of funding. The Funding Statement notes that, 'The Project Partners and Applicants will work with a variety of financial institutions and advisors in order to secure funding, which will be available in accordance with timings identified in the development programme', and that the project programme will be developed after any consent. However, the guidance (Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land, 2013) specifically notes that 'Applicants should be able to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following the order being made' (referring to the Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations 2010).	The Applicants have not made updates to the Funding Statement at this stage. The Applicants are confident that funding will be available to compensate parties affected by the exercise of compulsory acquisition powers. Further information on the availability of funding will be made available as required during the DCO Examination.	n/a



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
Minor errors and omissions		
Land Plans (Doc 4.2):		
<ul> <li>The insert showing the detail for plot 279 obscures the plot label for plot 283, which is only partially visible.</li> </ul>	The Land Plans have been amended so that both plots 279 and 283 are visible.	Document Ref. 4.2 'Land Plans' – Key Plan and Sheets 1 to 14 – October 2021 Rev. 2.0
Minor errors and omissions		
Works Plans Key Plan (Doc 4.4), Works Plans Part 1 (Doc 4.4) and Works Plans Part 2 (Doc 4.4):		
<ul> <li>The Key Plan shows all the works on one sheet; however, it doesn't show the relationship between the sheets that make up the Works Plans (Parts 1 &amp; 2).</li> </ul>	As confirmed above, the Works Plans have been amended to include 13 separate key plans, which now separate the Work Nos. and clearly show the relationship between 37 detailed plan sheets that	Document Ref. 4.4 'Works Plans' – Key Plans 1 to 13 and Sheets 1 to 37 – October 2021 Rev. 2.0
<ul> <li>The Works Plans show the indicative area for the proposed Works but are not specific enough (by showing the limits of deviation, for example).</li> </ul>	show the locations and extent each Work No. (i.e. the area within which each Work No. must be constructed). The Indicative Gas Connections Plans and Indicative Electrical Connections Plans have been updated to take account of the changes made to the Works Plans.	Document Refs. 4.7.1 Indicative Gas Connections Plans – Key Plan (Sheet 1); 4.7.8 'Indicative Gas Connection AGI Plans' – Sheet 1; 4.7.9 'Indicative Gas Connection AGI Plans' – Sheet 2; and 4.7.10
<ul> <li>The graphics used on the Works Plans (Doc 4.4) do not clearly outline Works between the sub areas of a Work No. (e.g.</li> </ul>		'Indicative Gas Connection AGI Plans' – Sheet 3 – all October 2021 Rev. 2.0



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<ul> <li>Work No.1C, especially when overlain by other Works such as Work No.1A and/or Work No.1B).</li> <li>The Works Plans (Doc 4.4) do not indicate the locations of optionality described in the proposed development description, such as the two options for CO<sub>2</sub> gathering, for natural gas connections and for water drainage discharge.</li> <li>Identification of the MLWS mark on the Works Plans (Doc 4.4) would provide further clarity.</li> </ul>	As confirmed above, the Works Plans and Draft DCO no longer refer to "limits of deviation" for each Work No.  The Works Plan have been amended to include additional plan sheets to clearly show each Work No. For example, Work No. 1A, 1B, 1C, 1D and 1E are each now shown on separate plan sheets for clarity.  The Works Plans have been updated to clearly identify the optionality described at Chapter 4 of ES Vol I 'The Proposed Development' in terms of the CO <sub>2</sub> Gathering Network (Work No.6), Gas Connection (Work No. 2) and Water Discharge Connection (Work No. 5). Further explanation and signposting to the relevant sheets of the Works Plan has been included in the Explanatory Memorandum (see paragraphs 3.8.6 to 3.8.29).  The plans show the area within which each of the different options may be constructed.  The Indicative Gas Connections Plans have been updated to show the optionality for the Gas	Document Ref. 4.8.1 'Indicative Electrical Connection Plans' Key Plan (Sheet 1) – October 2021 Rev. 2.0  Document Ref. 6.2.4 'ES Vol I – Chapter 4 The Proposed Development' – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
	As confirmed above, the Works Plans have been updated to define MLWS on the relevant plan sheets.	
Minor errors and omissions		
Access and Rights of Way Plans (Doc 4.5):		
These plans show an area shaded in beige, labelled 'Access Land'. Although there is information available in other application documents citing "Access Land", there is no information in the DCO (Doc 2.1) to explain the significance of this land	The Draft DCO (Article 2. Interpretation) confirms that "access land" has the same meaning as in Section 1(1) (principal definitions for Part I) of the Countryside and Rights of Way Act 2000 ('CROW').  The Draft DCO correctly identified the relevant area of "access land" (in Schedule 6), but this was not reflected on the previous version of the Access and Rights of Way Plans. These have been updated so that the extent of "access land" matches that described in the Draft DCO, and further explanation and clarification of the meaning of "access land" and why the Applicants require powers to temporarily prohibit public access to such land, has been included in the Explanatory Memorandum (see paragraphs 3.2.3 and 3.4.10 to 3.4.15).	Document Ref. 2.1 'Draft DCO' – October 2021 Rev. 2.0  Document Ref. 2.2 'Explanatory Memorandum' – October 2021 Rev. 2.0  Document Ref. 4.5 'Access and Rights of Way Plans' – Key Plan and Sheets 1 to 7 – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
Minor errors and omissions		
Plans to hold the relevant information:		
• The proposed gas pipeline and CO <sub>2</sub> pipeline under the River Tees are described as being located under bedrock below the Teesmouth and Cleveland Coast Special Protection Area and Ramsar site. The extent of the Ramsar site in this specific area of the application site, as well as at Coatham Marsh (immediately to the east of the application site), is shown incorrectly on some of the figures in the application documents (eg in Figure 3-4 in ES Volume II (Doc 6.3.5) and Figures 1 and 3 in Appendix D of the HRA Report (Doc ref. 5.13)).	The relevant ES figures and appendices and the Habitats Regulations Assessment Report have been amended to show the correct boundary of the Ramsar site.	Document Ref. 5.13 'HRA Report' – October 2021 Rev. 2.0  Document Ref. 6.3.5 'ES Vol II Figure 3-4 Environmental Receptors within 2 km' – October 2021 Rev. 2.0  Document Ref. 6.3.24 'ES Vol II Figure 9-3 Ecological Designations' – October 2021 Rev. 2.0  Document Ref. 6.3.52 'ES Vol II Figure 11-1 Noise Sensitive Receptors' – October 2021 Rev. 2.0  Document Ref. 6.3.53 'ES Vol II Figure 11-2 PCC Site Piling Construction Phase' – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
		Document Ref. 6.3.54 'ES Vol II Figure 11-3 CO2 Gathering Network Construction' – October 2021 Rev. 2.0
		Document Ref. 6.3.55 'ES Vol II Figure 11-4a CO2 Export Pipeline Construction' – October 2021 Rev. 2.0
		Document Ref. 6.3.56 'ES Vol II Figure 11-4b CO2 Export Pipeline Construction (with screening)' – October 2021 Rev. 2.0
		Document Ref. 6.3.57 'ES Vol II Figure 11-5 PCC Site Operation Noise Levels' – October 2021 Rev. 2.0
		Document Ref. 6.3.62 'ES Vol II Figure 15-3 Designated Sites' – October 2021 Re. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
		Document Ref. 6.4.20 'ES Vol III Appendix 12C Preliminary Ecological Appraisal Part 3' – October 2021 Rev. 2.0
		Document Ref. 6.4.34 'ES Vol III Appendix 15A Ornithology Baseline Part 2' – October 2021 Rev. 2.0
		Document Ref. 6.4.48 'ES Vol III Appendix 24C Statement of Combined Effects' – October 2021
Minor errors and omissions		
Crown Land (Doc 4.3):		
<ul> <li>Some of the sheets in this set are entitled 'Crown Land Plans', whereas others are entitled 'Land Plans'</li> </ul>	The Crown Land Plans have been amended so that all sheets refer to 'Crown Land Plans'. The Crown Land Plans have also been updated to correct the Application Document Reference (4.3 instead of 4.5).	Document Ref. 4.3 'Crown Land Plans – Key Plan and Sheets 1 – 14 – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
Minor errors and omissions		
Indicative Gas Connections and Above Ground Installations Plan (Doc 4.7):  • A Key Plan is required and has been provided. However, sheets 8 – 11 are not shown on the Key Plan	The Key Plan has been updated to show Sheets 8 to 11. The Gas Connection AGI Plans now include an inset showing the location of the relevant AGI within the red line boundary of the Proposed Development.	Document Ref. 4.7.1 'Indicative Gas Connection Plan – Key Plan (Sheet 1) – October 2021 Rev. 2.0 Document Ref. 4.7.8 'Indicative Gas Connection AGI Plans (Sheet 1) – October 2021 Rev. 2.0  Document Ref. 4.7.9 'Indicative Gas Connection AGI Plans (Sheet 2) – October 2021 Rev. 2.0  Document Ref. 4.7.10 'Indicative Gas Connection AGI Plans – Key Plan (Sheet 3) – October 2021 Rev. 2.0
Minor errors and omissions		
Indicative Electrical Connection Plans (Doc. 4.8):		
<ul> <li>The Key Plan (sheet 1) only shows Sheets</li> <li>2 &amp; 3; Sheet 4 should also be shown on</li> </ul>	The Key Plan has been updated to show Sheet 4 and Sheets 5 to 7 have been removed.	Document Ref. 4.8.1 'Indicative Electrical Connection – Key Plan (Sheet 1)' – October 2021 Rev. 2.0



Section 51 Advice	Summary of how Section 51 Advice has been addressed	Where the information can be found/Application Document reference
the key plan. Sheets 5-7 are elevations, so don't need to be shown on the Key Plan.		
Minor errors and omissions		
Project Need Statement (Doc 5.2):		
<ul> <li>This document is partly corrupted, an uncorrupted version is to be provided.</li> </ul>	As confirmed above, an uncorrupted version of the Project Need Statement has been provided.	Document Ref. 5.2 'Project Need Statement' – May 2021 Rev. 1.0
Minor errors and omissions		
Indicative Lighting Strategy (Doc 5.11):		
This document is partly corrupted, an uncorrupted version is to be provided.	As confirmed above, an uncorrupted version of the Indicative Lighting Strategy, including a number of minor changes (repagination and correction of a table reference) has been provided.	Document Ref. 5.11 'Indicative Lighting Strategy' – October 2021 Rev. 2.0.