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Your Ref: EN010103
Our Ref: 13626

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Dear Mr Wagstaff

APPLICATION REF: EN010103 – THE NET ZERO TEESSIDE PROJECT

REQUEST FOR FURTHER PROPOSED CHANGE TO THE NET ZERO TEESSIDE DEVELOPMENT CONSENT ORDER ('THE NET ZERO TEESSIDE ORDER') APPLICATION – REMOVAL OF TEES DOCK ROAD ACCESS

LAND AT AND IN THE VICINITY OF THE FORMER REDCAR STEEL WORKS SITE (TEESWORKS SITE), REDCAR AND IN STOCKTON-ON-TEES

I write on behalf of the Applicants, Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited relating to the Net Zero Teesside ('NZN') Development Consent Order (DCO) Application.

The Applicants and South Tees Development Corporation ('STDC') have successfully exchanged on the Main Site option agreement. The Applicants and STDC will now move focus to negotiation of the easement agreements and interface agreement, referenced in line item no. 77 of the Compulsory Acquisition Schedule (Document Ref. 9.5, Rev. 12.0) submitted on 24th March 2023.

Following exchange of the STDC Main Site option agreement, the Applicants wish to request that the Secretary of State make a further change to the NZT DCO Application. The change request is accompanied by the following updated Application Documents:

1. Application Guide (Document Ref. 1.2, Rev. 17.0).
2. Book of Reference (Document Ref. 3.1, Rev 8.0)
3. Guide to Land Plan Plots (Document Ref. 3.4, Rev. 4.0)
4. Site Location Plan (Document Ref. 4.1, Rev 5.0)
5. Land Plans (Document Ref. 4.2, Rev. 6.0)
6. Crown Land Plans (Document Ref. 4.3, Rev. 6.0)
7. Works Plans (Document Ref. 4.4, Rev. 6.0)
8. Access and Rights of Way Plans (Document Ref. 4.5, Rev. 6.0)
9. Design and Access Statement (Document Ref. 5.4, Rev. 5.0)

Change Request

At Deadline 11 on 26th October 2022, the Applicants submitted Document Ref. 7.13a 'Notification of Further Proposed Changes' [REP11-011] to the Examining Authority ('ExA'), which described two

proposed changes to the DCO Application and the Applicants’ intention to submit a formal change request (Document Ref. 7.13b) [REP12-116] and updated Application Documents at Deadline 12.

The first change detailed in REP11-011 related to the outfall for the disposal of wastewater to Tees Bay and the Applicants’ decision to select the new outfall option (Work No. 5B), meaning that the STDC outfall option (Work No. 5A) could be removed from the Application.

The second change related to the removal of Plot 274 and part of Plot 279 from the Order Land (the Tees Dock Road Access) and consequential amendments to the Order to remove powers of temporary possession over those plots. The Tees Dock Road Access had been identified as forming part of Work No. 10 (highway improvements). This change was dependent on securing a legally binding voluntary agreement with STDC. The Applicants advised at Deadline 12 [REP12-116] that while progress had been made on the agreement between the parties, they did not expect it to be concluded before the end of the Examination, and therefore, the change in respect of the Tees Dock Road Access was expected to occur post-Examination.

The Deadline 12 change request was therefore made on the basis of only the removal of the STDC outfall option from the Application. The Examining Authority formally accepted this change on 4th November 2022 [PD-023]. However, in anticipation that the change to remove the Tees Dock Road Access would occur post-Examination, the Applicants set out the changes required to the final draft DCO [REP12-003] to remove the Tees Dock Road Access in Part 3 of the Schedule of Changes to the draft DCO [REP12-005], to allow the Examining Authority and Interested Parties the opportunity to review and comment on them during the Examination.

A legally binding agreement has now been reached with STDC in respect of the main site which secures arrangements for access and therefore the Applicants are now in a position to remove the Tees Dock Road Access from the Application (subject to the agreement of the Secretary of State), meaning that the Applicants are in a position to further reduce the extent of the Order Limits and Order Land.

The proposed change in respect of the Tees Dock Road Access is described in Table 1 below in terms of changes to the individual Work Number (Nos.) listed at Schedule 1 ‘Authorised Development’ of the final draft DCO [REP12-003] and shown on the updated Works Plans (Document Ref. 4.4, Rev. 6.0).

Table 1 – Summary of Further Proposed Change

Change No.	Description
19	Proposed Change: Removal of temporary possession Order Land associated with the development and use of an access from Tees Dock Road Access, resulting in a reduction in the Order Land/Limits (part of Work No. 10).

The proposed change would further reduce the amount of land required for the Proposed Development and reduce the extent of the Order Limits and Order Land. Its overall effect would be positive in terms of further reducing the potential effects of the Proposed Development on an Interested Party, namely STDC. It should be noted that STDC have been opposed to the inclusion of the Tees Dock Road Access in the Order and strongly support the change now proposed.

The change request notification document submitted at Deadline 11 (Document Ref. 7.13a) [REP11-011], considered the removal of the Tees Dock Road Access in terms of materiality and included a plan

showing the area to be removed. Paragraph 2.2.7 of **[REP11-011]** notes that the proposed change does not involve the introduction of any new or additional development or powers and that all of Plot 274 and part of Plot 279 would be removed from the Order Limits/Land.

In terms of any potential changes to environmental effects, paragraph 2.4.2 of **[REP11-011]** stated that removing the access from Tees Dock Road would require HGVs to access the PCC Site via the internal road network from Lackenby Steelworks Gate off the A1085 Trunk Road rather from the A66/ A1053 / Tees Dock Road roundabout. The effects of the latter were assessed in the Environmental Statement ('ES') Transportation Assessment **[APP-327 to APP-332]**. Furthermore, the effects associated with the use of the Lackenby Steelworks Gate were assessed in the Traffic Sensitivity Modelling Note submitted at Deadline 3 **[REP3-013]** and found to not affect the validity of the original Transportation Assessment. As such, the proposed change would not change the environmental effects as assessed in the ES.

The Applicants are therefore of the view that this further proposed change is not material.

In addition, the Applicants have already advertised their intention to submit a change request in respect of the Tees Dock Road Access (at Deadline 8 and again at Deadline 11) and made clear at Deadline 12 that the change would be made post-examination. As such, there has been ample opportunity for Interested Parties to comment on the change.

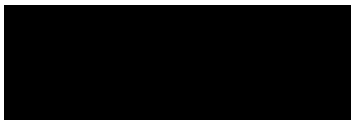
The Applicants therefore request that the Secretary of State make the changes to the final draft DCO **[REP12-003]** to remove the Tees Dock Road Access, as set out in **Appendix 1** to this letter. For the avoidance of doubt these changes supersede the changes requested by the Applicants as set out at Part 3 of the Schedule of Changes to the draft DCO **[REP12-005]**.

Furthermore, as the Application Documents listed in this letter have been updated to reflect the further proposed change, and where those documents are certified documents, an updated Schedule 14 (Table 13) of the draft DCO has also been included in **Appendix 1** to this letter.

It should be noted that the changes to Schedule 14 requested at pages 4 and 5 of the Applicants' Response to the Secretary of State's Request for Information dated 24th March 2023 have been incorporated (and where necessary updated) in the Applicant's preferred final version of Schedule 14 set out at **Appendix 1**.

I would be grateful if you could confirm receipt of this submission. Please do not hesitate to contact me if I can help in any way to clarify any matters associated with the change request.

Yours sincerely



Geoff Bullock
Partner – Head of Planning
DWD – on behalf of NZT Power Limited & NZNS Storage Limited

Enc.

Appendix 1

Appendix 1: Schedule of Changes required to final draft DCO [REP12-003]

Drafting changes required to remove Tees Dock Road Access

Article / Requirement number in draft DCO	Drafting change
Schedule 5, Access, Table 5 (Those parts of access to be maintained by the street authority)	Delete entire first row containing the words "In the District of Redcar and Cleveland" in column 1, the words "Tees Dock Road / unnamed private road" in column 2, and the words: "That part of the access in the area cross hatched in red at the point marked BO on sheet 4 of the access and rights of way plans" in column 3.
Schedule 9, (Land of Which Temporary Possession May Be Taken), Table 8	Delete the numbers "274" and "279" from column 1 of the row containing the following words in column 2: Temporary use to facilitate access to and highway improvements (Work No. 10) in relation to the authorised development
Schedule 12, Part 20 (Protective provisions for the benefit of South Tees Development Corporation) paragraph 256	<p>Delete paragraph (i) from the definition of "diversion condition";</p> <p>Delete the definition of "Lackenby Gate";</p> <p>Delete "southern access land" from the definition of "proposed land"</p> <p>Delete "southern access route works" from the definition of "proposed work"</p> <p>Delete definition of "southern access route land"</p> <p>Delete definition of "southern access route works"</p>
Part 20 (Protective provisions for the benefit of South Tees Development Corporation) paragraph 234(d)	Delete "the southern access route works" from sub-paragraph d);

Article / Requirement number in draft DCO	Drafting change
Schedule 14 (Certified Documents)	See new table 13 for insertion in Schedule 14 below.

Table 13 to be replace version in Schedule 14 of the final draft DCO [REP12-003]

<i>(1)</i> Document name	<i>(2)</i> Document reference	<i>(3)</i> Revision number	<i>(4)</i> Date
access and rights of way plans	4.5	6	March 2023
application guide	1.2	17	April 2023
book of reference	3.1	8	April 2023
design and access statement	5.4	5	April 2023
endurance store protective provisions plan	4.18	1	October 2022
environmental statement	Non-technical summary, 6.1 Volume 1, 6.2 Volume 2, 6.3 Volume 3, 6.4 Non-Technical Summary of Environmental Statement Addendum, 7.7 Environmental Statement Addendum – Volume I, 7.8.1 Environmental Statement Addendum – Volume II, 7.8.2 Non-Technical Summary of Second Environmental Statement Addendum, 7.10	- - - - - - - -	As listed in the application guide

	Second Environmental Statement Addendum – Volume 1, 7.11.1	-	
	Second Environmental Statement Addendum – Volume II, 7.11.2	-	
	Non-Technical Summary of Third Environmental Statement Addendum, 7.14		
	Third Environmental Statement Addendum – Volume 1, 7.15.1		
	Third Environmental Statement Addendum – Volume II, 7.15.2		
framework construction environmental management plan	6.45	3	October 2022
indicative lighting strategy	5.11	1	May 2021
indicative landscape and biodiversity strategy	5.12	2	August 2022
land plans	4.2	6	March 2023
Net Zero Teesside Anglo American Shared Areas Plan	4.17	1	September 2022
parking plan	4.16.2	3	October 2022
PCC site access plan	4.16.3	2	August 2022
Sembcorp Pipeline Corridor protective provisions supporting plan	4.19	1	October 2022
Sembcorp Protection Corridor protective provisions supporting plans	4.20	1	March 2022

updated landscape and biodiversity plan	4.15	4	October 2022
water connection plan	4.16.4	2	August 2022
works plans	4.4	6	March 2023