



Meeting note

| | |
|---------------------------|--|
| Project name | Lighthouse Green Fuels Project |
| File reference | EN010150 |
| Status | Final |
| Author | The Planning Inspectorate |
| Date | 9 July 2024 |
| Meeting with | Lighthouse Green Fuels Limited (The Applicant) |
| Venue | Microsoft Teams |
| Meeting objectives | Project Update Meeting |
| Circulation | All attendees |

Summary of key points discussed, and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Project Recap

The Applicant updated the Inspectorate on the project timeline to date, stating that between September 2023 and May 2024 consultation responses were consolidated, as well as design work and ongoing technical assessments. The Applicant confirmed that statutory consultation ran from 16 May to 20 June 2024.

The Inspectorate asked the Applicant whether the onward transportation of aviation fuel falls to be considered within this application, or whether a future application is expected. The Applicant confirmed that discussions are currently ongoing on this matter, but transportation is likely to be led by shipping and supported by rail, and roads could be used as a last resort. The Applicant confirmed that no future Development Consent Order (DCO) application is expected to be needed for any ongoing SAF transportation.

The Applicant touched on the Finch legal judgement ([2024] UKSC 20) stating that it was considering the implications for the environmental impact assessment (EIA) of the Proposed Development.

Consultation Update

The Applicant informed the Inspectorate that statutory consultation consisted of 3 face-to-face events and 3 online consultation events, with 95 attendees across these events. The Applicant added that it had received 59 pieces of feedback from statutory consultees and 44 landowners, with 9 pieces of feedback received from the local community and interested parties.

The Applicant stated that the feedback was generally supportive of the use of sustainable aviation fuel (SAF), although there was some local concern from residents and businesses regarding potential noise and traffic during the construction period. The Applicant added that engagement with Stockton-on-Tees Borough Council was supportive, no response had been received from Redcar and Cleveland Borough Council, and Hartlepool Borough Council confirmed it had no objections to the Proposed Development.

The Inspectorate enquired whether the Applicant had been in contact with the Health and Safety Executive. The Applicant responded that it had and received some recommendations on hazards. Engagement will continue ahead of the DCO application submission.

The Applicant informed the Inspectorate that noise issues from a totally separate existing industrial operation located away from the Proposed Development site were affecting one community in particular, which consisted of individuals and residential communities; it is understood that complaints had been made, and the Applicant confirmed that these issues were being raised in several of the consultation responses.

The Inspectorate asked the Applicant to update them on engagement with the EA and Natural England (NE). The Applicant responded that no significant responses had been received so far except for requests for clarification on a few points. Engagement will continue ahead of the DCO application submission.

Update on EIA

The Applicant informed the Inspectorate that it was able to refine the scope of the EIA following consultation on heritage with Historic England, and on ground conditions with local planning authorities. The Inspectorate stated that the Applicant needed to ensure an audit trail of any agreement reached through consultation and that evidence is provided or signposted to in the Environmental Statement. The Applicant added that a Habitats Regulations Assessment (HRA) was underway which included a nutrient neutrality evaluation.

PINS Engagement

The Applicant discussed the possibility of selecting the basic level of the new pre-application service given the stage of the project.

The Applicant asked the Inspectorate if they will offer a draft document review with the basic level of service given the stage of the project. The Inspectorate replied that this will not be possible as draft document reviews are only available for the standard and enhanced levels of service. The Applicant noted this for consideration and confirmed that the standard service was therefore likely to be more suitable.

The Inspectorate asked whether the Applicant had a date confirmed for targeted consultation. The Applicant responded that this is still to be confirmed, but stated that it is likely to be in November 2024, ahead of a Quarter 1 2025 submission for the DCO application.

, The Applicant confirmed to the Inspectorate that its Red Line Boundary is likely to remain the same during targeted consultation, despite making changes to the project design to meet technical requirements and ensure that the project continues to meet government targets for SAF. The targeted consultation will communicate the changes to the project that resulted from statutory consultation. The Inspectorate advised that the Applicant document in the Consultation Report the reasons for a targeted statutory consultation as opposed to a full consultation.

AOB

The Applicant asked the Inspectorate if the programme document will be confidential. The Inspectorate confirmed that the document should be published on the Applicant's website from the commencement of the new service in October, which helps all parties resource effectively, and that it will not be published on the Inspectorate's website.

The Applicant asked the Inspectorate whether the mandatory Biodiversity Net Gain (BNG) requirements for Nationally Significant Infrastructure Projects (NSIPs) to be introduced in November 2025 would only apply to applications submitted after that date, or whether applications that are still undecided in November 2025 will need to comply. The Inspectorate has not been informed of any transitional arrangements for this requirement beyond what is already in the public domain. Given the risk posed to the consenting

process, the Applicant is advised to consider how they would best mitigate the risk that BNG might be required of them towards the end of their consenting programme. Furthermore, the Applicant's attention is drawn to the tests in the National Policy Statements (EN suite) regarding seeking opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. The Inspectorate understands that the statutory metric used in the current BNG regime is likely to also apply to NSIPs.

The Inspectorate asked the Applicant whether the DCO is likely to include significant Compulsory Acquisition (CA) powers. The Applicant confirmed that there are considerable land interests and individual parties in a busy area, as well as the need for access rights.

The Inspectorate proposed that the date for the next meeting should be after the targeted consultation. The Applicant agreed to this proposal.

