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To the Applicant
(By email only)

Your Ref:

Our Ref: EN070009

Date: 22 April 2024

Dear Mr Bullock

Planning Act 2008 (as amended) – Section 51

Application by H2 Teesside Limited for an Order Granting Development Consent for the H2Teesside

Advice following issue of decision to accept the application for examination

On 22 April 2024 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response.

Proposed Development plans and elevations of the Proposed Development

The Applicant is requested to provide additional details to more clearly illustrate the Proposed Development within its context and to assist people viewing the information of the Proposed Development. Please provide the following:

- An updated "Document Reference: 2.6 Indicative Hydrogen Production Facility and Above Ground Installations Plan" to show:
 - Elevations at a minimum of 1:2500 scale with the main features being referenced, by virtue of the numbering references shown in the legend, on each elevation.
 - New elevations showing the Proposed Development alongside the indicative elevations for the consented Net Zero Teesside project.
 - Isometric views and elevations to be updated to include indicative landscaping.

- Updated indicative pipeline plans to show:
 - Typical elevation of above ground pipelines in context with surrounding features.
- Photomontages:
 - Update to the photomontage document to include revised base photography showing the current views of the site, or explain why this is not possible or signpost where in the submitted documents you have explained why up to date baseline photography has not been used.
 - Please provide a photomontage document that labels the main features of the proposed development in, as a minimum, the 'wireframe' view
 - Please provide a version of the photomontages, using the same viewpoints as the current photomontages, at 200% enlargement detailing the Proposed Development with and without the consented Net Zero Teesside project.

Land Matters

The Applicant is requested to review and amend as appropriate the following matters relating to the Book of Reference (BoR) and Land Plans.

- The Book of Reference introductory section does not contain an explanation to the colours and referencing approach within the BoR itself and on the land plans. Please add this to ensure there is full understanding of the referencing regime used.
- The introductory chapter for the BoR, paragraph 1.3 states the incorrect Section of the PA2008 Act which defines this Application as a Nationally Significant Infrastructure Project, this should be amended.
- Please review the land plans to ensure that all parcels, or part-parcels of land are referenced on each drawing; for example, Drawing 15c has two parcels of unmarked blue land in the bottom right-hand corner and top middle.

Order Limits

The Applicant is requested to review the following matter regarding the Order Limits:

- The Important Hedgerows to be Removed Plan, Reference 2.15, shows work to remove hedgerow outside the Order Limits. Please confirm if the Order Limits are correctly shown and if so, correct the plan accordingly.

Bird Surveys

The Applicant states in Environmental Statement (ES) Appendix 13A (Document reference 6.4.25) that bird surveys in selected locations where land access had been limited were continuing until March 2024 inclusive. It is stated that the temporary information gap is mitigated by existing survey data obtained up to December 2023 and review of desk-based data. ES Chapter 13 (Document reference 6.2.13) states that the updated baseline data is proposed to be submitted post-submission of the DCO application and it is expected to validate the conclusions in the ES.

The Applicant should confirm the applicable timescales for submission of the updated survey information and how this corresponds/ relates to the overall timescales for the

examination.

Habitats Regulations Assessment

The following errors and omissions have been noted in the Report to Inform Habitats Regulations Assessment (Document Reference 5.10):

- The extent/ type of European sites within the 15km zone of influence established for the HRA are shown on Figure 2 in Appendix A but site names are not included.
- Paragraph 3.3.26 states that arctic tern is an Annex I qualifying feature of the Northumbria Coast Special Protection Area but this species is not listed on the Natural England citation.
- Paragraph 4.2.82 states that harbour seal of The Wash and North Norfolk Coast Special Area of Conservation is screened in for likely significant effects, but Table D-9 in Appendix D indicates it is screened out. Section 6.6 provides incorrect document names and numbers for the Nutrient Neutrality Assessment (this should be Document reference 5.13) and Water Quality Modelling Report (this should be ES Appendix 9B, Document reference 6.4.10).

Minor errors and omissions

There are minor errors and omissions to be corrected, as reflected in Box 30 of the acceptance checklist. Please note this list is not exhaustive and other errors and omissions may be identified during pre-examination and examination.

An Examining Authority, once appointed, may ask questions regarding these matters or request an update.

Please pay close attention to the advice set out in this letter and act on it accordingly. This will contribute towards a more efficient examination and give a future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

Lily Robbins
Case Manager

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