

H2Teesside Project

Planning Inspectorate Reference: EN070009

Land within the boroughs of Redcar and Cleveland and Stockton-on-Tees, Teesside and within the borough of Hartlepool, County Durham

The H2Teesside Order

Document Reference: 9.6: Statement of Common Ground between H2 Teesside Limited and National Highways

The Planning Act 2008



Applicant: H2 Teesside Ltd

Date: September 2024

The Planning Act 2008
The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009
The H2Teesside Order 202[]

Statement of Common Ground between H2 Teesside
Limited and National Highways

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) H2 Teesside Ltd. and (2) National Highways

Signed.....
[Name]
[Position]
on behalf of H2 Teesside Ltd.
Date:

Signed.....
[Name]
[Position]
on behalf of National Highways
Date:

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1.0 INTRODUCTION AND PURPOSE

1.1 Introduction

- 1.1.1 This Statement of Common Ground ('SoCG') relates to an application (the 'Application') made by H2 Teesside Limited (the 'Applicant'), to the Secretary of State for Energy Security and Net Zero for a Development Consent Order ('DCO') under Section 37 of the Planning Act 2008 (the 'PA 2008') for the H2Teesside Project.
- 1.1.2 The Application has been accepted for examination. The Examination commenced on 29 August 2024.
- 1.1.3 The Examining Authority's ('ExA') Rule 8 letter (Annex B) dated 30 August 2024 confirms that the Applicant should prepare a SoCG with National Highways in respect of the Proposed Development.

1.2 Parties to the SoCG

The Applicant and the Proposed Development

- 1.2.1 The Applicant is a private limited company aiming to develop and operate the H2Teesside project, which is an approximately 1.2-Gigawatt Thermal ('GWth') Carbon Capture & Storage ('CCS') enabled Hydrogen Production Facility (the 'Production Facility') and associated connections ('the Proposed Development') on land in Redcar and Cleveland, Stockton-on-Tees, and Hartlepool (hereafter referred to as the 'Proposed Development Site'). The Proposed Development will support the decarbonisation of UK-produced natural gas in Teesside for use in industrial applications, thus helping to achieve national targets in relation to net zero. It will also be a key contributor to restoring manufacturing jobs in the Tees Valley.
- 1.2.2 The Proposed Development Site covers an area of approximately 508 hectares ('ha') and is located primarily within the administrative boundaries of Redcar and Cleveland Borough Council (RCBC) and Stockton-on-Tees Borough Council ('STBC'). The Hydrogen Pipeline Corridor (refer to Figure 4-4 of the ES [APP-087]) extends further north-west to also include land within the administrative boundary of Hartlepool Borough Council ('HBC').
- 1.2.3 The Hydrogen Production Facility will be located at the Main Site within the Teesworks development site, as shown in Figure 4-1 of the ES [APP-084].

The Role of National Highways

- 1.2.4 National Highways is the government company charged with operating, maintaining and improving England's Strategic Road Network (motorways and designated 'A' roads).
- 1.2.5 National Highway's role in relation to the DCO process derives from the PA 2008 and secondary legislation made under the same.

1.2.6 National Highways is a consultee under Sections 42 of the PA 2008, meaning applicants must consult with National Highways before submitting a DCO application.

1.2.7 National Highways interests with regard to the Proposed Development relate to the potential traffic and transport impacts of development on the Strategic Road Network in the vicinity of the Main Site and which would be used to access the Main Site and construction compounds required to facilitate the Proposed Development.

1.3 The Purpose and Structure of this Document

1.3.1 The purpose and possible content of SoCGs is set out in paragraphs 58 to 65 of the Ministry of Housing, Communities and Local Government guidance entitled 'Planning Act 2008: examination of applications for development consent' (April 2024). Paragraph 58 of that guidance explains the basic function of SoCGs as follows:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."

1.3.2 SoCGs are therefore a useful and established means of ensuring that the evidence at the DCO examination phase focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.

1.3.3 The purpose of this SoCG is therefore to summarise the agreements reached between the parties on matters relevant to the Examination of the Application and to assist the ExA. It also explains the matters which remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any DCO for the Proposed Development.

1.3.4 The SoCG has been prepared with regard to the above guidance and is structured as follows:

- Section 2 – sets out the engagement and related discussions held between the parties.
- Section 3 – sets out the matters discussed and agreed to date.
- Section 4 – sets out the matters that are under discussion and to be agreed and the proposed way forward, where relevant.
- Section 5 – sets out the matters, if any, where there is disagreement.

2.0 ENGAGEMENT WITH NATIONAL HIGHWAYS

2.1 Summary of Engagement

2.1.1 A summary of the key engagement that has taken place between the Applicant and National Highways is detailed in **Table 2.1** below.

Table 2.1: Engagement between the Applicant and National Highways

DATE	FORM OF ENGAGEMENT	DOCUMENT REF. (IF ANY)	DETAILS
9 May 2023	Scoping Opinion	See Appendix 1E: Scoping Opinion Responses [APP-188]	<p>A written representation in response to the Inspectorate's consultation in relation to the application of the Scoping Opinion to the Planning Inspectorate ('PINS') submitted by the Applicant on 6 April 2023.</p> <p>National Highways provided consultation to help inform the DCO Application. Key topics raised in the PINS Scoping Opinion included:</p> <ul style="list-style-type: none"> Request for further information relating to construction traffic volumes, routeings and impacts.
14 September 2023	First Consultation (statutory consultation) in accordance with Section 42 of the PA 2008.	See Consultation Report [APP-030]	<p>The Applicant issued a Section 42 letter to National Highways on 14 September 2023 consulting it on the Proposed Development.</p> <p>National Highways ('NH') provided a range of technical feedback to help inform the DCO Application. Key topics raised in the Statutory Consultation response included:</p> <ul style="list-style-type: none"> Clarification that NH require the impact of the Proposed Development over construction and operation phases to be understood in terms of absolute two-way flows over both

DATE	FORM OF ENGAGEMENT	DOCUMENT REF. (IF ANY)	DETAILS
			<p>morning and evening network peak hours.</p> <ul style="list-style-type: none"> • Requesting full analysis of data including but not limited to personal injury collision data. • Clarification that further commentary on TEMPro factors will be reserved for detailed junction modelling. • General clarifications of information. • Acknowledging assumptions in assessment. • Support of some of the general principals underlying the assessment. • Request for confirmation of numbers within further assessments / management plans. • Request for management plans to be prepared.
<p>13 December 2023</p>	<p>Second Consultation (statutory and non-statutory) in accordance with Section 42 of the PA 2008.</p>	<p>See Consultation Report [APP-030]</p>	<p>The Applicant issued a Section 42 letter to NH on 13 December 2023 consulting it on a number of changes to the Proposed Development as a result of further design development and technical work undertaken and also responses received to the First Consultation.</p> <p>NH provided consultation to help inform the DCO Application. Key topics raised in the Statutory Consultation response included:</p> <ul style="list-style-type: none"> • Acknowledgement of minor Order Limits change and that they have no bearing on NH.

DATE	FORM OF ENGAGEMENT	DOCUMENT REF. (IF ANY)	DETAILS
4 September 2024	Consultation on proposed changes to the DCO Application.	n/a	A letter was issued to NH on 4 September 2024 consulting them on a number of proposed changes to the DCO Application.

3.0 MATTERS AGREED

3.1.1 Table 3.1 below sets out the matters agreed between the parties.

Table 3.1: Matters Agreed between the Applicant and National Highways

MATTER AGREED	AGREED POSITION
Shift Times to manage impacts	<p>It is agreed that keeping to the assumed shift times is an important part of managing impacts.</p> <p>Construction working hours are set out in Requirement 16 of the draft DCO [AS-013] and so must be complied with. This ensures that this assumption is delivered.</p>
Construction Traffic Management Plan	<p>National Highways agrees that it has no comments to make on the Framework Construction Traffic Management Plan ('CTMP') [APP-050], but acknowledges that the DCO requires that a detailed Construction Worker Travel Plan ('CWTP') [APP-049] is to be produced.</p> <p>National Highways is content with the drafting of Requirement 18.</p>
Shutdown Maintenance	<p>The parties agree that Requirement 17 of the draft DCO [AS-013] secures the production and approval of an environmental and traffic management plan for maintenance periods. As part of considering that plan, the relevant planning authority will be able to consider how shift patterns have been planned for those works, and how that aligns with peak traffic periods, and suggest any changes to that plan accordingly.</p> <p>National Highways is therefore content with the drafting of Requirement 18.</p>
Decommissioning	<p>The parties agree that Requirement 28 (6) (f) of the draft DCO [AS-013] provides for the production of a Decommissioning Environmental Management Plan. Sub-paragraph 6 of that Requirement sets out that such a plan should include information as to how materials will be removed from site and the travel management measures to be imposed. As such, traffic impacts will be able to be considered as part of the relevant planning authority's approval of that plan.</p>

MATTER AGREED	AGREED POSITION
	National Highways are therefore content with the wording of Requirement 28.

4.0 MATTERS UNDER DISCUSSION

4.1.1 This section sets out the matters under discussion between the parties and the proposed way forward. **Table 4.1** provides a summary of the issues raised between the parties.

Table 4.1: Summary of Matters under Discussion between the Applicant and National Highways

SOCG ID	MATTER	APPLICANT POSITION	NATIONAL HIGHWAYS POSITION
1.	Worker assumptions in the Transport Assessment.	The use of two workers per car has been accepted by NH as part of Net Zero Teesside and has been agreed upon since the scoping stages of the Proposed Development. Furthermore, a figure of two workers per car is based on precedent from multiple accepted DCOs over the course of the last decade. Please see the Applicant’s Comments on the Relevant Representations, specifically NH Relevant Representation 1, for the Applicant’s full position on this matter.	NH also acknowledges that two workers per car assumption has been employed for construction staff. NH queries that no validating data is provided to justify where this figure has been achieved at comparable construction sites (NH RR1).
2.	Worker numbers	The Applicant notes that by assuming a total of 1,300 workers, a more robust set of vehicle numbers has been assessed than could be expected on site for either phase, as the assessment assumes the construction phases of Phases 1 and 2 will not overlap.	NH queries the figure for construction worker numbers given the combined total of Phase 1 and 2 is more than 1,300.
3.	Worker movement assumptions	The assessment set out with regards to traffic and transport assesses a worst case scenario of 1,300 workers travelling in 650 vehicles to the site, with	NH also note that in line with the ‘worst-case’ flows referenced within Transport Assessment paragraph 15A.5.42, it is unclear as to whether these flows include

SOCG ID	MATTER	APPLICANT POSITION	NATIONAL HIGHWAYS POSITION
		<p>71% of these vehicles travelling to the Main Site, and 29% travelling to the relevant Connection Corridors. This is set out in Table ES 15A-24: Construction Worker Split - Main Site and Connection Corridors [APP-210].</p>	<p>movements associated with the various construction corridor sites, as accounted for within JSJV Table 1 above. As such, the hourly / daily construction trip generation values may require further clarification moving forwards.</p> <p>Irrespective of the above, as noted by JSJV at scoping, with daily on-site construction activities expecting to commence prior to the conventional AM network peak of 08:00 – 09:00 and continuing until well after the conventional PM network peak of 17:00 – 18:00, overall construction traffic flows are relatively evenly spread throughout the day. Such a daily staggering of construction flows would therefore be expected to minimise the hourly impact of the construction phase at the SRN.</p>
4.	Framework CWTP	<p>The Framework CWTP [APP-050] will be updated at Deadline 2 in light of NH’ RRs. The production of a Final CWTP (to be substantially in accordance with the framework) is secured by a DCO requirement – see Requirement 18(3)(h) of the draft DCO [AS-013].</p>	<p>The CWTP coordinator is proposed to monitor the total number of construction workers on-site and the number of parking spaces provided to ensure that car occupancy targets are being met. Monitoring is to be undertaken on one day per month. JSJV recommend the frequency of this is increased.</p> <p>NH will require the final CTMP / CWTP to seek to minimise the number of vehicle trips over the AM / PM network peak periods as much as possible.</p>

SOCG ID	MATTER	APPLICANT POSITION	NATIONAL HIGHWAYS POSITION
			<p>NH would recommend that the preparation and approval of a final detailed CTMP and CWTP is implemented as a Requirement on any planning permission granted for the proposed development. The final CTMP and CWTP should seek to secure, control and mitigate the potential construction impact of the proposed development at the SRN, principally over the morning and evening network peak hours (NH RR6).</p>
5.	Operational Traffic	Operational shift times during normal operation are still to be confirmed. However, even if all movements were to happen in peak times, the Transport Assessment establishes that no significant impacts would occur to the SRN.	<p>NH acknowledge the decision to not assess operational traffic because of the low number of staff that will be present when operational and because typically, shift patterns associated with the site operation would ensure that staff arrivals or departures are not scheduled during the conventional AM / PM peak hour network periods, thus avoiding any potential impact at the SRN. However, note there is no evidence of the proposed staff shift times provided by the Applicant.</p> <p>NH note that the maximum level of potential site staff quoted could incur a material impact at the SRN, should shift changeover periods overlap with SRN peak periods. As such, NH will require suitable comfort and confirmation that operational staff shift times will be scheduled in such a way that mitigates any impact of staff trips at the SRN over the</p>

SOCG ID	MATTER	APPLICANT POSITION	NATIONAL HIGHWAYS POSITION
			AM / PM network peak hours. This is recommended to be a requirement attached (to any DCO granted) requiring such processes to be set out (NH RR7).

5.0 MATTERS NOT AGREED

5.1.1 Table 5.1 provides a summary of the matters not agreed between the parties.

Table 5.1: Summary of Matters Not Agreed

SOCG ID	MATTER	THE APPLICANT POSITION	NATIONAL HIGHWAYS POSITION