



H2TEESSIDE DCO EXAMINATION

SOUTH TEES GROUP (20049389)

STG'S RESPONSES TO EXA FIRST WRITTEN QUESTIONS

ExQ1 (number)	Question to:	Question	Response
Questions specifically directed to STG:			
Q1.6.45	STG	<p>Objections to the grant of powers of CA and TP.</p> <p>The RR of the STG [RR-003] paragraph 3.25 states that ‘...Were the compulsory powers in the DCO granted (in their current form), the South Tees Group is at risk of not being able to bring forward other development proposals for the site’ and suggest that this may not meet the test that ‘...there is compelling evidence that the public benefits that would be derived from the CA will outweigh the private loss that would be suffered by those whose land is to be acquired...’ Paragraph 2.23 explains that the amount of land shown to be acquired would lead to large areas of sterilization. Please give further details of</p>	<p>STG’s Relevant Representation (RR) [RR-003] was based on a review of the Applicant’s Land Plans [AS-003], from which areas around the main Teesworks site (including accesses to it) and utilities corridors are relevant to STG’s concerns about land sterilisation and inability to bring forward other development proposals for the Teesworks site in light of the Proposed Development.</p> <p>STG retains significant concerns around the scale of the compulsory powers sought by the Applicant and specifically draws the Examining Authority’s attention</p>

		<p>the plots and/ or areas that this is relevant to and the status of negotiations in this regard.</p>	<p>to all plots sought by the Applicant in the DCO that were outside the scope of the voluntary agreement being negotiated between the parties.</p> <p>The Applicant has now proposed changes to the Order Limits, which STG supports in principle (albeit STG remains of the view that the proposed changes do not go far enough and further changes are required). The proposed changes are currently in consultation and STG intends to respond directly to the Applicant regarding this consultation by the Applicant's 7 October 2024 deadline. The scale of the Applicant's intended change application is clear evidence that land was included in the Application version of the DCO which was not required for the Proposed Development.</p> <p>In light of the above, STG reserves further comments in response to this ExA question until such time as any Order changes are finalised. In the meantime, STG's concerns remain about the extent of the land to be acquired.</p> <p>STG can confirm that negotiations with the Applicant remain ongoing, although the parties remain some</p>
--	--	--	---

			weeks away from concluding the documents that reflect what has been agreed in principle.
Q1.6.46	Applicant and STG	<p>Objections to the grant of powers of CA and TP.</p> <p>The RR of the STG [RR-003] paragraph 3.4 states that the Order Limits shown are outside the scope of the option agreement for the Proposed Development. Please can STG explain the consequences of this and how this impacts the proposal. Can the Applicant please comment on this concern raised by the RR.</p>	<p>The Examining Authority will note that STG had been engaged with the Applicant on a voluntary agreement, but the Applicant then sought compulsory powers over an extended area of land in its DCO application. In accordance with the relevant guidance, applicants are expected to negotiate for land interests and only seek compulsory powers as a last resort. This does not seem to be the approach adopted by the Applicant, which fails to adequately comply with the relevant compulsory acquisition guidance. This means that STG was not fully informed of the Applicant's proposals on its land until the DCO application was made public. Land within the STG estate is required for development distinct from the Applicant's proposals, with several other parties in negotiation with STG for the acquisition of parcels of land that have been (in the view of STG) unnecessarily included within the land identified as relevant to the Proposed Development in the DCO application. STG retains a number of outline / planning consents for these purposes, and the inclusion of what appears to STG to be land that is not required for the delivery of the</p>

			<p>Proposed Development as planned risks sterilising large parts of the Teesworks estate without justification.</p> <p>In addition to the above, STG has, as a direct result of the Applicant's approach, incurred costs in reviewing proposals from the Applicant which it no longer wishes to proceed with as a result of its proposed change application. STG has incurred further costs in reviewing the change application. A significant proportion of these costs would have been avoided had the Applicant openly communicated its intentions with STG.</p> <p>In principle, STG welcomes the Applicant's proposed reductions to the Order Limits, but concerns remain about the extent of the land to be acquired, as noted above.</p>
Q1.9.7	Applicant, LAs (HBC, RCBC and STBC), the STDC, and any other	<p>Clarification.</p> <p>Article 2 (interpretations) – The definition of 'permitted preliminary works' is noted. However, the ExA asks whether other relevant Environmental Plans, such as Written Schemes of Investigation, are intended to take place prior to the commencement of the Permitted</p>	<p>STG also reiterates the position from paragraph 4.1 of its RR [RR-003], requesting that the Applicant either narrows the definition of "permitted preliminary works" or puts in place sufficient protective provisions to ensure the works are appropriately controlled and coordinated. Works required by Environmental Plans</p>

	relevant Authority/ Body	Development and if so should such works also be included within the term 'permitted preliminary works'?	can be intrusive (e.g. mitigation works) and requirements would need to be examined on a case-by-case basis to ensure that the Applicant does not carry out material works under the guise of "permitted preliminary works".
Q1.9.12	LAs (HBC, RCBC and STBC), the STDC, and any other relevant Authority/ Body	Clarification. Article 2 (interpretations) "Permitted Preliminary Works" – Are you satisfied as to the extent of the 'Permitted Preliminary Works' set out in this Article. If not satisfied please explain in full the reasons why you are not satisfied and what you consider needs to be done to rectify the concerns you are raising.	As above, STG maintains its RR [RR-003] position that the Article 2 definition of "permitted preliminary works" is too broad. There are several reasons for this: <ul style="list-style-type: none"> - the definition in the H2Teesside draft DCO is wider than the equivalent Net Zero Teesside (NZE) DCO as made, - there is a lack of sufficient justification in the Explanatory Memorandum [APP-028], specifically on why these works are wider than on other schemes; - the permitted preliminary works as drafted will coincide with Net Zero Teesside works and other major development at the Teesworks site, so they could plausibly interfere with or negatively affect those. It is unclear from the DCO application how this overlap will be managed; and

			<ul style="list-style-type: none"> - STG does not understand the scale, timing and location of the wide range of activities included in the current definition. <p>To rectify these concerns, STG requests that the Applicant narrow the scope of permitted preliminary works in subsequent DCO drafts to align with the definition in the Net Zero Teesside DCO.</p> <p>STG also requests that the Applicant provide more information about the scale, timing and location of the permitted preliminary works well before they begin, to assist with STG's mitigation of any impacts they may have on the Teesworks site.</p> <p>In STG's view, a requirement controlling permitted preliminary works may be of benefit.</p>
Q1.9.47	Applicant and STDC	<p>Views sought.</p> <p>Schedule 2, Requirements 10 (Surface and foul water drainage) – Requirement 10(3) – Should STDC be included in the list of consultees?</p>	<p>STDC are included as a consultee for temporary surface and foul water drainage systems (at Requirement 10.(1)) and it follows that STDC should also be a consultee on proposals for permanent surface and foul water drainage systems. The permanent drainage systems are likely to interface with drainage systems either in operation or planned</p>

			on adjacent land within STDC / STG ownership and it is important that STDC have the opportunity to review compatibility.
Q1.10.5	Applicant, STDC and relevant LA (RCBC)	<p>Clarification/ Views sought.</p> <p>Paragraphs 10.5.12 -10.5.13 of ES Chapter 10 (Geology, Hydrogeology and Contaminated Land) [APP-062] states that STDC are currently completing site clearance and remediation works. The impacts from this activity have not been included in this assessment. It is currently anticipated that STDC will complete remediation works required to create a suitable development area before commencement of construction of the Proposed Development, with STDC to obtain the necessary planning and other consents. It is further stated that if the necessary planning approval is not forthcoming or remediation works are not undertaken with the appropriate timescales the Applicant would undertake the remedial works and this is assumed as the worst-case scenario for the ES. With the above in mind:</p> <ul style="list-style-type: none"> i) Can the Applicant and STDC confirm the status of planning approval, permits and licences relating to the clearance and remediation works? ii) Can the Applicant and STDC confirm who will be responsible for the risk assessment and any long-term 	<p>STDC has submitted two separate applications to (partially) discharge planning condition 15 as attached to the 'Foundry' outline permission (LPA Ref: R/2020/0821/ESM).</p> <p>Condition 15 requires details of a Remediation Scheme to be submitted and approved by the LPA. The two discharge of condition applications cover:</p> <ul style="list-style-type: none"> 1) Foundry Central West (LPA Ref: R/2024/0177/CD) (plan appended to this document); and 2) Foundry Central East (LPA Ref: R/2024/0414/CD) (plan appended to this document). <p>Both of these applications have been approved by the Local Planning Authority.</p> <p>A separate planning application (LPA Reference awaited) has been submitted to the Local Planning Authority to remediate a parcel of land that is located</p>

		<p>monitoring of the efficacy of any remedial works and how this has been secured?</p> <p>iii) Can the Applicant identify the relevant Requirement in the draft DCO [AS-013] which will ensure site clearance and remediation of the Proposed Development is undertaken by the Applicant should STDC not obtain the necessary planning permission or undertake the works within the appropriate timescale?</p> <p>iv) Can the relevant LA (RCBC) provide an update on the current position regarding the planning permission submitted by STDC in respect of the clearance and remediation works?</p>	<p>outside of the 'Foundry' outline permission area (plan appended to this document).</p> <p>It has been agreed between STG and the Applicant that the responsibility for monitoring to ensure the efficacy of the remediation works will be a shared obligation, and something that will be covered within the Option Agreement.</p> <p>It is anticipated that Post-remediation monitoring will be a requirement of the Deposit for Recovery (DfR) permit conditions.</p> <p>In the near-term following completion of the remediation works, STG shall take on the responsibility. Upon taking over the site for subsequent construction of the H2Teesside facility, and whether leveraging STG's DfR permit or seeing this surrendered and replaced with its own DfR permit, the Applicant will take on the responsibility for monitoring.</p> <p>Any remediation works either within the boundaries of the aforementioned applications or beyond these</p>
--	--	---	---

			areas, would need to be agreed as part of any subsequent Option Agreement.
Q1.10.8	Applicant, STDC and relevant LAs (HBC, RCBC and STBC), together with any other relevant Authority/Body	<p>Clarification/ Views sought.</p> <p>The EA's RR [RR-009] notes that STDC are responsible for completing site clearance and remediation works. The EA states that the Applicant may not be aware that a site adjacent to a section of the proposed pipeline corridor (NGR NZ 51767 24084) is currently being investigated under Part 2A of the Environmental Protection Act 1990. The site was previously known as Seal Sands Chemicals Company (SSC). The site is heavily impacted by previous chemical manufacturing on site which disposed of waste to land which has gone on to impact shallow groundwater. The EA advise that they are investigating this site on behalf of STBC and that additional information can be sought from the LA. In consideration of the above,</p> <p>i) Can the Applicant advise whether any of the land being referred to by the EA as "...being investigated under Part 2A of the Environmental Protection Act 1990..." falls within the Order Limits and if so, please signpost the plan which identifies the former SSC land? If no such plan has been provided, please enter such a plan into the Examination.</p>	<p>The site referred to in the EA's RR [RR-009] (grid ref. NGR NZ 51767 24084 – former Seal Sands Chemicals Company) is land at Seal Sands, north of the River Tees. It is not the Teesworks land that falls within the control of STDC/STG.</p> <p>As such, STDC/STG, to the best of its knowledge, is not aware of any discussions in respect of investigations into the land under Part 2A of the Environmental Protection Act 1990.</p>

		<p>ii) In addition to the above can the Applicant, STDC and the EA, together with any other relevant Authority/ Body, confirm what discussions have taken place with regard to the land being referred to by the EA as "...being investigated under Part 2A of the Environmental Protection Act 1990."?</p> <p>iii) If this land does fall within the Order Limits, the ExA would ask the Applicant where within the Application documentation it has assessed any risks and impacts (significant or otherwise) in relation to this land.</p> <p>iv) Where the assessment referred to in iii) above has been undertaken and submitted as part of the Application documentation can the EA, LAs and/ or any other relevant Authority/ Body confirm that the assessment has adequately assess that land in question. Should no such assessment of this land have been submitted can the EA, LAs and/ or any other relevant Authority/ Bodies advise whether such an assessment should/ should not be undertaken, which takes account of this land?</p>	
Q1.12.9	STDC	<p>View sought.</p> <p>Please comment on any potential residual issues that may impact waste generation and disposal following remediation work on the</p>	<p>In response, STG considers it helpful to provide some context regarding the management of waste associated with remediation works:</p>

		<p>Foundry Site and if these have been adequately assessed within the Applicants ES.</p>	<p>The ground conditions on Teesworks are broadly consistent across the entire estate. To date, over 400 acres of land have been remediated using methods involving the excavation, recycling and reuse of existing made ground earthworks materials. Approximately 5 million cubic metres (over 10 million tonnes) of such materials have successfully been reused in the remediation works so far. Naturally, given the Teesworks site's lengthy industrial history, occasionally, hazardous earthworks materials are and will be encountered that are unable to be utilised in the remediation works. The thresholds governing the acceptability or otherwise of the materials to be utilised in the remediation works are set via the relevant remediation specification (underpinning planning permission) and the regulatory waste framework governing any associated environmental permit. Within the remediation works delivered to date, the proportion of hazardous material encountered is in the region of 1.0%-1.5% of the total volume. Remediation works on the 43-hectare (106-acre) NZT site, that lies immediately east of the H2T Foundry Central East (FCE) site, will conclude at the end of October 2024. The ground conditions on the NZT site are very similar to those on the FCE site. The NZT remediation works have involved the excavation, recycling and reuse of</p>
--	--	--	---

			<p>1.35 million cubic metres of made ground earthworks materials; the hazardous material volume is less than 20,000 cubic metres (i.e., less than 1.5%). The remediation methodology deployed across Teesworks is consistent, and it is this same methodology that will be used on the H2T FCE site. The remediation contracts entered into by STG include provision for the handling and disposal of hazardous materials to landfill, and the DfR permit that will apply to remediation of the H2T FCE site will require that (a) hazardous materials are not used in the remediation works and (b) that the site is left free of hazardous materials upon their completion. The Applicant's excavation works will also need to be covered by a DfR permit should the intention of the Applicant be to reuse excavated materials within the permanent works for the H2T development. This will be gained either through a further variation to the STG permit – which is the subject of ongoing discussion between STG and the Applicant – or the Applicant securing its own DfR permit.</p> <p>At the current time, no detailed design is available, including foundation design. As such, STDC will (subject to agreement with the Applicant as part of a completed option agreement) remediate to maximum</p>
--	--	--	---

			<p>dig depths in accordance with the consents that it has obtained / is seeking. We note the principles that the Applicant has applied in its estimation of construction waste (set out at Table 21-22 of ES Chapter 21 – Materials and Waste Management) [APP-074].</p> <p>STDC notes that the Applicant makes “worst case” assumptions in respect of waste generation arising from remediation activities. Furthermore, the Applicant sets out that the final estimated quantities of waste are to determined once final design is fixed, and the process for securing the delivery of remedial measures will be via compliance with a Requirement on the DCO.</p> <p>Overall, STDC concurs with the principles that the Applicant sets out in Chapter 21 [APP-074] for the management of waste on and off-site.</p> <p>As such, and in the context that is set out above, STDC does not foresee any potential residual issues with any additional waste generation and disposal necessary for the final foundation design of the project, should that exceed the maximum dig depths</p>
--	--	--	--

			that STDC undertakes in its remediation works for the main site.
Questions directed generally to Interested Parties, to which STG wishes to respond to:			
Q1.2.10	NE, the EA and relevant Local Authorities (LAs) (Hartlepool Borough Council (HBC), Redcar and Cleveland Borough Council (RCBC) and Stockton-on-Tees Borough Council (STBC))	<p>Connection Corridor Routing (Water Corridors) Views sought.</p> <p>Are you satisfied in terms of the options under consideration for the disposal of surface water run-off arising from the Proposed Development, as set out in Paragraph 6.7.10 (Third Bullet Point) of ES Chapter 6 (Needs, Alternatives and Design Evolution) [APP-058]?</p>	<p>Yes, STG is satisfied with the proposed approach for the disposal of surface water run-off: to be discharged to the Tees Estuary or Tees Bay via a connection from the Main Site to the NZT outfall to Tees Bay or via a connection from the Main Site to the STDC outfall to the Tees Estuary.</p>

	together with any other relevant Authority/ Body		
Q1.5.7	Applicant and all IPs	<p>Views sought.</p> <p>The Supreme Court has recently (20 June 2024) handed down judgment in the case of R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council and others.</p> <p>To the Applicant: Following the Supreme Court judgment, please comment on the relevance or otherwise of the above mentioned Supreme Court judgment, especially in regard to your assessment of GHG emissions in ES Chapter 19 (Climate Change) [APP-072].</p> <p>To IPs: Please comment on the relevance or otherwise of the above mentioned Supreme Court judgment in regard to this Proposed Development.</p>	STG considers this an important issue and will carefully review the Applicant's response to the question once it is available. STG reserves the right to make further comments on following the Applicant's response.
Q1.6.7	Affected Persons / IPs	The accuracy of the BoR, Land Plans and points of clarification.	STG notes a significant number of "unregistered/unknown" interests in the Book of Reference on plots owned by STG entities, e.g. plot 14/31. The Applicant should set out what steps it has

		<p>Are any Affected Persons or IPs aware of any inaccuracies in the BoR [AS-012], SoR [APP-024] or Land Plans [AS-003]? If so, please set out what these are and provide the correct details</p>	<p>taken to ascertain the owners of these interests and notify them of its proposals to compulsorily acquire their interests. STG requests confirmation that site notices have been erected and regularly checked.</p> <p>STG reiterates concerns from Table 1 in its RR [RR-003] regarding the accuracy of the location of the water supply connection works around plot 15/235 as shown in the Land Plans [AS-003].</p> <p>STG reserves the right to make further detailed comments on the accuracy of these documents following the Applicant's change request.</p>
Q1.6.25	Applicant and relevant IPs	<p>Whether all reasonable alternatives to CA have been explored.</p> <p>The RR [RR-013] of Navigator Terminals Limited, paragraph 2.13.2, details discussions that have been held regarding the potential for a pipeline tunnel under the River Tees, this is also referenced variously by other RRs. Please explain if these discussions are still proceeding and detail of how they could impact the CA requirements of the Proposed Development.</p>	<p>As set out in paragraphs 3.6 – 3.10 of its RR [RR-003], STG does not believe that the Applicant has appropriately explored rationalisation options for the utilities corridors and pipeline routes currently proposed to be acquired. STG suggests alternatives for the Applicant to consider in paragraph 3.11 of its RR [RR-003].</p> <p>Additionally, STG reiterates its offer from paragraph 3.12 of its RR to engage with the Applicant in order to provide easement agreements that could render</p>

			<p>unnecessary the compulsory acquisition of some land currently proposed for easement corridors. Although there have been preliminary early discussions between the Applicant and STG, no agreement has yet been reached. The Applicant should evidence what steps it has taken to voluntarily acquire these specific rights.</p> <p>STG welcomes the Applicant's proposed changes to the Order and will comment on them once they are published after consultation, but concerns remain about the extent of the land to be acquired.</p>
Q1.6.62	Applicant, relevant IPs	<p>General, Detailed or Other Matters.</p> <p>Please detail any land which, following acquisition of rights or freehold and extinguishment of existing right, will be inaccessible, severed, have no access or will be economically unviable.</p>	<p>The Applicant has now proposed changes to the Order Limits, which STG supports in principle. The proposed changes are currently in consultation and STG intends to respond directly to the Applicant regarding this consultation by the 7 October 2024 deadline.</p> <p>In light of the above, STG reserves further comments in response to this question until such time as any Order changes are finalised. In the meantime, STG's concerns remain about the extent of the land to be acquired and the impact of such acquisition on its</p>

			property rights in and around, and the developability of, the Teesworks site.
Q1.8.5	LAs (HBC, RCBC and STBC), together with any relevant Authority/ Body	<p>View Sought.</p> <p>ES Appendix 23D (Stage 4 - Assessment of Cumulative and Combined Effects) [APP-224] presents a summary of the impact, mitigation and effect conclusion by aspect. It includes cumulative effects assessment with the NZT project (onshore and offshore components), upon which the Proposed Development is partly reliant (eg for CO2 export for the carbon capture component and potentially process water discharge via its outfall to Tees Bay). The cumulative water quality assessment for the Proposed Development and NZT has been informed by hydrodynamic dispersion modelling, which is described in ES Appendix 9B (Water Quality Modelling Report) [APP-193], whilst ES Appendix 23E (Socio-economic Cumulative Assessment) [APP-225] provides a detailed assessment of socio-economic cumulative effects for the Proposed Development together with the NZT and HyGreen projects.</p> <p>Do you agree with the plans or projects that have been included within the cumulative effects assessment (ES Chapter 23) (Cumulative and Combined Effects) [APP-076]?</p>	<p>STG raised issues in its RR [RR-003] with the scope of the cumulative effects assessment undertaken. STG notes in the Applicant's Comments on Relevant Representations and Additional Submissions [REP1-007] that the Cumulative Assessment is to be updated and submitted at Deadline 5. STG reserves the opportunity to comment on that updated Assessment when available.</p>

<p>Q1.9.16</p>	<p>Applicant and LAs, together with any other relevant Authority/ Body</p>	<p>Justification/ Views sought.</p> <p>Article 10 (Power to alter layout of streets) – The Applicant’s EM (APP-028), especially paragraphs 3.4.1 and 3.4.2 are noted. However, notwithstanding other precedents, the ExA notes that this is a wide power authorising alteration etc. of any street within the Order limits. As such the ExA considers further justification should be provided clearly setting out why the power related to any streets within the Order limits is necessary (underlining is the ExA’s emphasis).</p> <p>The ExA would ask the LAs, together with any other relevant Authority/ Body, as to whether such a wide ranging power is necessary and whether or not this power should be limited to identified streets?</p>	<p>STG does not believe such wide powers under Article 10 are justified (particularly for maintenance purposes once the Proposed Development is constructed). STG considers that the Applicant’s Article 10 powers should be limited to identified streets within Order limits.</p> <p>Such limitation would provide more certainty to STG about the future state of roads in and around the Teesworks site, which may mitigate some of the Proposed Development’s impact on its future development.</p>
<p>Q1.9.31</p>	<p>LAs (HBC, RCBC and STBC), together with any other relevant Authority/ Body</p>	<p>View(s) sought.</p> <p>Article 39 (Planning Permission, etc.) – The ExA is interested in the views of the LAs listed, as well as any other relevant Authority/ Body, in regard to the implications of this Article and its effect, especially Article 39(3).</p>	<p>STG is concerned that Article 39 may allow the Applicant to avoid implementing mitigations or commitments from one consent where another consent has been granted over the same land. This is relevant to the Teesworks site because, aside from the Proposed Development, the Net Zero Teesside and HyGreen projects are both also planned in the same area. STG finds it difficult to understand how the Applicant proposes to deal with these overlapping</p>

			<p>consents and may make further comments following receipt of the Applicant’s Deadline 2 submissions.</p> <p>The Applicant should specifically set out which consents it deems inconsistent with its proposals, as STG retains the benefit of various consents across its estate.</p> <p>STG also notes that its concerns are relevant to land in which it has interests in the general area around the Teesworks site, because Article 39(3) encompasses land outside Order limits. It is unclear why the Applicant requires powers outside these limits and the Applicant should commit to not using such powers over STG interests outside the Order limits without STG consent.</p>
Q1.9.35	LAs (HBC, RCBC and STBC), together with any other relevant	<p>View(s) sought.</p> <p>Article 43 (Procedure in relation to certain approvals) – Article 43(5) sets out that after 6 weeks (42 days) applications made under this Article will gain a deemed approval from the consenting authority, if that consenting authority “...has not notified the undertaker of its disapproval and the grounds of disapproval...”. The ExA would ask the LAs listed above, together with any other relevant Authority/ Body:</p>	<p>STG maintains the position in paragraph 4.11 of its RR [RR-003], which is an objection to the deemed approval element (that STG believes should instead be a deemed refusal).</p> <p>STG believes a fee should be payable by the Applicant for submission of details to a consenting body where the submission is made pursuant to an Article,</p>

	Authority/ Body.	<p>i) for its views on whether the 6 week period is adequate and if not what alternative period should be specified and why; and</p> <p>ii) should a fee be payable for the submission of details made pursuant to an Article.</p>	<p>covering the consenting body’s reasonable costs to process the submission and reach a decision on consent, agreement or approval.</p> <p>STG expects this matter to be covered in protective provisions.</p>
Q1.9.67	IPs and Statutory Undertakers	<p>Clarification Schedule 12 (PPs) –</p> <p>Please provide details of discussions and progress regarding PPs (if applicable). If you are in agreement with PPs relevant to you, please confirm this, if not, either provide copies of preferred wording for PPs, or if you have provided it elsewhere (such as in a SoCG), signpost where it can be found and explain why you do not want the wording as currently drafted to be used. Note, if this is provided in the requested Land Rights Tracker please signpost this to the ExA.</p>	<p>The Applicant and STG agree with the principle that PPs will be included on the face of the DCO.</p> <p>STG is preparing its preferred wording for PPs with a view to sharing with the Applicant and submitting to the ExA for inclusion in the draft DCO in due course. However, this is subject to review of the Applicant’s change request which alters the STG plots.</p>
Q1.9.70	Applicant and LAs (HBC, RCBC and STBC), together with any other relevant	<p>Clarification/ Views sought.</p> <p>Schedule 13 (Procedure for the Discharge of requirements) – Paragraph 2 specifies provides for the granting of a deemed consent in the event that the relevant planning authority fails to determine the application. In this case the failure of the relevant planning authority to determine the application within an 8 week period, as defined in paragraph 1. Should the word ‘application’ be defined, so it is clear</p>	<p>STG considers it appropriate and beneficial for “application” to be defined, so as to add clarity to paragraph 2 of Schedule 13.</p> <p>STG considers it is for the Applicant, the ExA and the relevant planning authorities to satisfy themselves that the approach set out in Schedule 13 is sound and acceptable in respect of the approval process for</p>

	<p>Authority/ Body</p>	<p>that an 'application' must be valid for the remainder of the paragraphs to be triggered?</p> <p>Additionally, paragraph 3 requires a statement to confirm whether it is likely that the subject matter of the application will give rise to any materially new or materially different environmental effects compared to those in the ES and, if it will, then states it must be accompanied by information setting out what those effects are.</p> <p>Bearing the above in mind the ExA would ask the Applicant/ Relevant Planning Authorities, as listed above, together with any other relevant Authority/ Body for them comments make observations on these matters, especially in related to:</p> <ul style="list-style-type: none"> i. a deemed consent being made after a period of 8 weeks in the event of the relevant planning authority failing to determine the application within that time period; and ii. the ability to submit applications that could give rise to any materially new or materially different environmental effects compared to those in the ES, and whether such applications have the potential to result in significant changes not previously considered and/ or resulting IPs being deprived of the opportunity to comment. 	<p>proposals that could give rise to any materially new or different environmental effects.</p> <p>The concern of STG is that it is a consultee on such proposals and, to this end, STG (as STDC) is satisfied that it is a consultee named in a number of the Requirements to which Schedule 13 applies.</p>
--	----------------------------	--	---

Q1.10.4	IPs	<p>Views sought.</p> <p>Can the relevant bodies please confirm whether they have any comments or observations in respect of the Framework CEMP [APP-043]?</p>	<p>STG has no comment at present but reserves the right to make further comments following the Applicant's change request.</p>
Q1.13.11	<p>LAs (HBC, RCBC and STBC), together with any other relevant Authority/ Body</p>	<p>Views sought.</p> <p>The ExA would ask whether you are satisfied with</p> <ul style="list-style-type: none"> i. the current level of mitigation proposed in regard to noise and vibration; and ii. how the Applicant intends to deal with complaints, including noise complaints, as the Framework CEMP [APP-043] in relation to this matter appears to contain limited information and Requirement 15 (CEMP) of the draft DCO [AS-013] requires a final CEMP to be agreed in substantial accordance with the framework CEMP. 	<p>STG has no comment at present but reserves the right to make further comments following the Applicant's change request.</p>
Q1.17.1	Applicant and relevant IPs	<p>Update/ Views sought.</p> <p>It would be necessary to use accesses in the ownership and use of a number of IPs and other operators. A number of RRs have raised maintenance of their access rights as an issue. Please could all</p>	<p>The issues raised in STG's RR [RR-003] in respect of access rights remain outstanding. STG is committed to resolving those issues with the Applicant through the preparation of protective provisions.</p>

		parties provide an update on whether access concerns remain and if the DCO or relevant PPs offer suitable protection to IPs?	
Q1.6.42	RCBC and other IPs	Special Category Land and Crown Land. The SoR [APP-024] , paragraph 9.1.62 states that the Applicant considers that Coatham Marsh Open Space Land, when burdened with proposed access rights proposed to be subject to CA, will not be any less advantageous to persons in whom it is vested and therefore the test under section 132(3) of the PA2008 is satisfied. Please state if this is considered to be correct or if this is contested.	<p>STG, as main landowner of this area, requests further information on the Applicant's intended use of the land, including details of how long (if at all) it expects to close these areas.</p> <p>Although the Applicant's assets are not intended to leave any works visible on the surface of this land, and the required access is intended to be short-term (for construction) and limited (for subsequent maintenance), the proposals will still affect South Tees Developments Limited's freehold interests in the relevant plots set out in Table 9.4 of the SoR [APP-024]. STG notes the significantly wide rights sought by the Applicant in Schedule 8 to the DCO and requests justification from the Applicant that such rights are proportionate and necessary for each open space plot. STG's options for development of any plot affected by the Applicant's permanent installations will be curtailed, if not during the construction phase, then in the longer term as a result of the rights to which the land will be subject.</p>





Legend
Base Maps
GoogleEarthSat

Site Redline
— Redline

Notes:

REPRODUCED FROM OS MASTERMAP BY PERMISSION OF ORDNANCE SURVEY® ON BEHALF OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. © CROWN COPYRIGHT. ALL RIGHTS RESERVED. LICENCE NUMBER GD 100024393.

CONTACT ARCADIS IN CASE OF ANY QUERIES.

Title: Site Location Plan

Site: Teesworks - Foundry Central West

Client:
South Tees Development Corporation

Project:
37774100

Figure 1

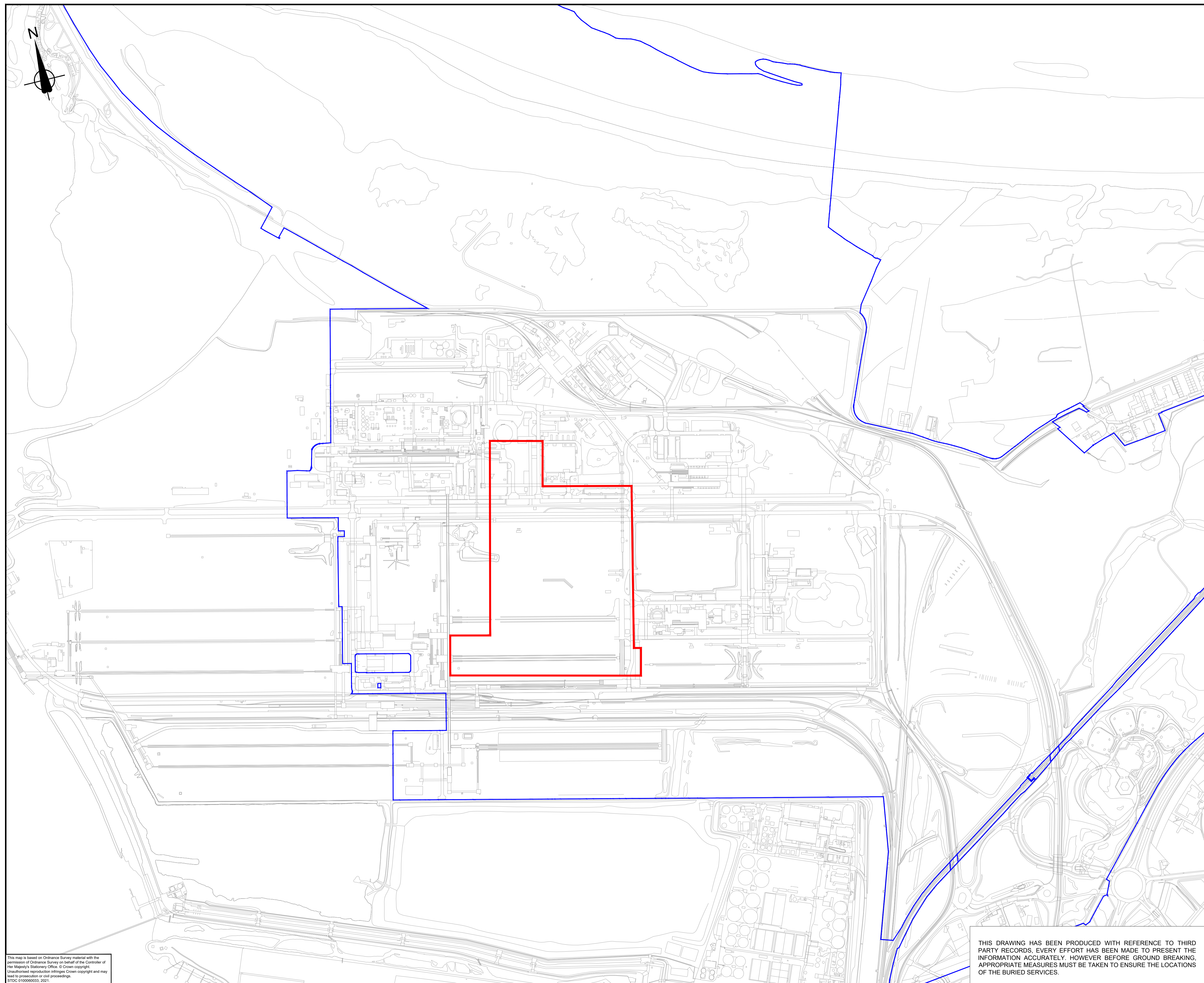
Date: 28/09/2023
Drawn By: JALM
DRG No: 10047374-AUK-XX-XX-DR-ZZ-728-01-FCW_SLP



DO NOT SCALE

Millimetres

0 10 100



NOTES

- 1. Do not scale from this drawing

KEY

- STDC OWNERSHIP BOUNDARY
- FOUNDRY CENTRAL EAST PLANNING BOUNDARY INSIDE "FOUNDRY OUTLINE" BOUNDARY (R/2020/0821/ESM)

INFORMATION

Rev.	Date	Description	By	Chk'd	App'd

STDC
Teesside Management Offices,
Redcar, TS10 5LW
www.southteesdc.com



Project Title:
TEESWORKS
The UK's largest industrial zone

Drawing Name:
FOUNDRY CENTRAL EAST PLANNING BOUNDARY INSIDE "FOUNDRY OUTLINE" PLANNING BOUNDARY

Drawn by: KW Date: APR 2024
Checked by: JMC Date: APR 2024
Approved by: JMC Date: APR 2024

Drawing Number: TSWK-STDC-FDR-ZZ-SK-C-0009B Revision: -

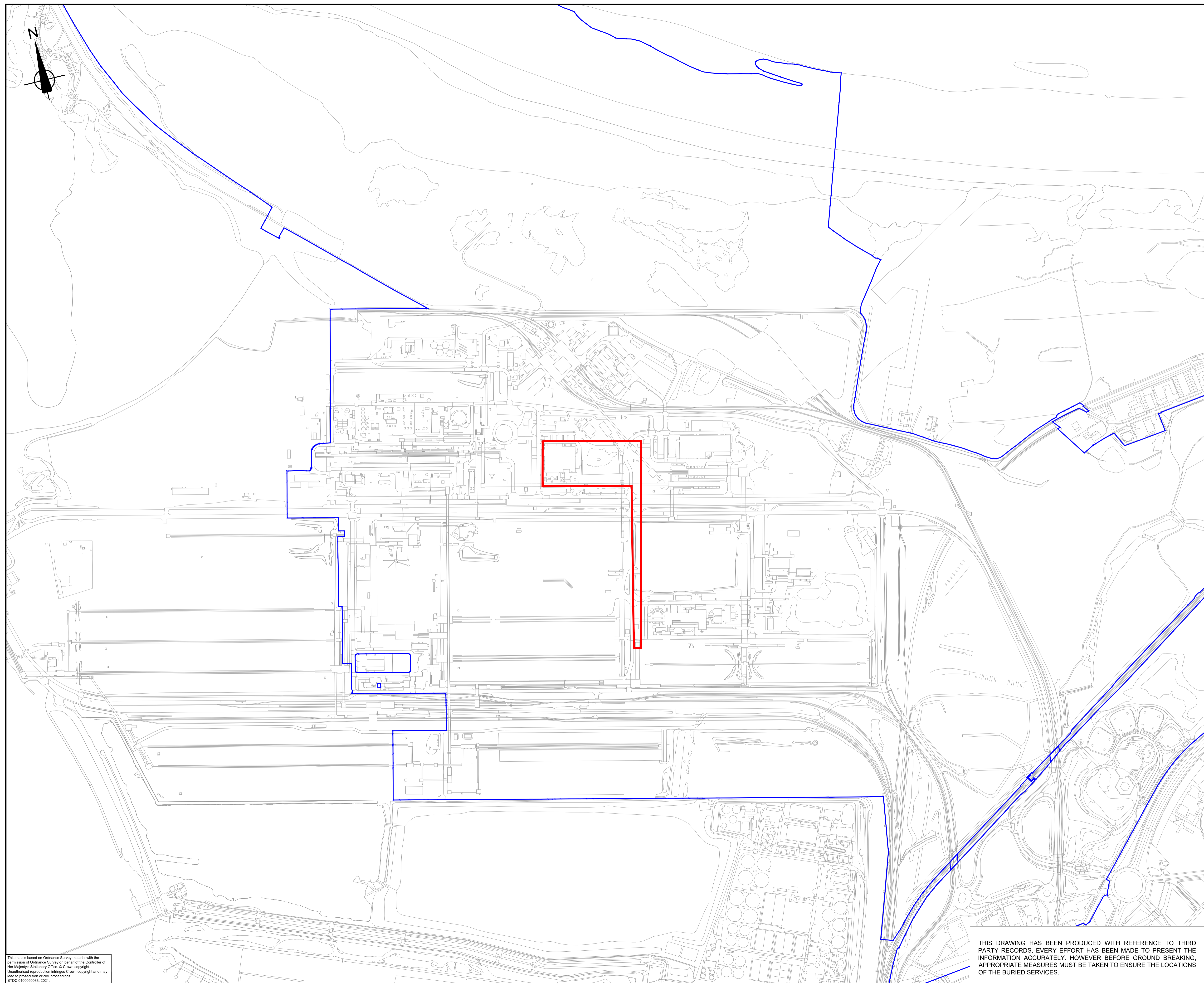
Drawing Scale: 1:5000 Page Size: A1

THIS DRAWING HAS BEEN PRODUCED WITH REFERENCE TO THIRD PARTY RECORDS, EVERY EFFORT HAS BEEN MADE TO PRESENT THE INFORMATION ACCURATELY. HOWEVER BEFORE GROUND BREAKING, APPROPRIATE MEASURES MUST BE TAKEN TO ENSURE THE LOCATIONS OF THE BURIED SERVICES.

This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. STDC 010006003, 2021.

DO NOT SCALE

100
Millimetres
0 10



NOTES

- 1. Do not scale from this drawing

KEY

- STDC OWNERSHIP BOUNDARY
- FOUNDRY CENTRAL EAST PLANNING BOUNDARY OUTSIDE "FOUNDRY OUTLINE" BOUNDARY (R/2020/0821/ESM)

INFORMATION

Rev.	Date	Description	By	Chk'd	App'd

STDC
Teesside Management Offices,
Redcar, TS10 5LW
www.southteesdc.com



Project Title:
TEESWORKS
The UK's largest industrial zone

Drawing Name:
FOUNDRY CENTRAL EAST PLANNING BOUNDARY OUTSIDE "FOUNDRY OUTLINE" PLANNING BOUNDARY

Drawn by: KW Date: APR 2024
Checked by: JM Date: APR 2024
Approved by: JMC Date: APR 2024

Drawing Number: TSWK-STDC-FDR-ZZ-SK-C-0009A
Revision: -

Drawing Scale: 1:5000
Page Size: A1

THIS DRAWING HAS BEEN PRODUCED WITH REFERENCE TO THIRD PARTY RECORDS, EVERY EFFORT HAS BEEN MADE TO PRESENT THE INFORMATION ACCURATELY. HOWEVER BEFORE GROUND BREAKING, APPROPRIATE MEASURES MUST BE TAKEN TO ENSURE THE LOCATIONS OF THE BURIED SERVICES.

This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. STDC 010006033, 2021.

Foundry Central
West
(R/2024/0177/CD)

Foundry Central East
Full Application

Foundry Central
East
R/2024/0414/CD