

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 H2 Teesside Order

Document Reference: 5.7: Other Consents and Licences Statement

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)



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1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This Other Consents, Licences and Permits (EN070009/APP/5.7) has been prepared on behalf of H2 Teesside Limited (the Applicant). It forms part of the application (the Application) for a Development Consent Order (a DCO), that was been submitted to the Secretary of State (the SoS) for the Department of Energy Security and Net Zero (DESNZ) on 25 March 2024. The Applicant is seeking a DCO for the construction, operation (including maintenance where relevant) and decommissioning of the H2Teesside Project (the Proposed Development).
- 1.1.2 The Proposed Development is an up to 1.2-Gigawatt Thermal (GWth) Carbon, Capture and Storage (CCS) enabled Hydrogen Production Facility, associated connections, temporary construction compound areas and landscape / ecological areas, on land in Redcar and Cleveland, Stockton-on-Tees, and Hartlepool (hereafter referred to as the Proposed Development Site).
- 1.1.3 The Hydrogen Production Facility together with the Hydrogen Pipeline will deliver low carbon Hydrogen to offtakers. The Hydrogen Production Facility has associated pipelines and cables that are collectively referred to as the Connection Corridors. The Connection Corridors consist of the Carbon Dioxide (CO₂) Export Corridor, Natural Gas Connection Corridor, Electrical Connection Corridor, Water Connection Corridor and other gases connection pipelines which may be required for the transportation of compressed oxygen (O₂) and nitrogen (N₂) for use at the Production Facility (hereafter referred to as Other Gases Connection Corridor).
- 1.1.4 The Application was accepted for examination by the SoS for DESNZ on 22 April 2024. The Examination started on 29 August 2024.

1.2 The Site

- 1.2.1 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 extends further north-west to also include land within the administrative boundary of Hartlepool Borough Council (HBC). Refer to Figure 4-2: Parts of the Proposed Development Site (ES Volume II, EN070009/APP/6.3) to see the location of all components of the Proposed Development Site.
- 1.2.2 The Main Site, where the Hydrogen Production Facility will be located, comprises approximately 86 ha of former industrial land that was used for steel production, including a mix of industrial buildings. As of March 2024, much of the site infrastructure including industrial buildings and overhead pipes has either been demolished or is in the process of being dismantled. A combination of hardstanding and road networks remain on the Main Site, surrounded by informal vegetation (primarily grass), with occasional shrubs and small trees. Refer to Figure 4-1: Proposed Development Site Boundary (including location of the Main Site) (ES Volume II, EN070009/APP/6.3) for the location of the Main Site.
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1.2.3 A more detailed description of the Site and its surroundings is provided at Chapter 3: Description of the Existing Environment in the Environmental Statement (ES) (ES Volume I, EN070009/APP/6.2).

1.3 The Proposed Development

1.3.1 The Production Facility is an up to 1.2 GWth LHV (Phase 1, 600-Megawatt thermal (MWth) LHV and Phase 2, 600 MWth LHV) Carbon, Capture and Storage (CCS) enabled Hydrogen Production Facility with associated hydrogen transport pipeline network and utility connections, on land in Redcar and Cleveland, Stockton-on-Tees, and Hartlepool on Teesside.

1.3.2 The Hydrogen Production Facility and associated infrastructure which form part of the Proposed Development will be located on the Main Site. The Main Site is proposed to be located on land formerly part of the Redcar Steelworks.

1.3.3 The Connection Corridors will cross third party land where required. Together, the Main Site and Connection Corridors are referred to as the Proposed Development Site. The Proposed Development Site boundary, including the location of the Main Site, Hydrogen Connection Corridor and the other Connection Corridors are shown on Figures 4-1 to 4-8 (ES Volume II, EN070009/APP/6.3).

1.3.4 Further detail on the Proposed Development is presented in Chapter 4: Proposed Development (ES Volume I, EN070009/APP/6.2).

1.3.5 The Proposed Development comprises the following elements:

- **Work No 1: Carbon Capture Enabled Hydrogen Production Facility**
 - Work No 1A.1 – Phase 1 Hydrogen Unit
 - Work No 1A.2 – Phase 2 Hydrogen Unit
 - Work No 1B.1 – Water Connections and Water and Effluent Treatment Plant for Work Nos. 1A.1 and 1A.2
 - Work No 1B.2 – Water Connections and Water and Effluent Treatment Plant for Work No. 1A.2
 - Work No 1C - Above Ground Pressurised Hydrogen Storage
 - Work No 1D - Administration, Control Room and Stores
 - Work No. 1E – [Heading to be provided]
 - Work No 1E.1 - Connections and Ancillary Works in Connection with Work Nos. 1A.1, 1A.2, 1C and 1D
 - Work No 1E.2 - Connections and Ancillary Works in Connection with Work No. 1A.2
- **Work No 2: Natural Gas Connection Works**
 - Work No 2A - Natural Gas Connection- Underground High Pressure Gas Pipeline

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- Work No 2B - Natural Gas Connection - Above Ground installations
 - **Work No. 3 – Electrical Connection Works**
 - Work No 3A.1 - Electrical Connection to Work No.3B.1
 - Work No 3A.2 - Electrical Connection to Work No.3B.2
 - Work No 3B.1 - Electrical Connection - Above Ground installation at South Tees Development Corporation (STDC)
 - Work No 3B.2 - Electrical Connection - Above Ground installations at Tod Point
 - **Work No. 4 – water supply connection works to provide cooling and make-up water to the hydrogen production facility.**
 - **Work No. 5 – wastewater disposal works in connection with the hydrogen production facility.**
 - **Work No. 6 Hydrogen Distribution Network**
 - Work No 6A.1 – Hydrogen Distribution Network - Overground and Underground Pipelines
 - Work No 6A.2 – Hydrogen Distribution Network - Overground and Underground Pipelines to connect to Work No. 6B.2
 - Work No 6A.3 – Hydrogen Distribution Network - Overground and Underground Pipelines to connect to Work No. 6B.3
 - Work No 6B.1 - Hydrogen Distribution Network - Above Ground installations
 - Work No 6B.2 - Hydrogen Distribution Network - Above Ground installation
 - at Cowpen Bewley
 - Work No 6B.3 - Hydrogen Distribution Network - Above Ground installation
 - at Saltholme Brinefields
 - **Work No. 7 - Carbon Dioxide Export Pipeline and Compression Station**
 - Work No 7A - Carbon Dioxide Compression Station - Export Pipeline
 - Work No 7B - Carbon Dioxide Compression Station - Above Ground installation
 - **Work No. 8 – gas connections being works for the transport of oxygen and nitrogen to the hydrogen production facility.**
 - **Work No. 9 – temporary construction compounds.**
 - Work No 9A.1 - Temporary Construction Compounds
 - Work No 9A.3 - Temporary Construction Compounds - relating to Work No 6A.3 & 6B.3
 - **Work No. 10 – access and highways improvements.**
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- Work No 10A.1 – Access Highway Improvements and Use
 - Work No 10A.2 – Access Highway Improvements and Use - relating to Work No 6A.2 & 6B.2
 - Work No 10A.3 – Access Highway Improvements and Use - relating to Work No 6A.3 & 6B.3
- **Work No. 11** – Replacement Land at Cowpen Bewley
- 1.3.6 The ancillary development required in connection with and subsidiary to the above elements of the Proposed Development is detailed in Schedule 1 of the draft DCO (EN070009/APP/4.1). A more detailed description of the Proposed Development is provided at Schedule 1 'Authorised Development' of the draft DCO and Chapter 4: Proposed Development (ES Volume I, EN070009/APP/6.2) and the areas within which each of the main elements of the Proposed Development are to be built are denoted by the coloured and hatched areas on the Works Plans (EN070009/APP/2.4).
- 1.3.7 The purpose of this document is to provide information on the other consents and licences (other than development consent) that are, or may be, required under other legislation for the construction and operation of the Proposed Development.
- 1.3.8 The document will be updated by the Applicant, as required, during the examination of the Application by the SoS.
- 1.3.9 The other consents and licences required for the Proposed Development are listed in Table 2-1 of Section 2.

2.0 OTHER CONSENTS AND LICENCES

2.1.1 **Table 2-1** below lists the type of consent/licence required, the relevant consenting body, any agreement that has been reached with that body, actions to be undertaken and the status of the relevant application (e.g. whether the consent/licence has been granted or the anticipated application submission date) in respect to the Proposed Development.

Table 2-1: Other Consents and Licences required for the Proposed Development

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
1	Environmental Permit - The Environmental Permitting (England and Wales) Regulations 2016 (as amended)	Environment Agency	<p>In progress. A bespoke permit will be required for the operation of the Hydrogen Production Facility (Work No. 1).</p> <p>An application for an Environmental Permit (EP) was submitted to the Environment Agency on 14/06/2024. A request for missing information was sent to bp on 7/8/2024. bp will submit the missing information by 11 October 2024. The Applicant is working with the EA to try and reach a position that the EP application is considered duly made by mid November 2024.</p>	Would be required prior to the plant becoming operational including for any commissioning activities.

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
2	Hazardous Substances Consent - Sections 4 and 6 of The Planning (Hazardous Substances) Act 1990 & Schedule 1 of The Planning (Hazardous Substances) Regulations 2015	LPA (Redcar and Cleveland Borough Council) who would consult the Health and Safety Executive (HSE).	Not yet progressed. If required, Hazardous Substances Consent application to be prepared for submission to the LPA.	Would be required prior to the start of construction once the volumes of hazardous substances to be stored on Site are confirmed.
3	Licence under the Control of Major Accident Hazards (COMAH) Regulations 2015	HSE	Not yet required. Upon HSE's review of the Hazardous Substances Consent Application, a COMAH licence application, including additional studies as advised by	Would be applied for prior to the start of construction once the volumes of hazardous substances to be stored on site are confirmed.

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
			HSE, will be prepared for submission to HSE.	
4	Greenhouse Gas Permit - Greenhouse Gas Emissions Trading Scheme Order 2020	Environment Agency	New permit will be required for the emission of carbon dioxide from the Hydrogen Production Facility. Not commenced.	Application submission 12 months prior to commissioning of the plant.
5	Gas Transporter Licence – The Gas Act 1986	Office of Gas and Electricity Markets (Ofgem)	Not yet progressed. Will be required for the transportation of hydrogen from the production facility to offtakers.	Would be required prior to the plant becoming operational.
6	Construction Noise Consent - Section 61 of The Control of Pollution Act 1974	Relevant Local Planning Authority (LPA) -(Redcar and Cleveland Borough Council, Stockton on Tees Borough Council, and Hartlepool Borough Council) dependent on what administrative area specific works are in.	May be required prior to construction. No action required at present.	Would be applied for prior to the start of construction, or prior to specific construction activities, if required.

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
7	Notification of Construction Works - The Construction (Design and Management) Regulations 2015 ('CDM')	HSE	Not yet required. HSE should be notified in writing prior to the start of construction work using the HSE F10 Form.	HSE will be notified prior to the commencement of the start of construction.
8	Permit for Transport of Abnormal Loads -The Road Vehicles (Authorisation of Special Types) (General) Order 2003 or The Road Traffic Act 1988	Vehicle Certification Agency (VCA) (the Executive Agency of the Department for Transport), Highways England and the relevant local highway authority (Redcar and Cleveland Borough Council, Hartlepool Borough Council and Stockton on Tees Borough Council) dependent on what administrative area specific works are in.	Not yet required. The need will be determined by the appointed contractor. Details for the management of Abnormal Loads and Abnormal Indivisible Loads ('AILs') are secured within the development of the Construction Traffic Management Plan pursuant to a requirement in Schedule 2 of the DCO (EN070009/APP/3.1).	No action required at present. Permits would be sought once the number and type of Abnormal Loads and AILs has been established following appointment of the contractor.
9	Temporary Traffic Regulation Order	Relevant local highway authority (Redcar and Cleveland Borough Council, Hartlepool Borough Council and Stockton on Tees Borough Council) dependent on what administrative area specific works are in.	Powers included in the DCO (EN070009/APP/4.1) in respect of areas of known traffic regulation for the Proposed Development. Others may be required to allow traffic management e.g. in respect of creating new access or to minimise queuing / prevent certain turns during the construction period. The	No action required at present. TTRO would be sought once the number and nature of TTROs is established following appointment of the contractor.

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
			need will be determined by the contractor.	
11	Building Regulations Approval - The Building Regulations 2010 (as amended)	Redcar and Cleveland Borough Council	Will be required in respect of relevant buildings and structures forming part of the Proposed Development.	Building Regulations approval will be sought prior to and during the construction phase.
13	Environmental Permit (for discharge to surface water) – The Environmental Permitting (England and Wales) Regulations 2016 (as amended)	Environment Agency	May be required for discharge of uncontaminated surface water from the construction site if this lasts for more than 3 continuous months.	No action required at present. This would be sought prior to construction if required by the contractor.
14	Gas Safety Case - The Gas Safety (Management) Regulations 1996 (Regulation 3)	HSE	Not yet progressed. Will be required in connection with the proposed Gas & Hydrogen Connection (Work Nos. 2 and 6). A safety case must be prepared and submitted to the HSE for approval prior to gas being conveyed. An exemption may apply.	No action required at present. Safety case will be submitted prior to commencement of the start of construction of the proposed Gas Connection (Work No. 2) and Hydrogen Distribution Pipelines (Work No. 6).
15	Pipeline Safety Notification - The Pipeline Safety Regulations 1996 (Regulation 20)	HSE zero	Not yet progressed. Will be required in connection with the Proposed Gas Connection (Work	HSE will be notified a minimum of 6 months prior to commencement of construction of the relevant works.

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
			No. 2) and Hydrogen Distribution Pipelines (Work No. 6).	
16	Planning & Advanced Reservation of Capacity Agreement (PARCA)	National Gas Transmission	H2 Teesside has not submitted a PARCA application yet, as gas consumption profiles are being finalised. Once this is known a PARCA application will be submitted to reserve the required natural gas capacity. The Applicant has considered the available gas capacity and is confident that there is sufficient natural gas to supply the Proposed Development.	PARCA application will be submitted so as to reserve the gas capacity prior to construction of the Proposed Development.
17	Application to Offer for physical connection to gas National Transmission System ('NTS') network	National Gas Transmission	The application for connection to the NTS has been submitted by the NZT Project. This application includes capacity which would be utilised for H2T. National Gas have six months to respond with an offer which is anticipated in May 2024.	n/a
18	Connection Agreement for connection to the electricity distribution network.	National Grid Electricity Transmission (NGET)	NGET and the Applicant to agree and sign (as applicable) agreements confirming the Applicant's connection to the electricity	To be confirmed if required

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
			distribution network, if a connection is required.	
19	Fire Notice - The Regulatory Reform (Fire Safety) Order 2005.	Local fire and rescue authority. HSE has enforcement responsibility on construction sites	No action required at this stage. A fire safety risk assessment is required in respect of work on construction sites and an action plan is to be produced in relation to such assessment.	Would be applied for prior to the start of construction, or prior to specific construction activities, if required.
20	Land Drainage Act 1991 (Land Drainage Consent)	Lead Local Flood Authority (Redcar & Cleveland Borough Council, Stockton-on-Tees Borough Council)	Will be required in respect of works to ordinary watercourses that may alter or obstruct flow (e.g. open-cut watercourse crossings)	Land Drainage Consent will be obtained prior to and during the construction phase
21	Abstraction Licence Water Resources Licences (surface water/groundwater)	Environment Agency	Includes i) full abstraction licence – for most types of water abstraction over 20 cubic metres a day; ii) a transfer abstraction licence – to move over 20 cubic metres of water a day from one source to another without intervening use; iii) a temporary abstraction licence – to abstract more than 20 cubic metres of water a day over a period of less than 28 days (likely to be relevant for dewatering activities) and iii) an impounding licence – to create or	Licences to be obtained prior to and during the construction phase.

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
			alter an impoundment structure such as a sluice, weir or dam (likely to be relevant for installation of open cut watercourse crossings).	
22	Flood Risk Activity Permit	Environment Agency	<p>Covers a range of activities relating to works on or near a main river, on or near a flood defence structure, in a flood plain or on or near a sea defence.</p> <p>Notably, any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river would require a FRAP, as would any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river. Main rivers relevant to the Proposed Development include the River Tees and Greatham Creek.</p>	Licences to be obtained prior to and during the construction phase (if not disapplied within the DCO).
20	European Protected Species Licence - The Conservation of Habitats and Species Regulations 2010	Natural England	<p>Required for any parts of the Proposed Development that affect European protected species.</p> <p>The relevant pre-construction surveys are secured by a requirement within the DCO.</p>	Pre-construction surveys would be undertaken to confirm the position and the need for any licence(s), prior to construction works.

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
21	Class Licence under Wildlife and Countryside Act 1981 (as amended) Section 10(3)(c) (Great crested newt District level licence)	Natural England	A district level licence will be used to avoid significant effects upon GCN. The Applicant submitted the application for the DLL to Natural England on 22 January 2024, all requests for additional information have been responded to and agreement is expected to be concluded prior to examination. Although the district level licence will provide strategic mitigation for GCN, reasonable avoidance measures are also proposed to avoid harm to GCN or other amphibians which may be present during site clearance and construction.	The developer must include a counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England with the DCO application to demonstrate that this approach has been taken, if required.
22	Class Licence under Wildlife and Countryside Act 1981 (as amended) Section 10(3)(c) (Water vole class licence)	Natural England	Water vole - Current survey data shows no water vole burrows present at proposed crossing points and therefore a licence is not required. However, update surveys will need to be completed once design is fixed to confirm continued absence or to inform licence requirements. If burrows are	The draft licence application must be submitted to Natural England, including the application form, Method Statement and Reasoned Statement. Natural England will undertake a full assessment of the draft application and if satisfied with the information provided, will issue a 'letter of no impediment'

NO	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ STATUS	TIMESCALES GOING FORWARD
			<p>present, a mitigation licence from Natural England will be sought to permit derogation from legislation. The licence will detail the appropriate timing and supervision of construction to permit the temporary dispersal of water vole from the working area. Habitat will be reinstated following the completion of the works.</p>	<p>which can be used to support the DCO application, if required.</p>
23	<p>Deposit for Recovery Permit under the Environmental Permitting (England and Wales) Regulations 2016 (as amended)</p>	<p>Environment Agency</p>	<p>Not yet required. Permit application will be prepared prior to construction.</p>	<p>The contractor will prepare a Waste Recovery Plan to estimate the volume of excavated soils to be re-used as recovered waste during construction. The Plan will be required for supporting the application for Deposit for Recovery Permit prior to construction.</p>