

Date: 17 October 2024  
Your Ref: EN070009  
Document Ref: 7.2

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By email: [H2Teesside@planninginspectorate.gov.uk](mailto:H2Teesside@planninginspectorate.gov.uk)

Dear Ms Robbins,

## THE H2TEESSIDE PROJECT

### REQUEST FOR PROPOSED CHANGES TO THE H2TEESSIDE DEVELOPMENT CONSENT ORDER ('THE H2TEESSIDE ORDER') APPLICATION

I write on behalf of the Applicant, H2 Teesside Limited, in relation to the H2 Teesside Development Consent Order (DCO) Application, which was accepted for examination on 22 April 2024.

We wrote to the Planning Inspectorate on 15 August 2024 **[PDA-020]** explaining that it was the Applicant's intention to propose a number of changes to the DCO Application. That letter was accompanied by a 'Change Notification' **[PDA-019]**. The latter identified the nature of the changes proposed (including a description, rationale and need for the changes, and justification for making the changes to the DCO after being accepted by for examination), identified changes to the Order Limits/Land, and also advised of the Applicant's intention to request that the changes described in the Change Notification be accepted as changes to the DCO Application.

The Examining Authority ('ExA') responded via a letter dated 21 August 2024 **[PD-006]**, and asked that the Applicant responds fully to the points raised by the ExA. These key points noted by the ExA are summarised below, with comments provided by the Applicant accordingly.

- The ExA considers there to be potential that the proposed changes may give rise to new or materially different likely significant effects but at the time did not have sufficient information to reach an opinion and advised the Applicant to submit adequate information in this regard with its formal change request/application, which will enable the ExA to reach an opinion on this matter. In response, the Applicant has provided a 'Change Application Report' that includes within it information on the environmental effects of the proposed changes (Document Ref. 7.3), with associated Appendices (Document Ref. 7.4) and relevant updates to ES Figures.
- The ExA advised that the Applicant will need to ensure the information prescribed by Regulation 5 of the CA Regulations is submitted as part of any formal change request made. In response, the Applicant has set out in Section 5.0 of the Change Application Report (Document Ref. 7.3) where the relevant information can be located. It has submitted Supplementary Land Plans (Document Ref. 2.2a), Supplementary Statement of Reasons (Document Ref. 3.2a) and



Supplementary Funding Statement (Document Ref. 3.3a) as required by Regulation 5 of the CA Regulations. In respect of the Book of Reference, the Applicant has submitted a consolidated update of this document (Document Ref. 3.1) which accounts for all the proposed changes, with changes that are associated with the 'Additional Land' highlighted in yellow. This performs the role of the Supplementary Book of Reference required by the CA Regulations (such an approach being accepted on other projects such as Drax BECCS).

- The ExA has urged the Applicant to give serious consideration and commitment to the timetable as set out in the Change Notification [PDA-019]. In response, the Applicant confirms that it intends to meet that timetable and has prepared the relevant CA Regulations notices pending the ExA's decision.
- In relation to the consultation, the ExA recommended the Applicant submit a statement that lists the persons (affected by the changes) who it consulted (identifying any new persons), and also identifies those persons who are "*affected persons*" over whose land CA powers will be exercised. The Applicant has provided this information in the form of a Consultation Statement (Document Ref. 7.5) and its associated Appendices (Document Ref. 7.6), which forms part of the Change Request/Application.

This letter, and the documents that accompanying it, represent the Applicants' formal Change Request/Application in respect of the DCO Application.

### Change Request/Application

The H2Teesside Project (the 'Proposed Development') will be one of the UK's largest blue hydrogen production facilities with a capacity of up to approximately 1.2 gigawatts ('GW') thermal, representing more than 10% of the Government's low carbon hydrogen production target of 10 GW by 2030.

The Proposed Development is a complex 'first-of-a-kind' project. As confirmed by the Government's decision to select the Proposed Development to connect to the East Coast Cluster (one of the first two carbon capture, usage and storage clusters to be taken forward by the Government), it is a critical part of efforts to decarbonise the power and industrial sectors both in Teesside and nationally.

Due to the Proposed Development's nature and scale, the extent of land interests within the proposed Order Limits and the potential routing of the hydrogen pipeline and other connections, the DCO Application submitted in March 2024 necessarily included a degree of optionality. The Applicant has previously explained to the Planning Inspectorate ('PINS') the need for this optionality, but has also been clear that its aim would be to reduce that optionality, if possible, in advance of the Examination as the design of the Proposed Development is progressed and becomes more certain. The options included in the DCO Application were consulted upon and also assessed as part of the Environmental Impact Assessment ('EIA') undertaken for the Proposed Development and reported in the Environmental Statement ('ES').

Since submission of the DCO Application, the Applicant has continued with detailed design development and refinement, while also engaging with Interested Parties with a view to addressing their comments and agreeing common ground. This work has identified 14 changes to the Proposed Development, which can be grouped into four main categories as follows:

- **Category 'A'**: Engineering/design development – Changes 1, 5, 7 and 9.
- **Category 'B'**: Changes to construction approach – Changes 3, 4 and 6.
- **Category 'C'**: Other Order Limits reductions – Changes 2.A to 2.F.

- **Category ‘D’:** Order Limits increases which invoke the CA Regulations – Change 8.

A more detailed description of the proposed changes is provided in the Change Application Report (Document Ref: 7.3) and its Appendices (Document Ref. 7.4).

**Table 1** below provides a summary of the proposed changes in relation to the individual Work Numbers (Nos.) listed at Schedule 1 ‘Authorised Development’ of the draft DCO (Document Ref. 2.1) and shown upon the Works Plans (Document Ref. 2.4). The changes remain the same as those set out in the Change Notification [PDA-019].

**Table 1: Summary of Proposed Changes**

<b>Proposed Change Number</b>	<b>Description/relevant Work Number</b>
1	Addition of a second flare stack for Phase 2 of the Hydrogen Production Facility located at the Main Site (no change to Order Limits). <b>(Work No. 1A.2)</b>
2.A	Reduction at Cowpen Bewley (2.5 hectares removed from the Order Limits). <b>(no Work No.)</b>
2.B	Reduction at Venator (2.5 hectares removed from the Order Limits). <b>(Work Nos. 6A.1 and 6B.1)</b>
2.C	Reduction to the east of the Main Site (50.7 hectares removed from the Order Limits). <b>(Work No. 3A, 3B.2, 3B.3, 4, 5, 7A and 7B)</b>
2.D	Reduction to the west of the Main Site and at the Main Site access point (27.9 hectares removed from the Order Limits). <b>(Work No. 6A.1)</b>
2.E	Reduction at Lazenby (4.9 hectares removed from the Order Limits). <b>(Work Nos. 6A.1 and 9)</b>
2.F	Removal of Northern Gas Networks Above Ground Installation (‘AGI’) off the A178 Seaton Carew Road (5.3 hectares removed from the Order Limits). <b>(Work No. 6B.3)</b>
3	Removal of temporary construction compound at Redcar Bulk Terminal (8.1 hectares removed from the Order Limits). <b>(Work No. 9)</b>
4	Addition of a temporary construction compound on land at Navigator Terminals (no change to the Order Limits). <b>(Work No. 9)</b>
5	Removal of air separation unit from Phase 1 of the Hydrogen Production Facility (no change to the Order Limits). <b>(Work No. 1A.1)</b>
6	Reduction in plant at temporary construction compounds (no change to the Order Limits). <b>(Work No. 9)</b>
7	Updates to building dimensions at the Main Site (no change to the Order Limits). <b>(Work No. 1)</b>
8	Inclusion of additional land for existing Natural Gas pipeline (1.8 hectares of land added to the Order Limits) and changes to rights required within the Order limits to allow for re-purposing of that existing pipeline. <b>(new Work No. 2C)</b>
9	Removal of an AGI within the Work No. 2B area (no change to the Order Limits). <b>(Work No. 2B)</b>

It is the Applicant’s view that none of the proposed changes is so material that it constitutes a materially different project. The proposed changes are not considered, individually or cumulatively, to lead to the

Proposed Development being different in nature of substance to that which was originally applied for on 25 March 2024.

Whilst we recognise that ultimately it is for the ExA to determine the materiality of the proposed changes, the changes have been publicised, justified and assessed in comparison to the effects reported in the original ES. All 14 changes have been the subject of the Applicant's non-statutory consultation exercise, as explained in the Consultation Statement (Document Ref. 7.5) and its associated Appendices (Document Ref. 7.6).

The Applicant therefore formally requests that each proposed change is accepted for Examination.

It should be noted that as Change 8 only involves seeking additional powers over an existing natural gas pipeline – as opposed to any new construction – it is not considered that it would have any implications for the environmental assessments set out in the original ES. Change 8 has not therefore been considered within the environmental assessments undertaken in the Change Application Report.

#### **Explanatory note regarding Habitats Regulations Assessment ('HRA')**

As part of the Change Application, the Applicant has updated the Report to inform the Appropriate Assessment to consider the changes. Document Ref. 7.9 is a table which sets out in summary form how this has been undertaken.

The updated Report to inform the Appropriate Assessment also includes updates to deal with some of the queries raised by Natural England in their Relevant Representation and in discussions with them, to enable progress on these matters to be made. This includes a new Annex G to deal with traffic air quality emissions. To aid the ExA's understanding of what matters have progressed. Document Ref. 8.15 sets out the Applicant's response to Natural England's Deadline 2 submissions on HRA matters, indicating which matters are dealt with in the update to the Report to inform HRA. This is in advance of Deadline 3, the Applicant intends to provide a consolidated response to all Deadline 2 comments at Deadline 3.

Redacted versions of the Report to Inform HRA and Supplementary Ornithology Baseline Report are provided alongside this Change Application. In response to ExA WQ1.4.7. The Applicant has reviewed Guidance referred to on Assessing and providing access to sensitive data (nbn.org.uk). It is noted this guidance is not directly intended to inform an approach to redaction. We have amended our approach and have removed redaction in Section 3 which provides information on sensitive species already publicly available in designated site citations and removed redaction on Figures to aid interpretation of the information within report. However, within other sections we have continued to take a conservative approach where The Applicant has redacted information that could be used to identify the locations of sensitive bird species, which is of relevance given the requirements of the Wildlife and Countryside Act 1981.

#### **Explanatory note regarding ES Figures 16-7-1a to 16-7-4f (Photomontages)**

ES Figures 16-7-1a to 16-7-4f: Photomontages [APP-172] have been updated as follows:

- Initially as part of the Applicant's response to PINS' Section 51 advice and Section 55 acceptance checklist as **Revision 1** [AS-019]; and
- Then subsequently updated following the Procedural Deadline 'A' submissions (i.e. submitted on 23 August 2022) as **Revision 2** [AS-030].

However, the Applicant has noticed an error with those photomontages and so is submitting updated revisions of these, which show one flare (i.e. the 'pre-changes' position). These have been submitted as an update to **Revision 2** [AS-030] – which we propose to call **Revision 3**.

The error in question was an incorrect representation of dimensions from the initial plot plan in relation to the flare. No changes to the dimensions are presented, only the interpretation of those numbers has been revised. Specifically, the flare was initially visualised inaccurately, suggesting a much more obtrusive structure. In reality, there is no wide platform below the flare. Instead, the flare consists of a 1 m diameter structure with a staircase running to the top.

It should be noted that as part of the Change Application, the Applicant has also submitted '**Revision 4**' of the figures. These show two flares (further to Change 1) but with those flares visually represented consistent with the 'base' **Revision 3** referred to above.

If the Change Application in respect of Change 1 is accepted by the ExA, **Revision 4** of the photomontages should be considered moving forward as the correct version of those photomontages. If that change is not accepted, then the updated **Revision 3**, should be considered as the correct version moving forward.

### Documentation

The Change Application comprises the following documentation:

1. Document Ref. 7.2 – This covering letter
2. Document Ref. 7.3 – Change Application Report, this report, which complies with the Requirements of the PINS Advice Page.
3. Document Ref. 7.4 – Change Application Report – Appendices
4. Document Ref. 7.5 – Consultation Statement
5. Document Ref. 7.6 – Consultation Statement – Appendices
6. Document Ref. 7.7 – Change Application Report – Schedule of Application Documents
7. Document Ref. 7.8 – Change Application Comparison Plans
8. Document Ref. 7.9 – Habitats Regulations Assessment Changes Reference Table

New documents to support the Change Application have also been provided:

9. Document Ref. 2.2a – Supplementary Land Plans
10. Document Ref. 3.2a – Supplementary Statement of Reasons
11. Document Ref. 3.3a – Supplementary Funding Statement

In addition, a number of updated Application Documents are being submitted. These have been updated to take account of the changes and include:

#### **Plans, Drawings and Sections:**

12. Document Ref. 2.2 – Land Plans (Key Plan and Sheets 1-21)
13. Document Ref. 2.3 – Special Category Land and Crown Land Plans (Key Plan and Sheets 1-6)
14. Document Ref. 2.4 – Works Plans (Key Plan and Sheets 1-44)
15. Document Ref. 2.5 – Access and Rights of Way Plans (Key Plan and Sheets 1-11)
16. Document Ref. 2.13 – Temporary Traffic Regulation Measures Plan (Key Plan and Sheets 1-11)
17. Document Ref. 2.15 – Important Hedgerows to be Removed Plan

**Land information / Compulsory Acquisition Information:**

18. Document Ref. 3.1 – Book of Reference (Parts 1-5) (clean and tracked versions) incorporating changes relating to Additional Land.
19. Document Ref. 3.1a – Schedule of Changes to the Book of Reference

**Draft Development Consent Order:**

20. Document Ref. 4.1 – Draft Development Consent Order (clean and tracked versions)
21. Document Ref. 4.1a – Schedule of Changes to the Draft Development Consent Order
22. Document Ref. 4.2 – Explanatory Memorandum (clean and tracked versions)

**Reports and Statements:**

23. Document Ref. 5.5 – Pipelines Statement (clean and tracked versions)
24. Document Ref. 5.9 – Outline Landscape and Biodiversity Management Plan - only the accompanying Figure of this Plan has been updated.
25. Document Ref. 5.10A – Report to Inform Habitats Regulations Assessment (CONFIDENTIAL) (clean and tracked versions)
26. Document Ref. 5.10 – Report to Inform Habitats Regulations Assessment (REDACTED) (Clean and tracked versions)

**Environment:**

27. Document Ref. 6.3.20 – Figure 8-4: Air Quality Study Area – Operational Model Inputs Phase 1
28. Document Ref. 6.3.21 – Figure 8-5: Air Quality Study Area – Operational Model Inputs Phase 2
29. Document Ref. 6.3.22 – Figure 8-6: Annual Mean NO<sub>2</sub> Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2022
30. Document Ref. 6.3.23 – Figure 8-7: 99.79th Percentile 1h NO<sub>2</sub> Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2021
31. Document Ref. 6.3.24 – Figure 8-8: Maximum 8h Rolling CO Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2018.
32. Document Ref. 6.3.25 – Figure 8-9: Maximum 1h CO Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2021.
33. Document Ref. 6.3.26 – Figure 8-10: Annual Mean NO<sub>x</sub> Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2022.
34. Document Ref. 6.3.26a – Figure 8-11: Annual Mean NH<sub>3</sub> Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2022.
35. Document Ref. 6.3.26b – Figure 8-12: Nitrogen Deposition from Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2022.
36. Document Ref. 6.3.26c – Figure 8-13: Acid Deposition from Process Contribution for the Proposed Development during Normal Operations for Phase 1 and 2 Combined – for the Worst Affected Meteorological Year of 2022.
37. Document Ref. 6.3.64 – Figure 11-2: Construction Noise Contours

- 38. Document Ref. 6.3.81 – Figure 14-7: Airborne Noise Modelling Locations for Seals
- 39. Document Ref. 6.3.93 – Figure 16-7-1a to 16-7-4f: Photomontages (**Revision 4**)

**Application Form and related documents:**

- 40. Document Ref 1.2 – Application Guide (clean and tracked changes).

This document sets out a comprehensive list of the updated and new Application Documents (shaded yellow) and the revision numbers and dates are provided accordingly.

**Additional Information (not related to the Change Application):**

For the reasons outlined above, Revision 3 of the Photomontages is provided as a document in the event the ExA does not accept the Change Application, and does not form part of the Change Application.

- 41. Document Ref. 6.2.13AA – Ornithology Supplementary Baseline Report (CONFIDENTIAL)
- 42. Document Ref. 6.2.13B – Ornithology Supplementary Baseline Report (REDACTED)
- 43. Document Ref. 8.15 - Natural England Habitats Regulations Assessment Written Responses Response Table
- 44. Document Ref. 6.3.93 – Figure 16-7-1a to 16-7-4f: Photomontages (**Revision 3**)

**Other matters**

Further to the ExA's letter dated 10 September 2024, the Applicant wishes to confirm that no Artificial Intelligence ('AI') was used to create or alter any part of its documents, information or data, submitted in relation to the Change Application.

I would be grateful if you could confirm receipt of this letter and the accompany documents.

In the meantime, should you have any questions please do not hesitate to contact myself [REDACTED] Mia Scaggiante ([REDACTED]) or Nathan Cheung ([REDACTED])

Yours sincerely,

[REDACTED]

**Geoff Bullock**  
**Joint Managing Director & Head of Planning - DWD**