



## Hearing Transcript

<b>Project:</b>	H2 Teesside
<b>Hearing:</b>	Recording of Issue Specific Hearing 3 (ISH3) - Part 4
<b>Date:</b>	14 January 2025

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# TRANSCRIPT\_H2TESSIDE\_ISH3\_SESSION 4\_14012025

00:04

All right, so welcome back. Everybody time now is 1350 and I'm resuming with the third session of this issue specific hearing number three into environmental matters. Can the case team please confirm that everybody who wishes to be here has joined back and live streaming and digital recording has recommenced. Please.

00:34

Yes, I can confirm that. Thank you. Thank you very much.

00:38

We're now going to resume with agenda item six, which is being taken forward by Miss Bennet Matthews. Spin it. Matthews, Are you online?

00:49

Thank you. I'm here online. Can I just confirm that everybody can hear me clearly? Yes, yes. Sorry, I had to change headsets. Okay, so

01:00

the last question. Sorry, Mr. Philpot, if I can pose this question to yourself as the applicant, because you provided us with an not yourself, but on behalf of the applicant, an overview, summary document was provided in response to some of the items on agenda item six.

01:23

And the question was asked, where as to how we propose to deal with the rest of the agenda items?

01:32

What I think that we will do is we will, I will go through the other items in agenda six, which may or may not be covered by your overview document. I'm not proposing to go through them in any detail, but I'll unleash your reference due to time constraints, to

01:52

natural England's deadline five submission. So I'm not intending to read right the way through. And I think the way in which we can deal with this is just determine whether we can you know yourself as the applicant and the interested parties considers that the points have been dealt with in the overview document, or for the applicant, just to highlight where they consider that the points have already been dealt with.

02:17

Can I take any comments or questions from the applicant. Mr. Philpott on that approach.

02:24

Madam Harwood, Philpott, on behalf of the applicant, that sounds entirely sensible to us. What we'll do is, when you go through each item, will seek to avoid repetition of any introductory points that we've made, but sort of taking that as it were, is red will then deal with the individual points that have been identified in the agenda items as against the any key points to which they relate, but we'll hopefully be able to deal with that reasonably succinctly. Yes. Thank you very much. I think that does work, because I'm just conscious that there are other parties here that might wish to raise questions, other interested parties that might waste wish to raise questions on the agenda, agenda items, and I'm just keen to give them the opportunity to be able to do that. Can I take Thank you, Mr. Mr. Philpot, can I

03:19

put the question to any interested parties, whether they have any comments or questions on the way which

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the examining authority proposes to deal with the rest of agenda. Item six,

03:38

right? I'm getting no indication of hands. So what I'm going to do is I'm going to move on to bullet point two, which is

03:48

the next item. We didn't start this item before lunch. I'll go through the agenda items, and I'll make reference to the deadline five A submissions by

03:59

any Natural England. And then I'll take a response from the applicant and then interested parties. Thank you. So

04:09

with regards to the impact to the teas, teasmouth and Cleveland, coast, SBA rams, rams,

04:18

archipelancian, any maintains its concerns within in regards to the applicant's methodology when considering the impacts from the development and protected bird species assemblages, and advises it does not agree with the applicant's conclusion of no adverse effect on integrity, as presented in the report. To inform the HRA reference being made to any key points, any two, any five, any sick,

04:50

any and any eight,

04:53

any also advises the scale of loss of functioning linked land was unclear any points.

05:00

A key point, any three with it, pointing out, although direct loss of habitat from teesmith, Cleveland, coast SBA is to be avoided by utilizing the horizontal drilling, there remains potential for direct loss of habitat in the event of

05:19

HDD that's horizontal drilling collapse, the applicant is asked to provide

05:26

an update in regards to the process as any key points listed above, including whether written resolution possible in the remaining examination period, and if so, the expected timescales. Turning to the deadline, five submission, we can see that that's already set out there. I don't propose to go through that verbatimly, but again, it's just raising issues with regards to the applicant assessment, modeling of noise, visual disturbance,

06:00

and the fact that any say that they were waiting final versions of the assessments.

06:09

Yeah, and just asking the applicant, which I believe they have done, to provide an update on the assessments and modeling of noise disturbance with regards to SBA birds

06:19

and comments on it and make comments on what's been raised by any and then, with respect, respect to functionally linked land,

06:30

they say it's in their deadline five submissions that they provided the applicants they're considering. Sorry the applicant's responses to deadline for submissions

06:40

there,

06:42

I note from the overview note which has been provided by the applicant,

06:49

that encompasses the issues raised within this agenda item, which includes working with any with regards to the loss of noise, disturbing impacts, with regards to birds, to the teesmith and cleeseman Coast Ramsar sites.

07:05

And

07:08

as part of that, that reference has been drawn to the updated report to inform the HRA,

07:15

can I just

07:17

ask the applicant whether they have any additional comments or items to highlight in with regards to that agenda item, please.

07:29

Thank you. Madam Overton, on behalf of the applicant, I'm going to turn back to miss Aldous to respond to this. And obviously you've, you've heard an overview. So it's, it's matters beyond that

07:43

that are relevant to this item. And I'll pass over to her before I do so I should just say that she'll also be dealing with the next two items. So unless there's anything specific that I need to say, until that's all done, I'll come off screen, and I'll leave you in Miss Aldous, capable hands. Thank you. Thank you, Mr. Mr. Philpot.

08:13

So Kirsten, oldest on behalf of the applicant.

08:18

So we'll discuss each of natural England's point and points in turn, an approach to any one risk of HDD collapse, stroke, leakage of drilling fluid to spa sites has been agreed. Matter closed, and that's under representation, 056,

08:39

for irrelevant representation, any two Natural England requested further information on how different stages of the project could impact the water bed assemblage through multiple activities potentially occurring in different locations at the same time, which we've just discussed previously, before lunch on our overview, the

08:55

applicant held discussions with Natural England on the 26th of November, The fourth of December and the 10th of December 2024 to a degree to agree an approach to resolve this issue.

09:06

As part of these discussions, the applicant has provided an indicative construction program to demonstrate that works are not likely to occur across all parts of the proposed development

simultaneously. The applicant has agreed an approach to assess potential impacts on water birds from works occurring simultaneously and is collating the peak counts each month with reference to the program. These will then be compared to the overall water bird assemblage, which is 26,014

09:32

birds, through an assessment methodology which has been agreed with Natural England.

09:37

This information will be presented in the HRA, submitted at deadline six A which will demonstrate no adverse effect on integrity. And we've also had have a meeting agreed with Natural England on the 20th of January to present this information. Although

09:51

there is the potential for the proposed development to disturb birds at multiple locations, the construction program has been designed to avoid them.

10:00

Sensitive periods for qualifying bird species. Furthermore, mitigation in the form of acoustic barriers and visual screening is proposed to reduce noise and visual disturbance at sensitive locations to acceptable levels.

10:15

In its letter to the examining authority on the eighth of January 2025

10:19

Natural England confirms that there has been substantial engagement on this issue and that progress has been made towards its resolution.

10:28

It is yet to fully review the updated report to inform HRA and we await its final comments

10:37

in relevant representation, any three Natural England have requested clarification on the extent of temporary and permanent habitat loss within functionally linked land for birds.

10:48

They've also requested further information on the specific function of the land to SBA birds. The

10:55

applicant has responded to these comments at deadline, five within the updated HRA and representation 051, sorry. Rep, rep 5051.

11:06

Figures 16 a and 16 B show the extent of functionally linked land that intersects with the proposed development site and how the applicants deadline, five response summarizes how birds use this land.

11:19

The report to inform HRA has also been updated to clarify this information.

11:24

Natural England has yet to review this information, but has indicated that it will do so by the 22nd of January, 2025

11:33

the applicant will continue to engage with Natural England on this issue in

11:39

relevant representations, any five and any six, Natural England have requested further information on impulsive noise and the effectiveness of mitigation.

11:49

Natural England have advised that measurement of a maximum level is necessary to assess the loud bangs and impulsive noise that can disturb non breeding water birds during construction and operation.

12:01

The applicant has reviewed the list of plant to be used to confirm sources of impulsive noise. Additional noise modeling has been completed to model the reductions in noise that can be achieved with mitigation, and the results will be accounted for in the deadline, six A HRA, the

12:18

applicant considers that with mitigation, noise at sensitive locations can be reduced to acceptable levels, and no adverse effect on integrity is caused in

12:30

relevant representation. Any Seven Natural England have requested further information to quantify operational visual disturbance sources.

12:40

Disturbance within the main site will be limited once the proposed development becomes operational. Typical activities will include the arrival and departure of site staff. The average daily operational traffic will comprise fewer than 15 heavy goods vehicles and approximately 50 light vehicles during regular operations,

13:01

some external lighting would be required to ensure that the hydrogen production facility can operate safely at all times. It would be at the appropriate luminescence to required to provide safe working conditions.

13:15

Lighting would be designed, positioned and directed to prevent or minimize light disturbance to sensitive receptors, human and ecological and low energy fittings would be used where possible. This is secured through the operational lighting strategy pursuant to DCO requirement six,

13:34

the applicant notes that land within and surrounding the main site has been subject to anthropogenic disturbance, historically, as it was the site of the former Red Car Steel Works, there are ongoing industrial activities within teas works, including demolition and site remediation activities and movement of machine materials and machinery.

13:56

As such, the bird assemblage in this area is likely to be habituated to some extent, to the industrial landscape and activity

14:04

as such, visual disturbance during operation is anticipated to be lower than that historically or currently experienced within the site.

14:16

Operational requirements in the pipeline corridor will be limited, requiring Arrival by light good goods vehicles and walk over visual inspection

14:27

planter equipment would, in the main, not be required. But there may be isolated incidents where unplanned or emergency repair is required,

14:37

where they would where they may be necessary. Such isolated activities would not lead to likely significant effects.

14:46

Based upon the above information, the applicant has concluded that would that there would be no likely significant effects upon the integrity of the teemouth in Cleveland Coast SPM ramsa as a result of visual disturbance during operation the.

15:00

In

15:02

relevant representation, any eight Natural England has requested further information on how sight lines for birds from the blast furnace pool could be impacted. The applicant has prepared technical a



technical note submitted at deadline five to address this relevant representation, which was appended to

15:22  
rep 051,

15:24  
the applicant has concluded that there will be no adverse effect on site integrity from disruption of flight lines to and from the blast furnace pool the

15:40  
I

15:43  
thank you.

15:45  
Oh, thank you, Miss Aldous, that's very comprehensive. Thank you very much. On that point, I don't have any questions at the moment. On that point,

16:00  
the note that you've raised. So what I'm going to do is I'm going to open this item to interested parties to ascertain whether they have any comments.

16:17  
I can see no indication of hands,

16:22  
therefore I'm going to move on to the next agenda item.

16:28  
Just bear with me and just

16:41  
which I have as agenda. Item three to agenda sorry. Point three. Bullet. Point three to agenda. Item six, which I believe Miss Aldous that you will be taking forward on behalf of the applicant.

16:57  
And this relates to

16:59  
the fact that the examination authority, examining authority, has noted that any key action point, any 14 clarification of the in combination assessment process, and any 19th Cleveland COVID rams our site,

construction and operation income in in combination assessment, And that is just taken, taken a view that action to review and confirm what the project information is needed to achieve.

17:33

Any are not in attendance today, but I would ask,

17:41

just bear with me. I've lost, lost my point there. Just bear with me one second.

17:50

That's actually

17:54

a question that I've got down for Natural England, but I don't know. And also, I was referring to the deadline. Five, a submission there as well, which you've already got before you. But I'm just wanting to ask the applicant whether you've got any comments on Miss Miss Aldous on that particular agenda. Item three,

18:18

Kirsten Aldous, for the applicant, I Yeah,

18:23

Natural England haven't updated the sorry. Haven't reviewed this updated information yet

18:29

under any 14 paragraphs, 5.5

18:33

point 1.4 and table five dash one within the report to inform it. HRA have been updated at deadline five to assess the potential for likely significant effects from the proposed development in conjunction with other plans and projects. Table seven, one has also been updated to include additional projects and how and now provides a comprehensive summary of potential in combination effects. Thank you.

18:57

Oh. Thank you very much. That's very helpful. Can I open that agenda item three? Bullet point three of Agenda Item six to any other interested parties to determine whether they have any questions or comments.

19:14

Okay, I know that there are no raised hands on that agenda item can I

19:22

refer to my panel members, Mr. Chris Butler, just to verify whether you wish to say something, Mr. Butler on that has generated It's only that clearly the question was directed at Natural England,

primarily. So if Natural England have are watching the live streaming or watch on the playback if they would like to add anything over and above whatever they might be saying at the next deadline anyway, if they would like to add anything they can do so by deadlines. Exciting. Thank you Miss thank you for that contribution. So I'll move on to the so the.

20:00

So can I just double check the applicant has no further comments on that agenda item, or with regards to any additional submissions which might be

20:10

made by Natural England, I just clarify I tried that

20:16

Harry was still put on behalf of the applicant. No, madam, the reason for coming back on screen is because we're now going from this oldest back to miss Percy. And so as a matter of Kurds said, has wanted to let you know that we'll be doing Miss Percy was dealing with the next two items, and then I'll come in on the final one under this agenda item.

20:41

Thank you so much. Mr. Phil Park, thank you for that clarification there. So I'll turn now to bullet point four of agenda item six,

20:50

the I know

20:52

any DL for submissions, rep for zero 28 and its update regarding any key issues, points, any 15 internet internationally designated sites, process followed in the habitats regulation assessment, and any 26 North Northumberland post special area of conservation and the Humber estuary sack and the wash in the North Norfolk coast back noise disturbance feels I would ask the applicant for an update in regards to these, any key points, including whether, in reaching a resolution, whether, whether reaching a resolution within The remaining examination period is going to be feasible, and if so, the expected timescales for such a resolution.

21:49

There are no comments from any deadline, five a submission that I wish to refer to on this particular agenda, Item, other

22:00

than the fact that they state that their position on this agenda item remains unchanged. So if I could direct the question at first instance to miss Percy, thank you very much. Thank you very much, Madam.

22:16

Relevant rep Natural England. Relevant rep 15 is related to the approach to air quality within the HRA. So we have covered that and discussed it under agenda point five one, Mr. Dr Riley gave evidence on that one, so I don't propose to go into that again.

22:36

However, any 26 in relation to seals and the designated sites, we the applicant, will prepare a technical note at deadline, six A in response to two rounds of comments that we've had with Natural England and a number of meetings with them. And the updated approach is using natural England's suggested methodology, which still highlights the minimal potential for the disturbance of seals during HDD works and reports in the HRA no adverse effects on integrity on the designated sites as a result of visual noise. Noise disturbance to seals.

23:14

Therefore, the additional monitoring of seal behavior is during works is not considered necessary, and that will be submitted at deadline six A, including an update to the section in the in the HRA that that concludes that,

23:32

thank you. And so that update to the HRA, that section of the HRA, you also submitting that an updated section for deadline. Six, A, is that what you're saying tomorrow? Yes, okay. Thank you very much. Um, do you have any additional points to raise? Sorry, because I interjected I wasn't quite sure if you'd finished on that point. No, that's fine. There is a lot of technical detail I could get into behind that, but it will all be included in the technical note you're going to submit it the deadline, six, eight. Thank you very much. Ms Percy, so what I'm going to do

24:08

is take comments from interested parties, if there's any comments with regards to the comments which has been made by the applicant

24:18

on that particular issue of agenda item six. So

24:24

I'm having a look on my screen there. There's no There's no comments from interested parties. So I'm going to turn now to bullet point five of agenda item six. I'll briefly run through this one because there's a couple of points on there, and I do appreciate that, Mr. Party, that you'll be dealing with this one as well. So on this one, this is bullet point five of agenda. Item six, I note the

24:48

any current position regarding its key points, any 34 biodiversity, net gain, and any 35 soils, best and most versatile land and would ask the applicant.

25:00

To provide an update on the progress in regards to these key points, including whether reaching a resolution within the remaining examination period is possible, and if so, the expected time scale for such a resolution, I'm going to turn to any deadline five submission, because they do raise a couple of points in this which I would like clarification on from the applicant, in particular, in terms of

25:32

biodiversity net gain.

25:35

Any has states that they've not engaged further with the applicant on this issue, and I go on to say that the applicant has not met the 10% minimum requirement. However, this requirement is not mandatory for n sets developments until 2025 It is therefore up to the examining authority as a decision maker to decide what level of biodiversity net gain provision is acceptable. Natural England encourages the provision of biodiversity net gain on site, and that such provision is designed to complement and support species of local importance, and in terms of best and most versatile soils,

26:16

any notes, the technical information.

26:20

Note from a com on best the most first tile soils dated the 18th of december 2024

26:29

but advises it has not had sufficient time to review this note and is unable to provide a full details on its contents. However, they do acknowledge that the applicant has provided further details on the locations and current uses of best and most versatile soils. It acknowledges that the majority of soils preliminary, preliminarily, preliminarily identified as agricultural land classifications, grades two and three, were not used for agricultural uses, and the permanent, and the and the permanent, the loss of two hecklers of soil from parkham bugle woodlands, replacement land which is which has the potential to be best, the most best, the most versatile soil, and is currently used for agricultural use, so I'm getting a bit tongue toy tongue tied, but

27:28

Miss Percy to respond on those points. Thank you very much.

27:33

Thank you.

27:35

Starting with any 34 the biodiversity net gain point, the applicant is continuing to explore opportunities for biodiversity enhancements and habitat improvements within Teesside. So discussions are ongoing with various stakeholders, including local trusts and environmental authorities and conservation organizations. The aim is to deliver a strategic biodiversity enhancement plan that benefits both

habitats and species, and these enhancements, as we as we have discussed at the previous hearing, are not a legal or planning requirement for the project, so we will not be submitting those into

28:15

to yourselves for consideration in the examination, but they're being pursued voluntarily As part of the applicant's commitment to responsible development, and we are planning on reporting on progress before the end of examination

28:30

on any 35 relevant rep 35

28:34

soils and best and most versatile land we, as you mentioned in Your response, from Natural England, we provided a detailed response to natural England deadline five, which was appended to rep 5051,

28:49

and that response provided a number of clarifications in regard to the ALC grade and current land use of the different areas within the proposed development. And based on that information, the applicant doesn't consider that an ALC survey is required. We are waiting for further details from natural England's review, which I think they confirmed, would be provided at deadline, six A and

29:15

we will respond to any additional comments they have at that point. But we

29:22

currently don't have anything more to add in on top of our evidence that we provided. Thank you. Thank you very much for that response.

29:33

I do appreciate that biodiversity net gain is not a legal requirement, as national England, set out there, and they put forward the, you know, until 2025 which is the requirement you did say, though, that you would provide an update to the examining authority during the course of the the examination. Have you got any timescales for that at all? Or do.

30:00

Um,

30:02

in terms of deadlines, just just so we can have an idea of

30:13

just taking on behalf of the the applicant. Thank you, Mr. My understanding is that those those discussions are ongoing, and we will report where we've got to by the end of the examination, but we don't anticipate that those discussions will be complete by the end of the examination. So it's not that

we're expecting there to be a finalized position by a particular deadline, it's simply that we will communicate to the examining authority before the end of the examination where we've got to and thus any information that we would anticipate you may wish to take into account in reporting on this matter, notwithstanding what we said about the absence of obligation to do so, but we're not anticipating there to be a finalized position, per se, because these are matters we're doing voluntarily. So in terms of deadline,

31:15

I would suggest, absent any alternative indication that probably deadline eight is the final be the final update. If there's anything

31:29

that's worth putting in ahead of that, we can put that in a deadline seven. But given the nature of the issue and the role that we say it plays or shouldn't play in the decision making. It may be that it's appropriate, should be dealt with at deadline eight, but we'll take your leaders to when you want a final update. But that's the position. Okay? Thank you very much, Mr. Soport, for that

31:57

Clouser case now, and I did note that you said that there's no legal requirement to provide that, and we will take it away and consider any deadlines. I'd like to refer to Mr. Butler, who's who's online, as whether he has any comments or questions on this item. Yeah, Mr. Football actually answered part of my question I was going to ask about voluntary. It is completely voluntary that these

32:27

options are being discussed and potentially offered, and my understanding is, is that the applicant has no intention of including anything within the DCO that would bind them to providing or

32:41

linking them to those voluntary agreements. Is that correct?

32:47

Yes, that's my understanding. So that you'll appreciate that within the site itself, there are landscaping and biodiversity measures through the normal requirements, but those are a separate matter designed to make sure that we comply with policy requirements, but the off site opportunities are not intended to be caught by the DCO or any other mechanism that we would then invite the Secretary of State to take into account. Okay, I just wanted to get that clear that you weren't looking to include any formal mechanisms to provide this voluntary agreement, or the lands or the

33:27

the office that you're making under the voluntary agreements. Thanks very much.

33:33

Thank you very much. Mr. Butler and Mr. Philpot. I don't have any additional questions sorry to ask in relation to that agenda item. So I'm going to open it up to interested parties to indicate whether they have any comments or questions to ask in relation to that agenda item.

33:55

I can see no hands or responses. So I'm going to move on to

34:01

bullet point six, which I have as the next agenda item for agenda item six,

34:12

which is that

34:17

right? So the I note that none of any submissions are zero, 26

34:24

rep two dash is 072, or rep 4028,

34:31

appears to include any key, any key point, any 30, in absence of an ease attendance at today's hearing. Are the applicants able to shed any light on this matter? I do know that there's no comments or questions from any in there on this point in their deadline, five a submission, so I don't propose to refer to that. But can I

34:59

Oh.

35:00

Open up question to the applicant. So Mr. Philpott, please,

35:04

yes, madam, hurry with Philpott on behalf of the applicant. So we received clarification from any on the sixth of January that any 30 is a numbering error and that there is no key issue any 30 that's obviously a matter, hopefully in due course, that any will confirm itself, but that is our understanding on the basis of what we have been told.

35:32

Well, thank you very much for that clarification. Thank you.

35:36

Can I open that question to any interested parties to see whether they have any comments or observations on that.



35:46

I have no comments or observations from interested parties. So I'm going to move to the next agenda item, which we would have been agenda item seven, which was climate change, but we have already dealt with that agenda item.

36:03

There was just a question for the applicant. Mr. Philpot,

36:08

if I could kindly ask you a question

36:12

with regards to the overview document

36:16

on agenda item six, I wanted to ask whether you would be in a position to submit that as a formal submission into the examination, perhaps at deadline six a

36:30

madam, Harry with COVID, on behalf of the applicant, that the overview to which you referred was the Oral overview that Miss oldest provided that will form part of the written summary of all submissions, so you'll have a complete note of that, and that will therefore form part of the deadline six A submissions that you'll receive on the 22nd of January. That's quite right. Thank you so much for that clarification. Thank you. Thank you very much.

37:06

So if I could now move on to Agenda Item eight. Now this item relates to geology, hydrology and land contamination. So I'm going

37:16

to turn now to bullet point one of that agenda item,

37:24

and I would ask the applicant to provide an update with regards to

37:30

the environment agency's observations rep three zero 10 concerning land registered on the part two A of The Environmental Protection Act 1990 in the locations formally referred to as seal sands, chemical company, and the implications of this in relation to the proposed development, please include any update with regards to any discussions With Stockton and teas Borough Council and other relevant

38:03

bodies.

38:07

Thank you. That's a question addressed to the applicant. Thank you.

38:14

Thank you. Madam. Harry with Fauci, on behalf of the applicant,

38:18

we provided a response to written question on this matter. Deadline five, so this was question 210, one, in which we confirmed, following the provision of further information from STbc and the Environment Agency, that the proposed development doesn't overlap with any part of the land currently being investigated under Part Two, a of the Environmental Protection Act 1990

38:46

we prepared a plan shows the order limits in relation to the investigation area that was at appendix one of the response to the written question. Kent, sorry, Mr. Just for clarification purposes. Can I just confirm that that was

39:05

so it's wrapped for dash 028, and the plan, which is attached to the appendix of that document?

39:14

Can I take that number again? Madam, just to so we

39:17

Yeah. So it's wrapped 4028,

39:21

which is attack, and the plan was attached as an appendix to that document. If I can clarify, I think we might have that plan actually, which is available to share if it is the correct one.

39:35

No, this is a deadline five response madam, so I'm not sure that is the right reference.

39:52

Yeah,

39:58

504,

40:00

Six, yes, grateful, right. Okay, no worries. Perhaps that's the incorrect reference. Sorry, sorry to have interrupted you if you'd like to continue.

40:11

Yes, so that that

40:15

plan, therefore, was appendix one to the written response to that question, there have been discussions between the applicant, the Environment Agency and STbc to ascertain if any of the land that was subject to the Part Two a investigation overlaps with the proposed development, and STbc has also provided the applicant to some further information on the site

40:40

that's reported in the updated statement of common ground with the EA that went in deadline five,

40:47

and therefore the applicant confirmed at deadline five and remains a position as I understand it. There's no overlap for the landing question. We were only made aware of this part two a investigation during the examination, and therefore it's not something where the risks and impacts associated with it had been assessed before, but because there isn't a direct overlap

41:11

that that is not an issue, not a problem that hadn't been assessed because the reasons I've explained, The issue simply doesn't arise.

41:21

Thank you so much, Mr. Philpot for your explanation. I want to defer to my colleague, Mr. Buckler,

41:29

any comments, yeah, just really to draw to Mr. Philpott and anybody else who's got an interest in this question, the response of the Environment Agency at deadline six, which was only on Monday. I appreciate it so you might not have seen it or had chance to absorb it, but they've responded to your response to Q 10 one, sorry. Q2 10 one, where they say, whilst there is no overlap between part two, a site and the order limits for the DCO as part of the proposed works are immediately adjacent to part two, eight, the part to a site there could be contaminated land impacts, we would request that the applicant confirms what works are proposed in this area, specifically, if there would be any break of the ground in breaking of the ground involved, if the works proposed involved breaking the ground, we would request further site investigations and assessments of risk is provided given, given that the known contamination of the neighboring site, if the works in this area pose a low risk, which do not include the breaking of the ground, we would accept no further assessment or consideration is required in this regard. Now I appreciate you probably won't have had chance to look at or respond to that. And indeed, I would anticipate you're going to say that you're responding writing deadline six A but I just really wanted to draw it to your attention that there was a response from the Environment Agency in terms of this matter, and whilst they accept that it isn't part of this part to a site, it is adjacent and we had further questioning.

43:04

Thank you, Mr. Bucha Herod Philpott, on behalf of the applicant, I'm just going to ask Mr. Ross Nixon to

43:13

provide an initial response, and then I might come back in the lights what he has to say. So I'll just pass over to Mr. Nixon,

43:24

yes, thank you. That the

43:27

the part of the red line boundary immediately adjacent to that land is the natural gas supply line, the pre existing natural gas supply line, which is already in existence and below ground in that location. So I to your question, Mr. Butler, I don't think it will involve any breaking of ground to utilize that gas line. So I think we can respond in writing, but that's my initial consideration, having a look at that

44:02

figure. Thank you, Mr. Nixon.

44:04

Mr. Philpott,

44:06

sorry. Further to that, if I if I may, as Mr. Nixon says, we'll respond in writing. But of course, this matter also needs to be understood in the context of the provisions of requirement 12, which deal with contaminated land and ground water, and provide a mechanism for dealing with any contamination that may be found on site and ensuring it's properly dealt with, will obviously seek to engage with the EA specific concern in writing, that the combination of those two things would appear to provide that the answer to the EA is concerned, but we'll, we'll deal with that in more detail in due course. Thank you very much, and as you say that, you'll deal with that overall, including the issue with regards to requirements in the DCO in your response at deadline six A

44:58

Yes. Thank you.

45:00

I want to thank you, Mr. Philpot, I'm going to open this out to interested parties, and in particular

45:08

Stockton and tease

45:11

Borough Council. Good

45:19

afternoon, madam. Thank you.

45:22

It your name. Thank you

45:25

very much.

45:27

Yeah, so I just wanted to provide a bit of clarity on this point, yes, raised by the Environment Agency.

45:37

It is correct that

45:40

the site that's been investigated under Part way is located on the boundary.

45:46

But I don't agree with the point raised by the applicant that

45:51

because it isn't on the pipe pipeline site, that it doesn't need to be considered. You know, off site migration should also be considered,

46:04

however, in view that the there won't be any break in of of the of the soil, because the pipe is already there,

46:14

that point would actually be

46:18

reconsidered, I think,

46:21

because the risk is negligible in that case, but I just wanted to make that point. Okay, thank you very much for that. I'm going to open this issue up to any other interested parties, and then I'm going to ask the applicant to come back, just to respond to the point. With regards to

46:42

the being located on the boundary. So if I could just ask and open up to any interested parties on whether they have any comments or questions, I can see no indication of hand. So I'm going to move back to the applicant just to address the point of divergence with Stockton aunties Borough Council.

47:04

And I think that was

47:07

Mr. Nixon had dealt with that point. If I, if I'm correct, Mr. Philpot, unless you, you're going to deal with that

47:14

point on behalf of the applicant, on behalf of the applicant, I can deal with it can be dealt with, I suggest, very briefly.

47:23

First of all, it's not that something outside the site being investigated.

47:32

It means that there's no consideration of potential contamination. As I said, there is a requirement that ensures that any contamination that maybe there is properly dealt with. But in light of the helpful confirmation that bear in mind what is proposed here, the risk is negligible. It seems to me that there isn't really any material difference to explore further at this stage, because there is

47:59

no obvious basis on which there would be anything else that needs to be done, either by way of provision on the face of the DCO, or environmental assessment, if there is only a negligible risk and there is already provision in the DCO that would cater for it. So I don't actually perceive there to be a significant difference between ourselves and STbc on this.

48:21

Thank you, Mr. Philpott, for clarifying that point.

48:26

Thank you.

48:29

I am proposing now to move on to agenda item nine,

48:36

which relates to design and landscape and visual considerations.

48:41

So if I could turn to or draw

48:45

the applicant's attention to bullet point one of agenda item nine, just bear with me one second. I just want to check that that completes all the items on agenda item eight. Yes, it does. Yes it does. That was the last one. So if I could just turn now to bullet point one of agenda item nine,

49:08

and

49:10

request that the applicant provide a response to the question that set out there, which is pleased with the applicant outline the impact of the change requests accepted into the examination in regards to the landscape and visual assessments, including the selection of viewpoints and effectiveness of the photo montages entered into the examination. So if I could address that question, at first instance, to Mr. Philpott, the director who will be answering that question on behalf of the applicant. Please. Thank you.

49:45

Thank you, madam. Harry wood Fauci, on behalf of the applicant, I going to ask Miss Percy to deal with that matter. Thank you.

49:56

Thank you very much.

49:59

In.

50:00

Regard to the change request and the landscape and visual assessments. The

50:05

environmental statement, chapter 16, landscape and visual immunity.

50:10

A PP 069, formed part of the original ES and was re examined in relation to the proposed development changes, as outlined in the change application report, CR 144,

50:23

the updated assessment is contained within appendix five A, landscape and visual immunity, which is CR 1045,

50:32

within appendix five A, we concluded that none of these proposed development changes would affect the overall conclusions of the landscape and visual impact assessment as presented in the original ES.

50:46

With regard to the selection of viewpoints, it was considered that none of the proposed development changes required additional viewpoints or alterations to the representative viewpoints as presented in the original ES. That's due to the location of the changes in relation to the proposed development and the existing representative viewpoint locations.

51:06

The changes we'd like to note did not prompt any party to suggest any changes to the viewpoints which remained and continue to remain, as agreed in the ES.

51:18

So moving on to the effectiveness of the photo montages.

51:25

The photo montages were prepared in line with the landscape Institute technical guidance notes and other relevant legislation, which is listed in ES chapter 16, the landscape visual chapter, and those photo montages were prepared for the representative viewpoint locations from where likely significant effects are identified, so the locations of receptors likely to experience the views.

51:51

So

51:53

the summary of the effectiveness, depending on what the question might mean, the photomontages are effective at illustrating the size and scale of the proposed geometry within the photography from those viewpoints. This is achieved by positioning a virtual camera in the 3d software according to the same real world position as height and height as the site photography. So the camera is set up to match the field of view as the Stitched panorama that is then seen, and the proposed design is modeled and placed within that correct geo reference position, so the resulting images then show the proposed development at the correct size and scale

52:34

within the background photography as would be experienced from The receptor at that view.

52:41

So I hope that helps to

52:45

answer that point. Thank you. Thank you. No, that's, that's, that's really helpful on that point. I just want to open it up to that particular item, to any interested parties to see whether they have any comments on that point,

53:04

I can see no indication of hand. So I'm going to move on to the next

53:10

item on this agenda, nine,

53:16



which is requesting the applicant to explain and provide an update on the progress of the design process to date,

53:27

if I could address it to Mr. Philpott and first instant to direct who, on behalf of the applicant, will be answering this question, please,

53:38

madam, I'll be dealing with this whole report on behalf of the applicant, on the basis of instruction. So I'll provide you with what I understand to be the physician, and if there are further questions, I'll either answer them or we'll see if there's someone else who can answer if not, we'll take them away. Deal with it in writing.

54:00

So as we discussed in previous hearings, and we've touched on it in particular in the two compulsory acquisition hearings, the applicant will, of course, and is continuing, to discuss the design with interested parties and effective persons as it evolves

54:17

in due course. That will happen pursuant to the protective provisions. But as you'll have discerned from the discussion that's taken place this week in the compulsory acquisition hearing, that process is also ongoing

54:32

well ahead of those provisions coming into effect. So far as the stage of design, the DCO design that is comprised in the application before you has been informed by the early

54:46

feed that's front end engineering design process, and the applicant is currently working with its feed contractors on a feed scope of works.

55:00

So that's the current position

55:04

in terms of where we are, and that's that is the extent of the update that I'm able to offer.

55:13

Thank you, Mr. Philpott,

55:16

I don't have any questions on that at this stage. If I do, I might come back to it, but I don't at this stage. So what I'm going to do is I'm going to open that up to interested parties to see whether they have any comments on that at all,

55:35

and I'm getting no indication of hands on that. So I'm going to move on to the next item on the agenda, which is bullet point three of Agenda Item nine.

55:49

And this one again, relates slightly to design, but please, could the applicant explain the measures incorporated into the proposed

55:57

development to secure the highest possible design quality, including the effectiveness of requirement three for the draft DCO in securing high quality design and enhancement to the environment quality

56:12

of the surrounding area,

56:15

I was direct back to the applicant. I'm not sure Mr. Holt would be you'll be dealing with this element of it as well.

56:21

Yes, madam, Harry, with Phil on behalf of the applicant, as before, I'll deal with this in the first instance and then see if there are any questions, and do my best or find someone else who can so requirement three, provides that no part of the authorized development that's comprised in works. Numbers one, that's the carbon capture enabled hydrogen production facility. Four, the water supply connection works. Five, the wastewater disposal works. And seven a or 7b That's the carbon dioxide export pipeline works may commence, save for the permitted preliminary works until details of certain specified matters, including citing layout, scale, external appearance, color, materials and finishes have been submitted to and after consultation with stdc approved by The relevant planning authority. And then, in addition to the consultation with stdc works numbers three, that's the electrical connection, including associated AGI is six A, one and six a two, the hydrogen gas pipeline, six b1, and six b2 that's the AGI is relating to work six A, one or six, a two and work eight gas connections may commence until details of specified matters, which include where relevant

57:52

appearance, color, materials and finishes. Those of you relevant, for example, in relation to the gas AGIS, work number 2b

58:00

have been subject to consultation with semcore and works number two a, gas pipelines and 2b That's the AGI is associated with the gas pipelines. Have been subject to consultation with stdc, semcore and the nsmp entities prior to approval.

58:21

So those are inputs the relevant planning authority that would be dealing with any submission under requirement three is Redcar and Cleveland Borough Council. And as a matter of general principle, when considering the imposition of requirements, the Secretary of State should of course, proceed on the basis that the council will properly discharge the duties imposed upon it by the requirement, and therefore would only approve any submission after careful consideration, by reference to all material considerations. Now in this case, those considerations would include the council's local plan, which requires, pursuant to policy, SD four, which deals with general development principles, that all development must be designed to a high standard, must respect the character of the site and its surroundings, and it must improve the Quality of the area.

59:20

The council has also produced an SPD for the South Tees area which was adopted in 2018 which would also constitute a material consideration in discharging this requirement. The SPDs expressed objective for the South East area is to create an aspirational modern industrial park, combining industrial environmental heritage and community assets in a well designed development and an exemplar world class industrial park. Its guidance is intended to inform a comprehensive and coherent development strategy to deliver the physical and economic regeneration.

1:00:00

Operation of the southeast area as a place to work invest in it identifies discrete development zones. Identify the type and scale the development appropriate to each zone. The main site lies within the North industrial zone, where major energy development is appropriate and development principle, standard one regeneration priorities, provides that development across all zones will be expected to promote quality in new building and infrastructure and the provision of high quality public realm. So just pausing there the written summary will obviously provide you with all of the references to where they can be found in the policy documents. The examining authority can therefore be assured that not only will the council exercise appropriate oversight and control over the detailed design and discharging requirement three, but also that it will do so by reference to relevant policy which directs consideration of relevant principles when making that decision, and the council has the power to refuse to discharge the requirement if it is not satisfied with the final design. And in that respect, it's relevant to note that during the examination into the net zero Teesside proposal. The Council confirmed that it had the necessary expertise and resources to take on the post consent design approval, if you'll reference that's in the examining authority's report into the net Z Net Zero Teesside proposal at paragraph five, point 5.67,

1:01:42

now alongside the local plan and the SPD,

1:01:46

stdc, has produced the south Tees regeneration Master Plan 2019

1:01:53

which sets out the framework for regeneration of the Tees work and South Tees area And the Tees work design guide for development, the 2020 document, which is intended to guide the development of Teas

works, including the main site for this proposed development. And the design guide sets out a number of design principles for teas work, and additional guidance is provided in respect to four major plot typologies, including large scale industrial operations, which covers major energy generation, Part D technical appendices to the design guide provides example materials and specifications for development of teas, works that will be considered acceptable, and both the Master Plan and the design guide would be material considerations for the council in determining any application to discharge the requirement.

1:02:50

Now you'll recall madam that the response to the second round written questions, question two point 9.5

1:02:58

explains why the applicant can't simply refer to the design and access statement in requirement three. But notwithstanding that matter, the submitted design and access statement does demonstrate how regard has been had to the surrounding context and to good design principles as required by national and local policy in the design work that's been undertaken to date,

1:03:25

and the design and access statement explains that the approach taken to the design of the development has been informed by the design principles in the teas work design guide, as well as the design principles for national infrastructure, published by the National Infrastructure Commission's design group. So for example,

1:03:45

consistent with the design guide and large scale industrial operations typology, the buildings and main process areas have been set back from the site boundaries, and a simple and consistent approach is proposed in respect of materials and color palette, predominantly comprising steel framed enclosures clad in appropriate materials. The design and access statement also explains how the design of the development responds to the four guiding principles of the Nic's design principles, guidance as climate, people, places and values. So given that the detailed design must be subject to consultation with stdc prior to approval, stdc would have the opportunity to provide the council with its considered views on the compatibility of the design with their design guide.

1:04:39

STD C's considered input would also be a material consideration to which the Council must have regard in making its decision. And so when those matters are considered together and as a whole, alongside, for example, the protected provisions which would ensure appropriate regard.

1:05:00

When undertaking the design to the potential impact on other parties, and when those matters are looked at as a whole, requirement, three, as it is drafted, can be seen to provide adequate and effective control to ensure the detailed design of the development will achieve the high standards that are respected by national and local policy.

1:05:26

So Madam, that that's what I was proposing to say on that matter.

1:05:32

Thank you very much, Mr. Philpott for that response. That's actually been quite comprehensive, actually, in showing the kind of relationship between the requirement through the design policies and the discharge of that requirements by the local authority. So thank you very much for that comprehensive response. What I'm going to do is I will open that agenda item out to any interested parties to confirm whether they have any questions or responses on it before moving to the next agenda item.

1:06:13

And I can see no responses from being interested parties on that agenda item. So I'm going to

1:06:23

taking an eye on the time. I think we're doing quite well for time, but I'm going to move to bullet point four now of Agenda Item nine.

1:06:42

Thank you. So that issue is to another question for the applicant.

1:06:50

Could the applicant explain the effectiveness of requirement for the draft DCO

1:06:57

to ensure high quality and effective landscaping and biodiversity scheme. So Mr. Philpott, I'm going to direct that question to you. At first instance. I'm not sure whether you'll be dealing with that question as you have done with the other the other question before this this item. Thank you, madam. Harry with Philpot on behalf of the applicant, yes, I'll be dealing with it on the same basis as I dealt with the last matter, so, requirement four ensures that no part of the authorized development may commence or be commissioned until a landscape and Biodiversity Management Plan for the construction or commissioning of that part has been submitted to and after consultation With stdc approved by the relevant planning authority, and the requirement specifies certain matters that must be covered by the plans. And one can see those in paragraph sub paragraphs two, sub paragraph five, which include measures to protect and enhance existing shrubs and trees, measures to enhance biodiversity, landscape and Biodiversity Management, maintenance and monitoring and an implementation timetable. And in both instances, the plans must be in substantial accordance with the outline landscape and Biodiversity Management Plan.

1:08:21

And that is

1:08:23

provided by sub paragraph seven of requirement for the latest version of the outline landscape and Biodiversity Management Plan is at CR one, zero, 22,

1:08:38

and I just draw attention in particular to the objectives of that plan, which are to promote the conservation, protection and improvement of the physical and natural environment within the proposed development and its setting, and diversify the ecological value of existing habitats through restoration and enhancement of Bankside vegetation. Restoration and creation of woodland, and the outline plan also sets out a number of measures to achieve those objectives. And the detailed landscape and Biodiversity Management Plan that is to be submitted will need to show how what is proposed meets those objectives. And if one looks at Annex A to the outline plan that sets out the applicant's proposals for planting and section 5.2, confirms that new planting will be managed to ensure that the biodiversity objectives are met. And for example, it provides for pre construction ecological surveys, production of Method Statements by an ecological clerk of works. So for example, if suitable reptile habitat is identified during surveys, it specifies certain periods during which.

1:10:00

Certain works we've carried out, for example, works at Greeton Creek, within or adjacent to the SBA, completed between September and November to avoid the most sensitive periods of breeding or wintering birds we heard about earlier. It requires sensitive lighting to avoid disturbance of bats. Requires the reinstatement of habitats that are temporarily lost or damaged during construction.

1:10:25

It also makes provision for the reinstatement and enhancement in vegetation and woodland planting and establishes habitat creation principles management protocols such as periodic mowing, maintain a sward height of 40 to 60 millimeters and specifications for the woodland creation of Cowpen Bewley, and Annex A to the outline plan sets out the applicant's process of planting. And as I said, section 5.2 confirms the planting has to be managed to ensure the biodiversity objectives are met. Furthermore, as with requirement three, this requirement is subject to approval by the local planning authority, consultation with stdc, and for the reasons that I've covered in relation to the previous item, the South Pease SPD and the design guide, will be material considerations, and both documents direct consideration of landscape and biodiversity matters. One of the Feds objectives is to deliver redevelopment in a way that provides long term sustainability, safeguards biodiversity and enhances green infrastructure, open space and landscape character development principle, stdc one regeneration priorities requires all development to safeguard biodiversity and support the protection and enhancement of landscape character and the tea work. Design Guide includes a landscape and public realm strategy section 8.4, of the design guide with design principles related to boundary treatment and landscaping, and given that the landscape and Biodiversity Management Plan must be subject to consultation with stdc prior to approval, it will have the opportunity to provide the council with its considered views on the compatibility of the landscape and management plan with the design guides principles and the council will have ultimate control over the plan, and can be expected to have regard to the guidance of the SPD in respect of landscaping and biodiversity. So again, when those matters are taken together and as a whole, requirement for, plainly provides adequate and effective control to

ensure the delivery and implementation of a high quality and effective landscaping and biodiversity scheme the men and that's what we had in mind today about requirement for.

1:12:59

Thank you, Mr. Philpott, for that comprehensive response, which, which I don't have any further questions up on, and it clearly sets out the the interrelationship between requirement for in the draft eco and the outline and detail landscape and landscape and biodiversity plan, and the interrelationship with the local authority and approval and control over over the planning question. Thank you very much for that comprehensive response.

1:13:31

So now moving on to the oh, sorry, can I just ask the question whether any interested parties have any comments or observations in relation to that agenda item.

1:13:55

I can see no indication of hands.

1:14:01

I am just reviewing all the questions and the agenda items, and I think that I have dealt with all the agenda items that I need to deal with that essentially wraps up everything that I'm dealing with. Bennett Matthews, sorry, Mr. Miller's got his hand up. Oh, I do apologize. Sorry. I do apologize.

1:14:25

Was a bit tardy with my response there. Sorry. Can I

1:14:30

think all I would say on behalf of the local planning authority is Council has very comprehensively summarized the context for

1:14:43

around the issue of achieving good design and the landscape issues, I think there are two additional points that the planning authority would make in its experience of dealing with significant industrial projects of this nature around teas. Works well to.

1:15:00

And and other areas, and that is that from a planning point of view, there is a very general recognition that the appearance, the massing, the design and the character of such developments are largely driven by the processes that they're involved in. So when I'm in discussion with architects or designers on on installations of this nature, it is clear that there are constraints based on the form the development takes, because of the nature of the

1:15:43

works that are involved, whether it be a production facility or whatever. That doesn't mean to say, of course, that we shouldn't aim to achieve that objective of securing good design. And Mr. Philpott summed

very neatly there the whole policy context that we have within which we make our decisions at the local level, and particularly exercised on developments of this nature. I have to be honest with the actual materials themselves and the color palettes, because as a coastal area, this is a fairly hostile environment, I'm sure to appreciate with, you know, the wind and the sea and the sand. So it's for those of us in the in the team, that are involved in the decisions, future decisions, on the requirements, our focus, quite a lot of the time, is on the robustness of the materials that are being used. But that's a matter of detail. There is a policy context for those decisions. We are more than satisfied with the scope of the draft DCO in terms of the requirements. The second point, the obvious point, I'm afraid, is that these are also developments that are taking place within the context of an industrial complex. So although this was a very large regeneration site, large sections of it now cleared.

1:17:08

In our decision making at the local level, we are also we're also mindful, and I think the communities generally accept that when we see a degree of change on these sites, and I'm particularly thinking of areas like Wilton, areas both north and south of the river tees, that this is a very heavily industrialized area that can quite readily accept new industrial development of this nature. And the planning authority is more than satisfied with the landscape and visual assessment that's been carried out in respect of this proposal, which we consider to be robust and comprehensive. Thank you.

1:17:51

Thank you, Mr. Miller, and thank you for clarifying the council's approach and the council's position with regards to the approval of requirements that it's involved with. Can I just ask whether any other interested parties have any comments on that agenda item? If not, and I can see no indications of hands, I'm going to go back to the applicant and Mr. Philpott to provide a final response. Thank you.

1:18:23

Thank you, madam. Harry wood Philpot on behalf of the applicant, no, I don't have any need to comment on Mr. Miller's contribution.

1:18:33

Thank you very much, Mr. Philpott, that's appreciated. As I was saying, Sorry before I only think to draw reference to the interested party, I think that now covers all the items that I'm dealing with on

1:18:50

this within this hearing. So we're going to move on to agenda item 10, which I believe is being covered by Mr. Buckler, and that relates to any other matters and action points. Thank you. Thank you very much. Agenda item 10, is any other matters? So are there any other matters related to this agenda for this issue specific hearing into environmental matters which have not been covered,

1:19:19

no indications. There's no hands up, so I'm going to move on to my next agenda item.

1:19:27

Before I do that, I would just say, as there's no relevant business or other matters, I would remind you



1:19:35

that you can submit anything you wish to say by deadline six A, should you feel that you've not been able to do so? Which is Wednesday, the 22nd of January, 2025

1:19:50

moving on to the next agenda item, which is action points arising from the hearing. Can the applicant provide an oral summary of the action points arising out of today's.

1:20:00

Hearing, please

1:20:02

pop it on behalf of the applicant. So I'm hoping we might be able to put on screen.

1:20:09

I'm grateful. So this is the note of actions that has been taken by the applicants team during the course of the hearing. I'm in your hands as to whether you would like me to read through those, or whether you'd want to take a moment to review them, whatever you'd find most helpful, sir, if you could read through them just so that everybody's here's what you have to say. And then I'm going to check them again. Whilst you do that, I'm going to check them against the action points that I've been making a note of as we've been going through. Thank you. So, so the first and this is for us, is to provide the process diagram that we presented on screen earlier in the hearing. That's for deadline

1:20:56

six A we also, second item were to provide the high net hydrogen production facility permit that was referred to. That's deadline six. A

1:21:08

the third item also for us to submit the report on the triple si position. That's the one discussed in the context of Natural England. That's for deadline seven, for the reasons we explained item four for us as and when the EAS permit consultation on the proposed facility starts the published material to be submitted into the examination at the next available deadline, for the reasons we explained that doesn't Have a a specific deadline attached to it,

1:21:42

and then item five.

1:21:50

This is for step. So this is for Dr Boswell to submit his response to the environment agency's hearing submission, and for the other agenda items at deadline six A and as I understand, that's also to include his response to the submissions that we put in at deadline five.

1:22:13

Item six, this is us to set out the position on the enforcement of permitting deadlines.

1:22:30

Okay, I understand I've cut out halfway through, so I'll start that one again, if I may, sir, yes, please. So this is item six for the applicant to set out its position on the enforcement of permitting. This will be a deadline seven, once there's been an opportunity to see set deadline six, a submission of this point, then item seven for us. This is the updated HRA which is to be submitted incorporating relevant technical notes, including in relation to the any key issues we've listed there. That's for deadline six. A item eight for the applicant. A deadline eight, to provide an update on discussion respect to voluntary biodiversity enhancements. That is, of course, subject to any view that you and your colleagues may wish to express after the hearing, once you've considered the most appropriate deadline for that matter, Item nine for the applicant, this is

1:23:36

a requirement to include within our summary of oral submissions, the summary that Miss oldest gave in relation to where we are, with the NE in relation to birds and HRA, that's for deadline six A, along with the remaining parts of the summary of all submissions. And then Item 10 was again for us, and this is a written response to what's been put in at deadline six by the Environment Agency in relation to the seal sans ground conditions issue. So that's our list, as we have it, I have nothing in addition to that, do either of my colleagues, either Mr. Sims or miss Bennet Matthews, have any else that, anything else that they think there's been missed? No, sorry,

1:24:34

no, I don't have anything in addition to that. Thank you. No. Nothing on my list either. Nothing on my list either. Thank you, perfect. The only thing I would say is, about point five. Can you expand that to make it clear that it also includes Dr Boswell's response to the applicant's deadline five submissions, or the deadline five submissions, just so it's absolutely clear, I'd be grateful. Yeah.

1:25:00

Yes, so we'll do that that will make sure it reflects my oral addition to it, so that it includes all of those matters. Okay, I'm just going to ask if any interested parties have any comments or observations on the Action List.

1:25:16

No indication. So thank you for that.

1:25:20

I'd be grateful if you could send a digital copy of that action list, once it's been updated to the planning inspectorates case team following the close of this hearing, if at all possible. I know you did it for yesterday's meeting, and we're very grateful for you to do in that for doing that so swiftly

1:25:36

that's so that the action points can be published on the national infrastructure project page for this nationally significant infrastructure project application as soon as possible. Thank you very much.

1:25:49

So on behalf of the app, yes, Corsa will do that. The only other thing I'm reminded of, which I apologize may may be something I should have raised under any other business in is in relation to the use of the overflow hearing on Thursday, in relation to today's hearing, at least, that that would no longer be necessary, as we understand it. Yeah, I've got that my closing comments for for the hearing. So, so you're preempt to me, and I'll come to that in a minute, if that's okay. Mr. Philpott, thank you very much. Is there anything else

1:26:23

in that case, I'm going to move on. So we're going to move to the close of the examination. Thank you very much for everything. For your participation in this hearing today. It's been extremely helpful and very useful to us. A digital recording of the proceedings today will be made available as soon as possible on the project page of the national infrastructure website. In addition, I request that submissions be made in writing

1:26:48

which are required by deadline six, a be made, made by that deadline, if at all possible. And that's Wednesday, the 22nd of January, 2025

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following this issue specific hearing into environmental matters, there is no longer a need for the reserve date for issue specific hearing three, which was provisionally set for Thursday the 16th of January, 2025, at 10am as such, I would confirm that the reserve date for issue specific hearing three is canceled. And in accordance with my rule eight, three and 13, letter of the ninth of the ninth of December, 2024 there's no, no, no other notice required for this cancelation. To be clear, this cancelation, cancelation is for the reserve date only in relation to issue specific hearing three, and not in relation to any other hearings which may, which are still taking place this week. So that's issue specific for a hearing for which is into the development consent order, which is due to commence at 930 tomorrow morning, not 10 o'clock like today, 930 please. And also the open floor hearing, which is scheduled to take place from 2pm tomorrow afternoon.

1:28:01

As they may still we may still need to reuse the reserve dates for either of those two hearings. So just to be clear, the

1:28:09

compulsory acquisition hearing yesterday and issue specific hearing three into environmental matters, we are not using the reserve date for either of those two hearings,

1:28:20

although others may still be required. Once

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again, I would like to thank all parties here today watching the live streaming or watching the Digital recording for their interest in this application. I would like to specifically thank anybody that's taken part in today's hearing. It's very useful for us to actually hear from you first hand. The time now is 3:18pm,

1:28:43

and I declare this issue specific hearing regarding the environmental matters for the proposed HD, Seaside, nationally significant infrastructure project, closed. Thank you for your participation.