

Date: 6 February 2025
Your Ref: EN070009
Document Ref: 8.36

DWD

69 Carter Lane
London
EC4V 5EQ

Ms Lily Robbins
Case Manager
National Infrastructure (Energy)
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

By email: H2Teesside@planninginspectorate.gov.uk

Dear Ms Robbins,

THE H2TEESSIDE PROJECT

APPLICATION BY H2 TEESSIDE LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE H2TEESSIDE PROJECT

EXAMINATION TIMETABLE DEADLINE 7 – 6 FEBRUARY 2025

I write on behalf of the Applicant, H2 Teesside Limited, to provide its Deadline 7 submissions in respect of the Examination of the H2Teesside Project.

The Applicant's Deadline 7 submissions can be downloaded using the link to the secure file share site below:

<https://dwd.ctit.co/url/tgknaw2tpsarik5i>

The Deadline 7 submissions comprise the following documents:

1. Document Ref. 1.2 – Application Guide – this has been updated for Deadline 7. The new and updated documents being submitted for Deadline 7 are highlighted yellow within the document.
2. Document Ref. 2.2 – Land Plans (Key Plan and Sheets 1-21).
3. Document Ref. 2.3 – Special Category Land and Crown Land Plans (Key Plan and Sheets 1-6).
4. Document Ref. 2.4 – Works Plans (Key Plan and Sheets 1-44).
5. Document Ref. 2.5 – Access and Rights of Way Plans (Key Plan and Sheets 1-11).
6. Document Ref. 2.13 – Temporary Traffic Regulation Measures Plan (Key Plan and Sheets 1-11).
7. Document Ref. 2.15 – Important Hedgerows to be Removed Plan.
8. Document Ref. 3.1 – Book of Reference (Parts 1-5) (clean and tracked versions).
9. Document Ref. 3.1a – Schedule of Changes to the Book of Reference (clean and tracked versions).
10. Document Ref. 4.1 – Draft Development Consent Order (clean and tracked versions).
11. Document Ref. 4.1a – Schedule of Changes to the Draft Development Consent Order.



- Please note that the Development Consent Order (DCO) is not the final preferred version. The Applicant requests to provide the final preferred DCO in SI template validation report and a validated copy of the DCO (including the updated schedules) at Deadline 8. This would enable the final validated DCO to reflect the Change Application/Request if it is accepted by the Examining Authority as well as the most up-to-date position reached in the negotiations in respect of the Protective Provisions. The changes to the DCO accounting for the Change Application/Request are included in the Second Change Application Report (see below).
12. Document Ref. 5.9 – Outline Landscape and Biodiversity Management Plan (clean and tracked versions).
 13. Document Ref. 5.12 – Framework Construction Environmental Management Plan (CEMP) (clean and tracked versions).
 - Following further consultation with Tees Archaeology, the Applicant has proposed further mitigation within this iteration of the Framework CEMP to avoid impacts on the remains of World War II anti-landing glider posts (SMR9532). The updated CEMP also includes measures in relation to the ‘coffee-cup’ handle at Cowpen Bewley.
 14. Document Ref. 7.11 – Second Change Application (‘Change Request 2’) Report.
 15. Document Ref. 7.11.1 – Second Change Application Report – Order Limits Comparison Plans
 16. Document Ref. 8.7 – Examination Progress Tracker.
 17. Document Ref. 8.36 – Deadline 7 Cover Letter (i.e. this letter).
 18. Document Ref. 8.37 – Applicant’s Responses to Deadline 6A Submissions.
 19. Document Ref. 8.38 – Responses to Report on the Implications for European Sites (RIES) document.
 20. Document Ref. 8.39 – Protective Provisions Statement.
 - Please note that instead of providing an updated Land Rights Tracker, this Protective Provisions Statement sets out what is agreed with relevant Interested Parties, and where they are not agreed the status of discussions. A final Land Rights Tracker will then be provided at Deadline 8.
 21. Document Ref. 8.40 – Technical Note for the Implications of Change 3 on Cultural Heritage.
 22. Document Ref. 8.41 – Report to Inform Assessment of Air Quality Impacts on Teesmouth and Cleveland Coast SSSI.
 23. Document Ref. 9.2 – Updated draft SoCG with the Environment Agency.
 24. Document Ref. 9.3 – Updated draft SoCG with Hartlepool Borough Council (HBC). The Applicant has issued an updated draft SoCG to HBC and it is anticipated a final signed version can be submitted for Deadline 8.
 25. Document Ref 9.4 – Updated draft SoCG with the Health and Safety Executive.
 26. Document Ref. 9.5 – Signed SoCG with the Marine Management Organisation.
 27. Document Ref. 9.7 – Updated draft SoCG with Natural England.
 28. Document Ref. 9.10 – Updated draft SoCG with Stockton-on-Tees Borough Council (STBC). The Applicant has issued an updated draft SoCG to STBC and it is anticipated a final signed version can be submitted for Deadline 8.
 29. Document Ref. 9.11 – Updated draft SoCG with Tees Valley Combined Authority (TVCA). Comments have been received from the TVCA and the Applicant has issued an updated SoCG to TVCA and it is anticipated a final signed version can be submitted for Deadline 8.

30. Document Ref. 9.12 – Final agreed SoCG with UK Health Security Agency (UKHSA). The UKHSA has advised that it does not sign third party SoCG documents but has confirmed its agreement to the SoCG.
31. Document Ref. 9.14 – Updated Statement of Commonality for SoCG. This is an updated draft to reflect the progress on the agreement of SoCGs.

With regard to other SoCG, the Applicant provides the following updates:

- An updated version of the draft SoCG with National Highways (NH) has been issued to NH and it is anticipated that this will be finalised for Deadline 8.
- There are ongoing discussions with Anglo American, and separately South Tees Group. The Applicant will seek to progress the SoCGs with these parties, with the intention of finalising these for Deadline 8.

Cowpen Bewley Access

The Applicant has noted that its response to Action Point CAH2-AP8 focused on the construction phase of the Proposed Development where permanent rights are sought over plot 4/24. The Applicant would therefore further like to add that the logic set out in that note equally applies during the operations phase. While it is likely that access would be taken from the south (plot 4/5 and 4/6) during normal operations in the operational phase of the Proposed Development, during abnormal operations (e.g., if a manufacturing or integrity degradation defect found in the “pig trap” required its removal and replacement) a through route access provision would still be required, as in the construction phase (and therefore also utilising plot 4/24). Permanent rights are therefore required over plot 4/24 and 4/5 and 4/6 (to the extent that the latter are not acquired outright).

Statement of Reasons

The Applicant notes that the Examination Timetable suggests the potential need for a ‘Final Statement of Reasons’ to be submitted. As intimated at CAH1 (REP4-015), the Applicant does not consider that this is necessary. The Supplementary Statement of Reasons (CR1-013) set out how the logic set out in the Statement of Reasons applied to the ‘additional land’ required as part of Change Request 1, but did not change any of the justification in nor conclusions of the original Statement of Reasons (APP-024).

Above and beyond Change Request 1, limited updates are required to the content of Statement of Reasons as a result of submissions in Examination. The Applicant would therefore highlight the following matters, in lieu of submitting a ‘Final’ Statement of Reasons:

- ‘White Land’ was removed from the Order limits as part of Change Request 1.
- Updates on the position in respect of negotiations with Affected Persons and statutory undertakers have been reflected in the submitted Land Rights Trackers and Protective Provisions Position Statements.
- At both CAH1 (REP4-015) and CAH2 (REP6a-018) the Applicant has explained in more detail how the powers to extinguish/suspend rights in the Order limits will work in practice and the Applicant’s approach to the DCO drafting for these powers.
- Change Request 1 reduced the optionality for the Hydrogen Distribution Network (Change 2F).
- Case 2B has been chosen for process effluent management.
- Change Request 1 and Change Request 2 have reflected the discussions with landowners and removed land from various locations across the Order limits including at the Main Site.

Notably, Changes 4 and 5 in Change Request 2 have sought to allow the Proposed Development to be brought forward whilst still enabling development to take place in the surrounding area.

- The Applicant has updated article 29 of the draft DCO in order to provide greater certainty on the process in relation to the provision of replacement special category land, but these did not change the position that or rationale as to why all relevant tests in section 131 and section 132 are met by the Proposed Development.
- The position in respect of the need for compulsory acquisition, compulsory acquisition of rights, and temporary possession powers remains as stated in the submitted Statement of Reasons. The answers to the ExA's first and second written questions in relation to compulsory acquisition matters have supplemented that content.

Furthermore, the Applicant would also note that the compelling case in the public interest for the Proposed Development, as set out in Section 7 of the Statement of Reasons and in the Need Statement (APP-033), continues to be compelling. The Applicant notes that there is a new Government in place since the submission of the DCO application and that the need for the Proposed Development remains clear. In particular, it is noted that in the Hydrogen Strategy Update to Market in December 2024 the Government stated that:

"Low carbon hydrogen is essential to achieve the Government's Clean Energy Superpower and Growth Missions. It will be a crucial enabler of a low carbon and renewables-based energy system and will help to deliver new clean energy industries which can support good jobs in our industrial heartlands and coastal communities. Hydrogen presents significant growth and economic opportunities across the UK, by enhancing our energy security, providing flexible, cleaner energy for our power system and helping to decarbonise vital UK industries."

As set out in the Need Statement (APP-033) and in that December 2024 update, the Proposed Development will play a critical part in the delivery of this ambition, being one of the two chosen CCUS-enabled hydrogen projects to be supported as part of the Government's support for the Carbon Capture, Utilisation and Storage Cluster Sequencing Process.

AI

Further to the ExA's letter dated 10 September 2024 (PD-010), 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 for Deadline 7 of the Examination.

I would be grateful if you could confirm receipt of this letter and the accompanying documents. In the meantime, should you have any questions please do not hesitate to contact myself ([\[REDACTED\]@dwd-ltd.co.uk](mailto: [REDACTED]@dwd-ltd.co.uk)), ([\[REDACTED\]@dwd-ltd.co.uk](mailto: [REDACTED]@dwd-ltd.co.uk)) or ([\[REDACTED\]@dwd-ltd.co.uk](mailto: [REDACTED]@dwd-ltd.co.uk)).

Yours sincerely,

[REDACTED]

[REDACTED]

Joint Managing Director & Head of Planning - DWD