

National Infrastructure Planning  
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**Date:** 17 February 2025  
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To Whom It May Concern

**Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 8 and 9**

**Application by H2Teesside Limited for an Order Granting Development Consent for the H2Teesside Project**

**Unique Reference: 20049374**

**Response to Deadline 7A**

This submission is made on behalf of PD Teesport Limited ("PDT"), registered as an Interested Party for the above application, in accordance with Deadline 7A.

Responses to questions raised under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 (EPR)

Question	Response
2	<p><u>All outstanding objections and CA/temporary possession</u></p> <p>PDT have previously submitted a version of their preferred PPs into the ExA for its consideration in accordance with Deadline 7.</p> <p>If the preferred PPs are incorporated into the DCO by the Applicant, then this will substantially resolve the objections to the DCO application set out in PDT's Relevant Representation (RR-014) ("RR") and Oral Representations (REP4-048) ("OR"), <u>with the exception</u> of the proposed disapplication of the Tees and Hartlepool Port Authority Act 1966 – as more particularly described in the OR.</p> <p>In addition, PDT has not yet received a clear assurance or explanation from the Applicant that the proposed River Tees crossing would not interfere with the development of PDT's proposed container port development, in particular, proposed piling operations (to a potential depth of 35m) which would be within the Order Limits and parameters for the Tees Crossing works. PDT has sought to address this in its proposed PPs through the addition of a protection which would require any proposed tunnelling or microbore construction to be a minimum of 60m deep, providing appropriate vertical separation from PDT's proposed works.</p>

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	<p>To ensure that any overlap between the Order and any planning permission does not result in the inability to implement PDT's planning permission, the ExA is strongly encouraged to recommend the inclusion of article 39 of the draft DCO in any recommendation to the Secretary of State.</p> <p><u>Protective Provisions</u></p> <p>Proposed protective provisions have been submitted by PDT and are recommended to the Examining Authority.</p> <p><u>Status of side agreement</u></p> <p>PDT and the Applicant remain in negotiations. It is hoped that agreement will be reached before the end of the examination.</p>
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I trust that the above is clear however please do not hesitate to contact me should you have any queries.

Yours sincerely

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*Associate*  
Eversheds Sutherland (International) LLP