

Tees CCPP Project

The Tees Combined Cycle Power Plant Project

Land at the Wilton International Site, Teesside

Applicant's Response to Examining Authority's Written Questions

Examination Deadline 2

The Planning Act 2008 (as amended)



Applicant: Sembcorp Utilities (UK)

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GLOSSARY

Abbreviation	Description
AGI	Above Ground Installation
AIL	abnormal indivisible loads
AIL	abnormal indivisible loads
AOD	above ordnance datum
AQMA	Air Quality Management Areas
ASI	Accompanied Site Inspection
BAT	Best Available Techniques
BCA	Bilateral Connection Agreement
BCA	Bilateral Connection Agreement
CAA	the Civil Aviation Authority
CCR	Carbon Capture Readiness
CCS	Considerate Constructors Scheme
CCS	Considerate Constructors Scheme
CEA	cumulative effects assessment
CEMP	Construction Environmental Management Plan
CEMS	Continuous Emission Monitoring System
CEMS	Continuous Emission Monitoring System
CHP	Combined Heat and Power
CL	Critical Load/Level
CoCP	Code of Construction Practice
ConsAg	Construction Agreement
CTMP	Construction Traffic Management Plan
CTMP	Construction Transport Management Plan
DCO	Development Consent Order
dDCO	draft Development Consent Order
DMRB	Design Manual for Roads and Bridges
EA	Environment Agency
EA	Environment Agency
EM	Explanatory Memorandum
EMF	electromagnetic fields
EN-1	National Policy Statement for Energy
EPC	Engineering, Procurement and Construction
ES	Environmental Statement
ES	Environmental Statement
FRA	Flood Risk Assessment
GLVIA3	Guidelines for Landscape and Visual Impact Assessment, Third Edition
HER	Historic Environment Record
HIA	Health Impact Assessment
HRA	Habitats Regulations Assessment

Abbreviation	Description
HRSG	heat recovery steam generator
HSE	Health and Safety Executive
IAQM	Air Quality Management
ICNIRP	International Commission on Non-Ionising Radiation Protection
IEMA	Institute of Environmental Management and Assessment
LAQM	Local Air Quality Management
LSE	likely significant effects
LVIA	landscape and visual impact assessment
MMP	Materials Management Plan
NCA	National Character Areas
NE	Natural England
NE	Natural England
NGET	National Grid Electricity Transmission Plc
NGG	National Grid Gas
NO ₂	nitrogen dioxide
NO _x	nitrogen
NPS	National Policy Statement
NPS	National Policy Statement
NTS	National Transmission System
NTS	National Transmission System
PA 2008	Planning Act 2008
PEC/CL	Predicted Environmental Concentration/Critical Load
PEIR	Preliminary Environmental Impact Report
RCBC	Redcar and Cleveland Borough Council
SNR	Strategic Road Network
SPA	Special Protection Area
SPD	Supplementary Planning Document
SWMP	Site Waste Management Plan
SWMP	Site Waste Management Plan
TA	Transport Assessment
TRA	Transmission Related Agreement
TRA	Transmission Related Agreement
TVWT	Tees Valley Wildlife Trust
WFD	Water Framework Directive

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1 INTRODUCTION

Overview

- 1.1 This document has been prepared on behalf of Sembcorp Utilities (UK) Limited ('SCU' or the 'Applicant') in respect of its application (the 'Application') for a Development Consent Order (a 'DCO'). The Application was accepted for examination by the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy on 18 December 2017. The Examination began on 10 April 2018.
- 1.2 SCU is seeking a DCO for the construction, operation and maintenance of a new gas-fired electricity generating station with a nominal net electrical output capacity of up to 1,700 megawatts ('MW') at ISO conditions (the 'Project' or 'Proposed Development'), on the site of the former Teesside Power Station, which forms part of the Wilton International Site, Teesside.
- 1.3 A DCO is required for the Proposed Development as it falls within the definition and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under Sections 14 and 15(2) of the Planning Act 2008 ('PA 2008').
- 1.4 The DCO, if made by the SoS, would be known as the 'Tees Combined Cycle Power Plant Order' (the 'Order').

SCU

- 1.5 SCU provides vital utilities and services to major international process industry customers on the Wilton International site on Teesside. Part of Sembcorp Industries, a Singapore-based group providing energy, water and marine services globally, Sembcorp Utilities UK also owns some of the industrial development land on the near 810 hectares (2,000 acre) site which is marketed to energy intensive industries worldwide.
- 1.6 SCU owns the land required for the Proposed Development.

The Project Site

- 1.7 The Project Site (the 'Site') is on the south west side of the Wilton International Site, adjacent to the A1053. The Site lies entirely within the administrative area of Redcar and Cleveland Borough Council ('RCBC') which is a unitary authority.
- 1.8 Historically the Site accommodated a 1,875 MW Combined Cycle Gas Turbine power station (the former Teesside Power Station) with the ability to generate steam for utilisation within the wider Wilton International site. The Teesside Power Station ceased generation in 2013 and was demolished between 2013 and 2015.
- 1.9 SCU has identified the Site, based on its historical land use and the availability of natural gas supply and electricity grid connections and utilities as a suitable location for the Project. In summary, the benefits of the Site include:
- brownfield land that has previously been used for power generation;
 - on-site gas connection, supplied from existing National Grid Gas Plc infrastructure;
 - on-site electrical connection, utilising existing National Grid Electricity Transmission infrastructure;
 - existing internal access roads connecting to a robust public road network;
 - availability of a cooling water supply using an existing contracted supply (from the Wilton Site mains) and existing permitted discharge consent for effluent to the site drainage system
 - screening provided by an existing southern noise control wall, approximately 6 m in height;
 - potential for future Combined Heat and Power ('CHP') and Carbon Capture and Storage ('CCS'); and

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- existing services, including drainage.

1.10 A more detailed description of the Site is provided at Chapter 3 'Description of the Site' of the Environmental Statement ('ES') Volume 1 (Application Document Ref. 6.2.3).

The Proposed Development

1.11 The main components of the 'Proposed Development' are summarised below:

- **Work No. 1** – a natural gas fired electricity generating station located on land within the Wilton International site, Teesside, which includes the site of a former CCGT power station, with a nominal net electrical output capacity of up to 1,700 MWe at ISO Conditions; and
- **Work No. 2** – associated development comprising within the meaning of section 115(2) of the 2008 Act in connection with the nationally significant infrastructure project referred to in Work No. 1.

1.12 Please refer to Schedule 1 of the Draft DCO (Application Document Ref. 2.1) for more detail.

1.13 It is anticipated that subject to the DCO having been made by the SoS (and a final investment decision by SCU), construction work on the Project would commence in around the second half of 2019. The construction of the Project could proceed under one of two scenarios, based on SCU's financial modelling, as follows.

- **'Scenario One'**: two CCGT 'trains' of up to 850 MW are built in a single phase of construction to give a total capacity of up to 1,700 MW.
- **'Scenario Two'**: one CCGT train of up to 850 MW is built and commissioned. Within an estimated five years of its commercial operation the construction of a further CCGT train of up to 850 MWe commences.

1.14 The above scenarios have been fully assessed within the ES.

1.15 A more detailed description of the Project is provided at Schedule 1 'Authorised Development' of the draft DCO (Application Document Ref. 2.1) and Chapter 5 'Project Description' of the ES Volume 1 (Application Document Ref. 6.2.5).

The purpose and structure of this document

1.16 This document forms part of a package of documents submitted by the Applicant for Deadline 2 of the Examination. It sets out the Applicant's responses to the Examining Authority's ('ExA') Written Questions – see Section 2 of this report.

2 THE APPLICANT'S RESPONSES

- 2.1 The Applicant's responses to the Written Questions provided by the ExA are set out in **Table 2.1** on the following pages.

Table 2.1 - Applicant's Responses to Examining Authority's Written Questions

REF NO.	RESPONDENT	QUESTION	RESPONSE
1 Air Quality and Emissions			
Q1.1.1	Applicant	<p>Paragraph 7.8 of the Environmental Statement (ES) [APP-049] states that emissions from the short term use of auxiliary boilers are negligible and only contribute 3% of the total oxides of nitrogen (NO_x) emissions.</p> <p>Please explain the use of auxiliary boilers and how this scale of emissions has been determined.</p>	<p>Depending on the final technology selected, auxiliary boilers may be required for plant operations. If required, the boilers would operate on start-up of the Proposed Power Plant to supply either, or both of the following:</p> <ul style="list-style-type: none"> • steam for steam turbine gland sealing, prior to steam being available from the heat recovery steam generator ('HRSG'); • steam for the Feed Water Pressure Deaerator, prior to steam being available from the HRSG; and • Once steam is established from the HRSG the auxiliary boilers can be stopped. <p>The emissions of NO_x from the auxiliary boilers is calculated on the basis of NO_x emissions data for the boilers, provided by a short-listed turbine supplier. The total annual emissions are calculated on the basis of the predicted use of the boilers also provided by a short-listed turbine supplier as a percentage of the total NO_x emissions from the Proposed Power Plant when considering the contribution from the gas turbines.</p>
Q1.1.3	Applicant	<p>Paragraph 7.13 of the ES [APP-049] describes the impacts on sensitive human receptors as being focused on the maximum off-site impacts, impacts at the nearest sensitive receptor locations, and impacts at locations with '<i>elevated baselines</i>'.</p> <p>Please clarify how elevated baselines have been determined</p>	<p>'Elevated baselines' refer to Air Quality Management Areas ('AQMA'), and locations identified as having air quality close to the Air Quality Standards, but where no AQMA has been declared. These locations were identified from review of relevant Local Air Quality Management ('LAQM') documents from Redcar and Cleveland Borough Council ('RCBC'), and from Defra, to identify locations and extent of AQMAs (https://uk-air.defra.gov.uk/aqma/).</p>
Q1.1.4	Applicant Environment Agency	<p>Paragraph 7.30 of the ES [APP-049] states that '<i>At the Permitting stage consideration will need to be given to whether the Project will need to comply with BAT AELs</i>'. [Best Available Technology Associated Emission Levels]</p> <p>As the permitting process is separate from the DCO process, could the design proposed in the DCO application require any other technologies or emission control measures (ie that are not assessed in the ES/ Habitats Regulations Assessment (HRA) report) in order to achieve BAT?</p>	<p>The proposed design meets current BAT, and no further control technologies are anticipated to be required in order to achieve BAT at the point at which a Permit is required.</p>
Q1.1.5	Applicant EA	<p>In Table 7.1 of the ES [APP-049] the Environment Agency ('EA') commented that an Environmental Permit will be required. The Applicant's response was that the EA had indicated that it was not unlikely that the EA would issue a permit.</p> <p>Can the Applicant please provide evidence to confirm that the EA has no major permitting concerns and the necessary Environmental Permit is therefore capable of being granted?</p>	<p>The Applicant engaged with the EA on the Project during the pre-application process by way of informal non-statutory engagement and also during the formal consultation carried out pursuant to section 42 of the Planning Act 2008 ('PA 2008').</p> <p>The Applicant is currently in the process of agreeing a Statement of Common Ground with the EA. This document includes environmental permitting as a matter to be agreed and also appends correspondence between the Applicant and the EA.</p> <p>The current position in respect of the permit is as follows, in summary:</p> <ul style="list-style-type: none"> • the Applicant has sought pre-application advice from the EA for an EP for the activities that are the subject of the DCO; and • the EA is in the process of reviewing all information submitted and will provide a more detailed response in due course, likely as part of its written representations. <p>The SoCG (Application Document Ref: 7.4) has been submitted for Deadline 2 of the Examination.</p>
Q1.1.6	Applicant EA	<p>As set out in Table 7.1 of the ES [APP-049] the EA commented that the Predicted Environmental Concentration/Critical Load (PEC/CL) is greater than 100% at 7 habitat locations. This is because the data is dominated by high background levels which the applicant noted is not due to project contributions which are an output of the dispersion modelling. Nevertheless, as acknowledged in paragraph 7.85 of the ES the issue for ecosystems is the possibility that the deposition rate of acid or nutrient nitrogen may be in</p>	<p>The assessment of impacts on habitats is a critical issue for the air quality impact assessment. Based upon EA guidance (Environment Agency 'Air emissions risk assessment for your environmental permit'), the accepted threshold below which impacts, due to any one project in isolation is insignificant, irrespective of the existing baseline, is 1% of any Critical Level or Critical Load.</p> <p>The air quality impact assessment [APP-049] demonstrated that the 1% threshold is not exceeded at any location, and there was concluded to be no potentially significant impacts at habitat locations as a result of emissions to air from the Proposed Power Plant.</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
		<p>excess of the amount that the ecosystem can tolerate i.e. the critical load.</p> <p>Please clarify.</p>	
Q1.1.7	Applicant	<p>Why have the PEC and PEC/CL (%) metrics generally not been presented in the context of each designated site in Tables G1.4-G1.7 of Annex G1 [APP-073] and Tables 1-4 of the HRA report [APP-076]?</p> <p>In the case of many of the identified receptors, background conditions are already in excess of the critical loads/levels. The Applicant should provide updated versions of Tables G1.4-G1.7 and Tables 1-4 which populate the PEC and PEC/CL (%) metrics.</p> <p>Please also check that the tables in the HRA report (e.g. Appendix A (Table 1) and Table H2.1) as some of these appear to be missing title headers, and update as necessary.</p>	<p>A two-step test is used (in accordance with EA Guidance) to determine whether impacts at habitats are potentially significant for statutory sites:</p> <ul style="list-style-type: none"> • Step 1: Is the PC>1% of the CL ('Critical Load/Level') for statutory sites, or PC>100% of the CL for non-statutory sites; and • Step 2: Where the PC>1% of the CL, is the PEC >70% of the CL. <p>As there are no instances where the Step 1 test is met, the PEC and PEC/CL were not provided.</p>
Q1.1.8	Redcar and Cleveland Borough Council Applicant	<p>In Table 7.1 of the ES [APP-049] Redcar and Cleveland Borough Council (RCBC) identified that Dormanstown air monitoring station had seen some 1 hour NO_x 'spike' concentrations.</p> <p>Why do you consider that this might have occurred and what effect would it have on nitrogen dioxide (NO₂)?</p> <p>RCBC indicated a spike of up to 200ug/m³ whilst the applicant indicated 93.7. Why is there such a difference?</p>	<p>At the time of ES preparation, RCBC had not been able to identify a cause of the spikes of 200ug/m³ NO_x. In the first instance, the monitoring data has been verified, indicating that the spike is real. Given that this 'spike' has not been duplicated on multiple occasions, it is reasonable to conclude that this was due to a one-off and highly localised event.</p> <p>This may be due to a number of events, which may include:</p> <ul style="list-style-type: none"> • a vehicle being parked close to the monitoring station with the engine running; • localised fire burning; • short term use of a diesel generator (for example during small scale works); and/or • short term localised maintenance works. <p>However, without specific information, it is not possible to state the causal factor with any confidence.</p> <p>As discussed in Table 7.1, NO_x (comprised of NO₂ and NO) is not of interest for human health. Rather, NO₂ is the component of interest. NO will convert to NO₂, but this process is neither complete nor swift as it depends on other atmospheric conditions. As discussed, the conversion of NO will use up the available ozone and VOCs, and the conversion rate will slow. This explains why the NO_x spike of 200µg/m³ is associated with an NO₂ concentration of 93µg/m³.</p>
Q1.1.9	Applicant	<p>Paragraph 7.82 of the ES [APP-049] states that the sensitive human receptors set out in Table 7.12 are shown in Figure 7.3. In fact the receptors shown in Figure 7.3 are reflective of those presented in Table 7.14 rather than Table 7.12. Please clarify.</p>	<p>Table 7.12 [APP-049] sets out relevant sensitive human receptors. Table 7.14 [APP-049] sets out relevant air quality monitoring stations which are in the locations of sensitive receptors. The two are largely, but not completely, complimentary.</p> <p>It is therefore correct that the monitoring locations are shown in Figure 7.3 [APP-049], not the sensitive receptors.</p>
Q1.1.10	Applicant	<p>Whilst acknowledging that the majority of land uses to the north of the application site, as described in paragraph 7.83 of the ES [APP-049] are industrial, why did the assessment not consider the nearest sensitive human receptors to the north / north west particularly when Figure 7.1 shows the prevailing wind direction to be mainly from the south west?</p>	<p>The air quality standards and guidelines for the protection of sensitive human receptors apply at all off-site locations. On this basis, the assessment considered the maximum impacts predicted anywhere outside the Project site boundary. The air quality impact assessment for sensitive human receptors includes sensitive human receptors to the north and northwest, as illustrated in Figure 7.5, 7.6 and 7.7 [APP-049]. These figures illustrate that the maximum impacts occur to the northeast of the plant in the industrial areas, and to the south away from sensitive human receptors.</p>
Q1.1.11	Applicant	<p>With reference to paragraph 7.96 of the ES [APP-049], is it appropriate to use current baseline pollution concentrations to represent future baseline concentrations, particularly as paragraphs 7.103/7.104 indicate that NO₂ levels are in a downward trend?</p>	<p>The use of current baseline to represent the future is a worst case approach, and is reasonable. Whilst it is fully expected that in the future baseline NO₂ will reduce the magnitude of these improvements is not well understood and this approach therefore provides a precautionary approach. Paragraphs 7.103 and 7.104 [APP-049] are provided to give context that generally the trends are downward and are expected to remain so in the future.</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
Q1.1.12	Redcar and Cleveland Borough Council Applicant	In Table 7.14 of the ES [APP-049] the annual mean baseline NO2 at Plantation Road and West Lane, Grangetown are significantly higher than at the other sensitive receptor locations. What are the reasons for this and the implications?	Plantation Road and West Lane are roadside monitoring sites, and are therefore heavily influenced by local emissions from traffic using these roads. These data are provided to give an indication of the worst case baseline in the Study Area applied by the assessment [APP-043]. The baseline from the other monitoring stations, which are a variety of non-roadside sites, are representative of the air quality in the general area and at sensitive human receptors.
Q1.1.13	Applicant	In paragraph 7.108 of the ES [APP-049] it is stated that the Institute of Air Quality Management (IAQM) guidance on the assessment of dust from demolition and construction sites (2014) 'has not been followed exactly' for reasons presented. <ul style="list-style-type: none"> Please provide further clarification as to why the IAQM guidance has not been followed exactly and explain the effect that deviation from the guidance has on the determination of significance of effect. Table 7.10 of the ES [APP-049] presents the determination of significance of effects on human health receptors but no reference is made to how magnitude of impact is defined for construction dust at the identified human health receptor. Please clarify. Confirm the closest human health receptor points and the significance of effect prior to mitigation and as a residual effect (for both Scenario 1 and 2). Confirm the significance of effect at the Wilton Primary School and the primary school in Lazenby, categorised as having 'high' significance in Table 7.10. 	The principle underlying the IAQM guidance is that all impacts due to dust emissions from construction sites can be mitigated to such a degree that residual impacts are negligible. The guidance does not therefore determine the significance of impacts, but rather identifies the risk of a construction site resulting in a significant impact at sensitive receptors. This is determined on the basis of on-site activities and the proximity and sensitivity of receptors. A screening process is followed where sites are determined to be at 'low', 'medium' or 'high' risk of causing significant impacts. The same approach would be applied in both Scenario 1 and Scenario 2, as both approaches would trigger similar risk of impacts arising. In this case, it is clear that the site activities are within the 'high' risk band, without needing to step through the whole assessment process. On the basis of the 'high' risk rating, mitigation is recommended suitable for a 'high' risk site, and on this basis impacts are negligible. Construction activities for a site of this type would never be undertaken completely unmitigated, and therefore presentation of an unmitigated case is not meaningful. Wilton Primary School is a receptor classed as having a 'high' sensitivity in the context of exposure to operational emissions.
Q1.1.14	Applicant	What distances have been considered in the context of the construction dust assessment, taking account of the IAQM guidance which defines 'Screening Criteria' where a detailed assessment will normally be required for human receptors within 350m of the boundary of the site and for ecological receptors within 50m? In addition, the IAQM guidance advocates a 'Step 2' process to consider risks of dust impacts separately (defining impact magnitude and impact and sensitivity of receptors) for different activities. Has this been undertaken and if not, can the Applicant provide a justification in this regard?	As detailed in the previous question, from the outset it was decided that the site would need to adopt mitigation suitable for a 'high' risk site. Therefore, these measures will be suitable for the protection of all sensitive receptors, irrespective of distance from the construction activity.
Q1.1.15	Redcar and Cleveland Borough Council Applicant	ES paragraph 7.112 indicates that as the PEC is well below 50% of the AQS, due to the low baseline it is not considered to be sufficient to warrant further mitigation. Please explain with reference to relevant guidance, criteria and National Policy Statements ('NPSs'), why further mitigation is not proposed.	NPS EN-1 sets out the overarching principles with regards to determining the impacts associated with emissions to air. The NPS discusses under which conditions a project should be refused permission, these being where a project creates a new area where air quality standards are exceeded, or where there is a substantial worsening of air quality. NPS EN-1 does not define 'substantial', and this has been determined on the basis of guidance from the IAQM as discussed below for the purposes of the EIA. Of note is that at Environmental Permitting stage, the IAQM guidelines would not be relevant, and reference would instead be made to EA guidance 'Air emissions risk assessment for your environmental permit'. NPS EN-2 follows on from NPS EN-1. In this case, instruction is given that the IPC should consult with the EA. NPS EN-2 states: <i>"In considering whether to grant consent, the IPC should take account of likely environmental impacts resulting from air emissions and that in the case of SOx, NOx or particulates in particular, it follows the advice in EN-1 on interaction with the EA's regulatory processes"</i> The Project complies with both IAQM and EA guidance for determining whether impacts are substantial, and the EA have indicated that there is no reason for the project to not be granted an Environmental Permit. On this basis, it is reasonable to conclude that impacts are not 'substantial' as highlighted in NPS EN-1, and therefore there is no reason to refuse permission on the ground of air quality impacts.

REF NO.	RESPONDENT	QUESTION	RESPONSE
			<p>The IAQM planning guidance from which the significance criteria are taken states the following:</p> <p><i>“Descriptors for individual receptors only; the overall significance is determined using professional judgement (see Chapter 7). For example, a ‘moderate’ adverse impact at one receptor may not mean that the overall impact has a significant effect. Other factors need to be considered... These impact descriptors are intended for application at a series of individual receptors. Whilst it may be that there are ‘slight’, ‘moderate’ or ‘substantial’ impacts at one or more receptors, the overall effect may not necessarily be judged as being significant in some circumstances... One of the relevant factors in the judgement of the overall significance of effect may relate to the potential for cumulative impacts and, in such circumstances, several impacts that are described as ‘slight’ individually could, taken together, be regarded as having a significant effect for the purposes of air quality management in an area, especially where it is proving difficult to reduce concentrations of a pollutant. Conversely, a ‘moderate’ or ‘substantial’ impact may not have a significant effect if it is confined to a very small area and where it is not obviously the cause of harm to human health”</i></p> <p>The IAQM guidelines are accepted in the UK for determining the significance of impacts within the planning framework and have been used in this case. Based upon the above, as the moderate impacts arise over a relatively small area and an area where there appear to be few or no sensitive receptors, this is deemed sufficient justification for not warranting further mitigation.</p>
Q1.1.16	Applicant	For the avoidance of doubt, please provide a plan/plans showing the specific modelled receptor locations to correspond to Tables 7.15 and 7.16 of the ES [APP-049].	<p>For Table 7.15, the results presented are for those locations identified in Table 7.14 [APP-049]. Results for specific human receptors are included for illustrative purposes. Please refer to Figure 7.5 and Figure 7.7 [APP-049] which show the location and extent of the predicted impacts in the wider context. Of particular note is that the moderate impacts predicted for the NO₂ 1 hour mean arise only in a small area, and in an industrial location, not at sensitive human receptors, and that the PEC remains well below the air quality standards.</p> <p>For Table 7.16 the impacts predicted are the maximum of any location within each of the designated sites listed.</p>
Q1.1.17	Redcar and Cleveland Borough Council	Does RCBC accept the baseline for the air quality assessment used by the applicant? If so, please confirm/provide an appropriate reference. If not, why not?	
Q1.1.18	Applicant	<p>The potential effects of dust emissions at nearby industrial facilities as described in paragraph 7.109 of the ES [APP-049] require mitigation measures to be implemented.</p> <p>Please provide in tabular form how the proposed mitigation will be secured in the Development Consent Order (DCO) and the relevant references.</p>	<p>The framework Construction Environmental Management Plan (‘CEMP’) (ES Volume 2, Annex L) [APP-081] sets out proposed measures to manage and mitigate dust emissions. The frameworks CEMP set out the proposed management measures.</p> <p>Requirement 13 of the draft DCO [APP-005] secures provision of a detailed CEMP prior to the commencement of the authorised development. The requirements includes that the detailed CEMP must accord with the principles set out in the framework CEMP, including the mitigation and management measures contained therein.</p> <p>It follows that the proposed mitigation for dust emissions is secured by Requirement 13 of the draft DCO. The proposed measures are tabulated within the framework CEMP.</p>
Q1.1.19	Applicant	<p>Work No. 1A as defined in Schedule 1 of the draft DCO (dDCO) [APP-005] states that the works include ‘<i>emission and ambient monitoring system</i>’. Nevertheless, there does not appear to be a requirement in Schedule 2 of the dDCO to secure a programme of emissions monitoring.</p> <p>Explain, with reference to the potential effects on human health and ecological receptors, when, how and where emissions to air would be monitored and how this would be secured through the dDCO, or justify why no monitoring is proposed.</p>	<p>Continuous Emission Monitoring System (‘CEMS’) will be required as a condition of the Environmental Permit to monitor the stack emissions.</p> <p>The “Ambient” element, from the context in the DCO, is not an ambient air quality monitoring system. Ambient air quality monitoring would not be proposed as a specific commitment for the Project. The impacts are not sufficient to warrant specific air quality monitoring to be undertaken during operations, and there are several existing monitoring points that would capture any changes in ambient concentrations of NO₂ as a result of the operation of the plant. As such there is no need for a separate requirement in the DCO relating to off-site ambient air quality monitoring.</p>
Q1.1.20	Applicant	<p>Explain what (if any) mitigation is proposed to limit the effects of operational emissions on designated ecological sites which are sensitive to NO_x. If no mitigation is proposed, why not?</p> <p>Have any mitigation measures (either embedded or further mitigation) been relied upon to reach the conclusions of the relevant ES assessments or the</p>	<p>The turbine technology to be selected for the Proposed Power Plant will be state-of-the-art in terms of meeting current BAT for NO_x emissions. Alongside this, the plant stack is designed to achieve sufficient dispersion to ensure that impacts at sensitive habitats are not significant. The impact assessment considers these embedded measures and therefore are included in the ES assessment and HRA [APP-049 and APP-076]. On the basis of the adoption of turbines that meet BAT, the determined stack height and the predicted impacts, no further mitigation is required.</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
		HRA report?	
Q1.1.21	Applicant Redcar and Cleveland Borough Council	Dust from construction is identified in the ES (7.130) [APP-049] as having a potentially significant effect if unmitigated. Whilst construction mitigation is proposed through the Construction Environmental Management Plan (CEMP) [APP-081], there is no reference to air quality impacts and mitigation/control measures within the draft CEMP. The CEMP is also not referred to in the air quality chapter of the ES. Given the conclusions in ES paragraph 7.125 that IAQM mitigation measures will be adopted, why does the CEMP not specify what those minimum measures should be to enable an understanding of how they are effective and the extent to which they have been relied upon in the conclusions of residual effects? Please update the CEMP to include these measures. If best practice measures to control the effects of dust are not followed by contractors or prove to be ineffective, what further action could be taken by the local authority?	The framework CEMP [APP-081] has been updated to reflect the proposed mitigation measures in the ES air quality chapter [APP-049]. The updated framework CEMP (version 2) [APP-081] has been submitted for Deadline 2 of the Examination. The dust mitigation that will be used during the construction works is proven and has been used extensively on construction projects throughout the UK. This includes in urban areas and on very large construction projects. In terms of enforcement, the local authority have powers under the Environmental Protection Act 1990 to issue abatement notices for statutory nuisances including dust which is prejudicial to health or is a nuisance.
Q1.1.22	Applicant	Paragraph 7.120 of the ES [APP-049] indicates that for visible plumes the ADMS model has been used for the exercise using the same set up as the Aermod model. Please explain the differences between the two models and why the ADMS model was used.	The assessment of visible plumes is not a commonplace requirement, and Aermod does not have this model capability. ADMS was therefore used to assess visible plumes as this does have this capability. ADMS and Aermod are based upon the same Gaussian Plume Dispersion equations. There are some differences in the processing of terrain and buildings; however, for the plume visibility modelling, these effects do not need to be modelled and therefore there is essentially no difference in the model performance in this respect.
Q1.1.23	Applicant	Paragraph 7.131 of the ES [APP-049] concludes that during the operational phase there are no significant effects on human health at the large majority of receptors. It goes on to note that <i>'the air quality standard is not exceeded and the effects are not significant for the large majority of locations'</i> . For those locations where the effect is significant, explain how the effect will be mitigated.	Moderate significant impacts were predicted for the NO ₂ 1 hour, over a relatively small area to the south of the Site. This location is subject to good air quality and the PEC does not approach the air quality standard. The Proposed Power Plant is designed to meet current BAT, and is designed with a stack height that also represents good practice design. With due consideration of the scale and footprint of the significant impacts, and that the plant meets BAT, no further mitigation is deemed necessary.
Q1.1.24	Applicant	In Table 17.1 [APP-059] there is only one construction mitigation measure for air quality – why is this considered to be sufficient?	The updated framework CEMP (version 2) [APP-081] has been submitted for Deadline 2 of the Examination.
Q1.1.25	Applicant	Provide a table showing the concentrations of all pollutants considered at all of the identified receptor points and not just the worst affected.	When operational, the emissions of interest from the plant will be nitrogen dioxide (NO ₂) relevant to human health, and oxides of nitrogen (NO _x), and by association, acid deposition and nutrient nitrogen deposition. Contour plots (Figures 7.6 to 7.8) [APP-049] are presented to show the spatial distribution of the impacts, and the PCs arising across the study area. These are provided as presenting PCs for the many hundreds of individual human receptors is not practical, if counting each individual household as a receptor. The model utilises a receptor grid which is representative of PCs at individual receptors; if required the model output files can be provided as excel files so that PCs at any given location can be identified.
Q1.1.26	Applicant	What stack locations have been assumed as part of the air quality modelling (and HRA Report) in respect of a <i>'worst case'</i> approach to the assessment, noting that their location is not defined within the works plans or dDCO? How does the modelling presented in the ES [APP-073], presumably based on a 75m stack height, reflect the fact that the dDCO allows for a lower stack height? ES Table 7.1 reports on the request by the EA that a stack diameter sensitivity study is prepared. If such a study has been undertaken, please provide details;	The stack locations assumed in the assessment are: <ul style="list-style-type: none">• Western Stack: 456437, 520398• Eastern Stack: 456525, 520438 In the stack height assessment (ES Annex E1) [APP-069], stack heights of 35m- 90m at 5m increments were modelled in order to identify the point at which the 'knee' of the dispersion curve arises (the 'knee' is the point at which increasing stack height results in a disproportionately large reduction in PC). This work was undertaken in response to the EA request for the stack height sensitivity study (note that the assessment was for a stack <i>height</i> sensitivity study not stack <i>diameter</i> sensitivity study).

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		if not, why not?	<p>The 75m stack height used in the ES was identified as the optimum compromise between minimising impacts (noting that this was a height at which no potentially significant impacts on both human health and habitats were identified), and visual impacts.</p> <p>The Application [APP-049 and APP-069] discusses the potential for a stack height lower than 75m. From an air quality perspective, this may be feasible in practice as a lower stack height will not necessarily result in unacceptable impacts. However, the threshold for potential Likely Significant Effects would be exceeded at some habitats with a lower stack height. The stack height of 75m was therefore used in the air quality impact assessment, on the basis that this is the most likely stack height that would be adopted for the final project design.</p>
Q1.1.27	Applicant	<p>With reference to Table 7.14, and Figures 7.5 and 7.6 of the ES [APP-049], please confirm the location of the maximum off-site impact, as it appears to differ between short and longer term effects.</p> <p>Confirm, in each case, whether there are any 'human health' or sensitive ecological receptors at the point of maximum off-site impacts identified.</p>	<p>The long and short term effect will indeed be in different locations. The maximum long term annual mean PC is the cumulative effect over 8,760 hours of the year and will arise in the direction of the overall prevailing wind direction (i.e. to the north east of the plant). The short term 1 hour and 24 hour impacts can arise in any direction from the plant, as they will depend on the single one hour or 24 hour wind conditions that result in the maximum PC; during these conditions the wind can be blowing from any direction, so impacts can arise in any direction.</p> <p>At the point of maximum impact there do not appear to be any sensitive human or ecological receptors. However, there is some uncertainty in the spatial resolution of the models (as with any predictive tool), and therefore it is foreseeable that the point of maximum impacts may arise at a sensitive human receptor as there are isolated properties in the area. However, it should be noted that the PEC is well below the air quality standards and therefore this does not represent a material issue for the safe operation of the plant.</p>
2 Biodiversity, Ecology and Natural Environment			
Q1.2.1	Applicant Natural England	<p>Table 9.1 of the Environmental Statement (ES) [APP-051] refers to Natural England's (NE) letter to the Applicant (dated 26 April 2017) regarding the scope of surveys.</p> <p>Please provide a copy of the letter. In commenting on the letter, reference is made to 'off-site effects on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site' [ES Table 9.1]. Why was this particular location highlighted?</p> <p>It is noted that paragraph H1.32 of the HRA report does not refer to hydrologic connectivity between the European sites and the Proposed Development. Paragraph 6.145 of the ES states that the proposed Development would generate 'an increase in trade effluents (cooling water discharge) to the Wilton Site Drainage System, and ultimately into the River Tees estuary'. Can the Applicant confirm the extent to which any hydrological pathways of likely significant effect exist between the Proposed Development and the European sites as identified in the HRA report?</p>	<p>A copy of the NE letter has been submitted for Deadline 2 of the Examination (Application Document Ref: 8.20).</p> <p>Reference is made to 'off-site effects on the Teesmouth and Cleveland Coast Special Protection Area ('SPA') and Ramsar site' (ES Table 9.1) [APP-051]. This particular location was highlighted in the letter.</p> <p>The letter states the 15km radius, which includes other sites within 15km even though the letter specified the Teesmouth and Cleveland Coast, which had a proposed extension, which NE wanted to highlight to the Applicant. This was to make sure the assessment included the extended boundaries and additional qualifying features.</p> <p>Natural England concurs that the only source of potential impact on European protected sites is emissions to atmosphere as per the letter, hence no assessment was undertaken.</p> <p>The only water body that is within hydrological connection with the proposed project site is the River Tees estuary. This connection is via the existing Wilton drainage system, which is a closed system collecting surface water runoff and process water, outfalling into the Tees. This outfall is regulated by the existing discharge consent. As such, there is no change to the baseline and no potentially significant effects on this receptor have been identified. There is no hydrological connectivity to other European sites</p>
Q1.2.2	Applicant Natural England	<p>With reference to paragraph 9.35 of the ES [APP-051], please expand on the reasons why the 15km radius from the application site was agreed with NE as the basis for assessing impacts on internationally and nationally designated nature conservation sites and why a 2km radius was adopted for locally designated nature conservation sites and protected and priority habitats and species.</p>	<p>The reasoning for the 15km radius for international sites was agreed with NE as per the aforementioned letter and concurs with the EA Guidance 'Screening for Protected Conservation Areas' - https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit#screening-for-protected-conservation-areas.</p> <p>The 15km zone for nationally designated sites following screening guidance states that some larger (greater than 50 megawatt) emitters may be required to screen to 15km for European sites and to 10km or 15km for sites of special scientific interest ('SSSI').</p> <p>In accordance with the same EA guidance, consideration was given to locally designated nature conservation sites and ancient woodland within 2 km of the location of the installation.</p>
Q1.2.3	Applicant	<p>In line with paragraphs 5.3.3 and 5.3.4 of the Overarching National Policy Statement for Energy (EN-1) please demonstrate how the Proposed Development has conserved and enhanced biodiversity conservation interests.</p>	<p>The Applicant welcomes the opportunity through the Tees Valley Wildlife Trust ('TVWT') for biodiversity enhancements and has been in discussion with TVWT about their provision. The latest position is as set out in the SoCG with TVWT submitted for Deadline 2 of the Examination (Application Document Ref: 7.1).</p>

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Q1.2.4	Applicant	Table 9.7 indicates that the Tees and Hartlepool Foreshore and Wetlands SSSI is the second closest nationally designated site to the Application site. Looking at Figure 9.1 please confirm whether this is the case and its distance from the Application site.	It is confirmed that the Tees and Hartlepool Foreshore and Wetlands SSSI is the second closest and the table is correct. See amended Figure 9.1 [APP-051] submitted for Deadline 2 of the Examination (Application Document Ref: 8.8). Two areas of the SSSI were not clearly indicated on the figure, which has now been rectified. To confirm, these two areas closest to the plant were included in the impact assessment work.
Q1.2.5	Applicant Natural England	Table 9.10 of the ES [APP-051] provides a 'Screening Summary for Nationally and Locally Designated Sites', based on the detailed data tables in Annex G1 [APP-073]. Explain further the basis on which sites were assessed either to be scoped out of requiring further assessment or the criteria was not exceeded.	The rationale for the assessment against those criteria are set out in Annex G1 [APP-073], Table G1.8 'Screening Summary', supported in turn by the results of the air quality assessment in the ES [APP-049].
Q1.2.6	Applicant Natural England Environment Agency	Can the Applicant, EA and NE comment on the reliance placed on the EA's significance criteria as set out in Table 7.11 of the ES [APP-049] and Table H2.2 of the HRA report [APP-076] in concluding no likely significant effects (LSE) of the project alone and in-combination for the purposes of HRA. In particular, why the relevant thresholds are applicable for HRA (e.g. increases in process contributions to critical loads of less than 1% being considered 'insignificant').	The use of the thresholds described (see Chapter 7, Table 7.11) [APP-049] are set out in the EA Guidance 'Air emissions risk assessment for your environmental permit' (https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit#page-navigation). These are used by convention to set the thresholds for assessing the potential for significant effects on ecological receptors. The use of this guidance in this manner was set out in detail by the EA at the CERC ADMS User Group Meeting, 01 November 2017.
Q1.2.7	Natural England	For the last sentence of question 1.2.6 above, can NE specifically confirm that the EA's EPR Risk Assessment screening criteria, set against UK Air Quality Strategy Objectives, which defines 'insignificant effects' as being where long-term process contributions should be less than, or equal to 1%, is a suitable criteria for the assessment of likely significant effects on European sites in respect of HRA.	
Q1.2.8	Applicant Natural England Environment Agency	Can the Applicant, EA and NE explain if and why the thresholds applied in the Applicant's assessment for determining the absence of LSE (or otherwise) are appropriate for European sites where there are already exceedances above the critical loads or levels for given pollutants (as acknowledged in paragraph H1.57 and set out in Appendix A of the HRA report [APP-076]. The ExA notes that Table H2.1 of the HRA report includes links to Site Improvement Plans for the Teesmouth and Cleveland Coast SPA and the North York Moors SPA and SAC, which refer to atmospheric nitrogen deposition as issues which are currently impacting or threatening the sites. The explanation provided should take into account the impact of the Proposed Development alone and in-combination with other plans and projects.	CLs are widely exceeded throughout the UK due to elevated baseline. However, this does not mean that a project will result in Likely Significant Effects; rather it means that a project must demonstrate that the increment in impact due to that project is not significant. For statutory designated sites, this threshold is 1% for annual mean CLs and 10% for short term CLs. As detailed in the air quality impact assessment, the project does not trigger these thresholds at any habitat sites. Underpinning this, there is a general trend in improving air quality which is reducing the baseline. The air quality impact assessment [APP-049] sets out a staged screening process to identify whether there is a potential for a project to result in a Likely Significant Effect. Where the air quality impact assessment identifies there is a potential for LSE, this triggers further screening assessments undertaken in the ecology assessment to further refine the potential impacts. If at this stage LSE is identified then a full Appropriate Assessment as defined in the Habitats regulations may be necessary. In the case of this project, the impacts from the plant alone do not result in any thresholds that would indicate the potential for Likely Significant Effects to arise, and therefore necessitate further assessment in the ecology assessment. These screening thresholds take into consideration the existing baseline at habitat sites, including where the baseline is already above the relevant CL. Project and In-combination effects at ecological receptors are discussed in detail in Annex H of the ES [APP-076]. One of the key considerations is that in the UK air quality has generally been improving in the long term, with substantial improvements since the 1960'-1980's, in sulphur dioxide, oxides of nitrogen and transboundary pollution. This trend is continuing, particularly for industrial sources as the Industrial Emissions Directive captures within it the principles of continuous emissions improvement with the adoption of BAT by all Permitted industrial facilities. This long-term downward trend cannot be ignored when considering in-combination effects. This trend is generally continuing with ever-tighter regulation on industrial emissions driving down impacts from existing facilities. In addition, there is little new industrial development in the area. Two schemes with the potential for in-combination effects were identified. However, given the magnitude of the potential effects of these schemes, against the backdrop of improving air quality overall, it was concluded that significant in-combination effects are unlikely to arise. The main sources of pollution currently affecting the designated sites, including those where CLs are already exceeded, are diffuse sources such as agriculture, and it is difficult to undertake any meaningful quantitative in-combination assessment as described in section H3.3.5 of the HRA report [APP-076].

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Q1.2.9	Applicant Natural England	The judgment in <i>Wealden District Council v Secretary of State for Communities and Local Government</i> [2017] EWHC 351 highlights the procedural requirement of the Habitats Regulations in regard to the assessment of in-combination effects. The ExA acknowledges the Applicant's current approach as described in the HRA report (sections H3.3.4 and H3.3.5 [APP-076]), which explains that the in-combination assessment has been undertaken on a qualitative basis. However the ExA is unclear as to how the conclusions that there would be no likely significant in-combination effects are substantiated with reference to the thresholds applicable to the findings of LSE referred to in question Q1.2.6 above. The ExA requests the Applicant provide the information necessary to undertake the assessment of LSE of the Proposed Development in-combination with other plans and projects, with particular reference to the thresholds of LSE as referred to above. The ExA also requests a response from NE on the apparent relevance of the Wealden judgement to the need for a quantitative in-combination assessment in respect of the Proposed Development.	The reasons described in section H3.3.4, H3.3.5 and H3.3.6 [APP-076] state our opinion that quantitative in-combination assessment is not feasible for the reasons set out in H3.3.5. A qualitative in-combination assessment has been provided in section H3.3.6 and our position remains to support the qualitative in-combination assessment.
Q1.2.10	Natural England	With regard to the above, the ExA requests NE to confirm if they are still content with the Applicant's conclusions of no LSE (alone and in-combination with other plans and projects) at the European sites identified as being relevant in the assessment.	
Q1.2.11	Redcar and Cleveland Borough Council Natural England	Sections 6 and 7 of Annex G2 [APP-074] recognise that construction activity on site would need to avoid harm to any nesting birds or avoid destroying or damaging their nests, acknowledging that although the likelihood of impact is low, the impact would be high without mitigation. Does Requirement 11 in the dDCO [APP-005] appropriately address this matter? If not, please provide suggested amendments to the wording of this requirement.	
Q1.2.12	Natural England Environment Agency Redcar and Cleveland Borough Council	Please confirm whether all relevant plans/projects which may result in in-combination effects together with the Proposed Development have been identified and considered in the Applicant's HRA report [APP-076].	
3	Draft Development Consent Order		
Q1.3.1	Applicant	The Applicant is asked to ensure that all application or subsequent plans and documents referred to in the draft Development Consent Order (dDCO) [APP-005] in whatever provision are identified by Drawing or Document and Revision Numbers in subsequent versions of the dDCO. Where revisions are prepared to plans and documents, these should be reflected in the latest version of the dDCO. The Applicant should undertake a final audit of plans and documents referred to in the dDCO prior to submitting its final preferred dDCO to the Examination. Where it is necessary to refer to document numbers the Applicant should use the Examination Library system.	We have updated the references to reflect the current documents. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
Q1.3.2	Applicant	The references for footnotes in the main text of the dDCO [APP-005] are not in line with previous Orders while the use of brackets and reference numbers extensively in Schedule 1, Part 2 does not follow normal practice. Please ensure that the formatting is revised to provide consistency with previously	We have revised the formatting to comply with previously made orders. We have removed the reference numbers in Schedule 1, Part 2.

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		made orders and that the correct template is used.	An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
Q1.3.3	Applicant	<u>Preamble</u> The Applicant is asked to draft the Preamble to the next version of the dDCO [APP-005] to confirm that the Examination is being carried out by a single appointed person.	We have revised the preamble. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
Q1.3.4	Applicant Redcar and Cleveland Borough Council	Art. 2 of the dDCO [APP-005]. Interpretation of 'Commence'. <ul style="list-style-type: none"> Please clarify the justification for the exempted works including regarding the timescales for such works. Is such flexibility necessary? If so, please provide reasons and consider whether these matters need to be addressed in a separate Requirement relating to preliminary works? Should any exempted works be covered by the Construction Environmental Management Plan (CEMP) [APP-081] which is addressed in Req. 13? 	Article 2 excludes the following: <i>operations consisting of site clearance, demolition work, environmental surveys, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or installation of a site compound or any other temporary building or structure</i> The Applicant has reviewed the exempted works and has concluded that only site clearance, environmental surveys, investigations for the purpose of assessing ground conditions, erection of any temporary means of enclosure, the temporary display of site notices or installation of a site compound or any other temporary building or structure are required as exempted works i.e. demolition, remedial work and the diversion and laying of services do not need to be exempted works. These works are considered to be preparatory and minor in nature, rather than true construction works. It is important that the applicant has the ability to carry out preparatory works in advance of the pre-commencement requirements (4, 5, 6, 8, 9, 12, 13, 14, 15, 17, 18, 29, 31) and subject to the comments below, we do not consider it necessary for the various requirements to have been complied with in order to carry out the exempted works listed above. We consider this flexibility to be necessary for the reasons set out above. This approach is not unusual and has been used in other confirmed DCOs including the East Anglia Three Offshore Wind Farm Order 2017. We do not think preliminary works need to be addressed in a separate requirement, however, we have created a separate definition of "preliminary works" so these can be carved out the pre-commencement requirements where necessary. As set out above the exempted works are minor in nature and based on the revised list of exempted works it is not envisaged by the Applicant that works of this nature will be covered in the CEMP. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
Q1.3.5	Applicant	Art. 2 defines Environmental Statement (ES) as ' <i>...any supplemental or further environmental information submitted by the undertaker in support of the application</i> '. As such information is likely to change during the Examination and the DCO will certify the ES, the applicant is requested to provide and keep under review a schedule to confirm which documents form part of the ES and would therefore be certified.	Agreed.
Q1.3.6	Applicant	Art. 2. Paragraphs 2.6-2.10 of the Explanatory Memorandum (EM) [APP-006] identify the drafting approach taken in the dDCO [APP-005] to ancillary development. The EM states that a prescriptive definition of ancillary works has not been included to provide flexibility in line with model provisions. Notwithstanding the approach taken in other recently made DCOs, as the model provisions have a definition of 'ancillary works', is the absence of a definition of 'ancillary works' appropriate? If the Applicant considers that it is, please provide reasons.	Paragraphs 2.6-2.10 of the Explanatory Memorandum ('EM') [APP-006] are referring to Associated Development as set out in section 115(2) of the Planning Act 2008. The Associated Development forming part of the development is set out in paragraphs 4 and 5 of Schedule 1 Part 1 as follows: <ul style="list-style-type: none"> Work No. 2A which includes a permanent laydown area, vehicle parking, internal roadways and footpaths and lighting; and Work No. 2B which includes an area reserved for carbon capture, compression and storage, such area to be laid out as vehicle parking and used for the open and covered storage of construction materials and equipment during construction of any part of the authorised development.

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			<p>Paragraph 6 of Schedule 1 Part 1 authorises further associated development within the meaning of section 115(2) of the Planning Act 2008 including such other ancillary buildings, structures, enclosures, plant, works or operations as are integral to and part of the construction, operation and maintenance of the works in this Schedule 1.</p> <p>The definition of “ancillary development” in the model provisions incorporates any works within the Order Limits which does not fall within the meaning of section 32 of the Planning Act 2008.</p> <p>Due to the nature of the Authorised Development, the Applicant will not need to carry out any works outside of the definition of section 32 and therefore does not need to include a definition of ‘ancillary works’ within the draft DCO.</p>
Q1.3.7	Applicant	<p>Art. 2. Interpretation of ‘Maintain’. The EM [APP-006] states that the power to maintain is only permitted to the extent that it is assessed in the ES and that the definition follows the form of the Wrexham Order. However, the definition is not identical to Wrexham and there is no explanation provided for the variation.</p> <p>Please explain why the wider scope of ‘maintain’ is provided in the dDCO [APP-005], what ‘unlikely’ means in this context and whether it is appropriate in the dDCO. Consequently, please comment on the appropriateness of the definition of ‘maintain’ in the dDCO.</p>	<p>The definition included in the draft DCO [APP-005] takes the form of the Wrexham Order, other than the addition of the wording in bold.</p> <p>“maintain” includes to the extent that is unlikely to give rise to any materially new or materially different environmental effects to those already assessed in the environmental statement inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part, but not the whole of, the authorised development, and “maintenance” and “maintaining” are to be construed accordingly</p> <p>The Applicant has reviewed other confirmed DCOs and decided to amend the wording to read: “maintain” includes to the extent that it will not give rise to any materially new or materially different environmental effects to those already assessed in the ES.</p> <p>The Applicant is unable to precisely define what maintenance works may consist of at this stage of the application and therefore maintenance works have not been explicitly assessed in the ES. However, likely maintenance activities fall within the worst case scenario (i.e. there are no likely maintenance activities that would lead to impacts larger than or different from those assessed in the ES).</p> <p>The definition of ‘maintain’ is linked to Article 4, which grants the Applicant the power to maintain the Authorised Development. This is necessary to ensure the Authorised Development can be operated on an ongoing basis.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.8	Applicant	<p>Art. 2. Please clarify the difference between Order land and Order limits in Art. 2 of the dDCO [APP-005].</p>	<p>The Order limits are a 3D concept; it defines the limits laterally and vertically for the Proposed Development. The order land is the 2D area of land required to carry out the development.</p> <p>The Applicant has amended the definition to clarify the difference.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.9	Applicant	<p>Art. 2. ‘Existing access plan’ is defined in Art 2. Where is the term used in the dDCO [APP-005]?</p>	<p>In Article 12(1)(b) – certification of plans etc.</p>
Q1.3.10	Applicant	<p>Art. 2. ‘Works Plan’. The definition will need to be revised to reflect the revised Works Plan submitted during pre-examination [AS-001].</p>	<p>Updated.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.11	Applicant	<p>Art. 3. Please explain the reasons for the inclusion of the phrase ‘and Schedule 1 (authorised development) has effect for that purpose’ at the end of Art 3 (1) [APP-005].</p>	<p>Article 3 states:</p> <p>Subject to the provisions of this Order and to the requirements in Part 2 of Schedule 1, the undertaker is granted development consent for the authorised development in Part 1 of Schedule 1 to be carried out within the Order limits, and Schedule 1 (authorised development) has effect for that purpose.</p> <p>Upon review, the wording in bold is not necessary and has been removed.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
Q1.3.12	Applicant	<p>Art. 6. The limits of deviation in Art. 6 shown on the Works Plan [APP-013 and APP-014] allow the authorised development to extend laterally.</p> <ul style="list-style-type: none"> • Demonstrate how this has been addressed within the ES and provide an explanation as to why such deviation is necessary. • Why is it necessary to provide deviation vertically and to have such a wide definition? • Confirm that the placement of the works anywhere within the limits of deviation would not affect the conclusions of the ES or Habitats Regulation Assessment (HRA). 	<p>The bullet points (underlined) are dealt with in turn below:</p> <p><u>Demonstrate how this has been addressed within the ES and provide an explanation as to why such deviation is necessary.</u></p> <p>The Project is committed to a north south orientation as per the conclusion of the noise assessment [APP-050] and the indicative layout drawings [APP-017 to APP-019].</p> <p>The lateral movement that is allowed for in the limits of deviation is approximately plus or minus 20 m along an east west orientation.</p> <p>In reality, although the works plans [APP-013 and APP-014] have provided some flexibility, there is very limited space for lateral movement of the main blocks (i.e. the gas turbines, HRSG, stacks and cooling towers) within the zones, and the orientation of the blocks will be fixed north-south (as shown in Figure 8.1) [APP-050] with the stacks located in the north of the Site. Any minor lateral movements of the main blocks within the zones will not cause a material change in the conclusions on the significance of effects for the following reasons:</p> <ul style="list-style-type: none"> • Air Quality – moving the stack locations by 20 m would simply move the worst affected offsite location or air quality impacts correspondingly. The predicted concentration at this location is well within the standards designed to protect human health. At distant nature conservation sites change would be negligible. • Noise - lateral movement of some structures could move noise sources closer to or further away from the nearest noise sensitive receptor. In the event of the former resulting in higher noise impacts additional mitigation would be included to reduce the impact to an acceptable level. • Visual Impact – lateral movement of the stacks and main structures by less than three stack widths would not change the visual impact in any material way as can be seen from the photomontages. <p>The works plans also allow for the lateral deviation of the other structures identified in Works No. 1-4. Movement of these other structures has been considered as follows:</p> <ul style="list-style-type: none"> • Air Quality – the dispersion of stack emissions are affected by tall buildings due to downwash effects. These will only be a consideration for buildings greater than 1/3rd stack height, and for buildings that are close to this threshold the effects are effectively negligible. The other structures in Works No. 1-4 relates only to buildings of less than 1/3rd stack height, there is no material impact on the air quality impact assessment. • The noise assessment considered two plant layouts as shown in Figure 8.1 in Document Ref 6.2.8. These included the screening effects of some buildings, especially with respect to receptors to the west and north-west. If the buildings were higher than modelled their screening effect could be increased. Any changes in arrangement of ancillary structures within the zones would be relatively minor in terms of their effect, and normal acoustic design procedures would be incorporated to mitigate any sources that became less well screened as a result of such changes. There would not be a material change in the noise assessment. • Landscape and visual assessment – any changes in the arrangements of the ancillary structures within the zones identified are likely to change some of the configurations of buildings in views (some buildings might come forward in views or go behind another depending on the configuration). In some cases depending on the configuration, buildings/components might be obscured. However these would not be a material change and would not change the assessment conclusions. • Cultural heritage – the setting of heritage assets will not be affected by small changes in the arrangement of buildings on-site as the changes in views will not be significant (as described for the landscape and visual assessment). <p>All other topics – none of the other topics of the ES are affected by the arrangement of buildings on-site. They are all based on land take (the area required for construction groundworks) and have assumed that all of the land within the site boundary is disturbed.</p> <p><u>Why is it necessary to provide deviation vertically and to have such a wide definition?</u></p> <p>The Applicant requires vertical deviation in a downwards direction only to facilitate detailed design works (such as boreholes for downhole seismic testing) and for civil works such as piling and foundations. The definition is wide as the detailed design has not yet</p>

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			<p>been confirmed.</p> <p>We note that wide definitions for downwards deviation were included in The South Hook Combined Heat and Power Plant Order 2014 and The Able Marine Energy Park Development Consent Order 2014.</p> <p><u>Confirm that the placement of the works anywhere within the limits of deviation would not affect the conclusions of the ES or HRA</u></p> <p>The placement of works anywhere within the limits of the deviation would not affect the conclusions of the ES for the reasons stated above. The conclusions of the HRA Screening [APP-076], which is based on the findings of the air quality assessment in the ES [APP-049], would also not be affected for the same reasons stated above.</p>
Q1.3.13	Applicant	<p>Art. 7.</p> <ul style="list-style-type: none"> • Why does the dDCO [APP-005] contain an exception for the need for the Secretary of State to approve the transfer of the benefit of the Order in respect of a holder of a licence under s6 of the Electricity Act 1989 or s7 of the Gas Act 1986? • Explain why it is necessary or appropriate to state in Art. 7 (2) that consent may not be unreasonably withheld or delayed. • Would Art.7 provide for National Grid to construct, operate and maintain the grid connection works if required? 	<p>The starting position in the Planning Act 2008 is that the benefit of an order can be transferred to another party without consent. However, given the nature of the development, it is standard to obtain SoS consent where the Authorised Development is a generating station.</p> <p>This exception is regularly included in DCOs and has been accepted in several DCOs such as the Progress Power (Gas Fired Power Station) Order 2015, the Meaford Gas Fired Generating Station Order 2016 and the Wrexham Gas Fired Generating Station Order 2017</p> <p>The justification for this exception is that in such cases a transferee or lessee will be in a similar financial and regulatory standing to the undertaker and is already sufficiently regulated to take over operation of the Authorised Development.</p> <p>Article 7(5)(b) is to protect the provision for compensation for rights or interests in land that are compulsorily acquired pursuant to the Order. However as there is no compulsory acquisition included within the dDCO, the Applicant has deleted Article 7(5)(b).</p> <p>The Applicant has reviewed several confirmed DCOs and is content to remove Article 7(2).</p> <p>Yes, the Applicant could transfer the relevant part of the DCO to allow National Grid to construct, operate and maintain the grid connection without the Secretary of State's consent.</p> <p>However, as the land is in the Applicant's ownership, the Applicant intend to deliver the grid connection itself. National Grid will carry out any necessary works to the inside of the sub-station. This will be addressed in the bilateral connection agreement (see answer to Q1.3.19 for more detail).</p>
Q1.3.14	Applicant	<p>Art. 8. Although the EM (para 4.7) [APP-006] makes reference to other made Orders to justify this Article, the provisions in Art. 8 [APP-005] are wider than the cited DCOs.</p> <p>Please explain why the scope has been extended to broaden the powers.</p>	<p>Article 8 states that Article 3 of, and Parts 2, 4, 7, 9, 10, 14, 15 and 18 in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 apply as if this Order were a grant of planning permission.</p> <p>This applies the following permitted development rights to the DCO:</p> <ul style="list-style-type: none"> • Part 2 Minor Operations; • Part 4 Temporary Buildings and Uses; • Part 7 Non-domestic Extensions, Alterations etc; • Part 9 Development Relating to Roads; • Part 10 Repairs to Services; • Part 14 Renewable Energy; • Part 15 Power Related Development; <p>The York Potash DCO applies Class B of Part 8 which relates to permitted development for dock, pier, harbour, water transport, canal or inland navigation undertakings. This is relevant to the nature of that particular development.</p> <p>The principle of applying specific permitted development rights to a DCO has been approved in two DCOs relating to harbour developments, but in this case, the nature of the development is different. Therefore a wider range of permitted development rights will apply to the authorised development and have been included in Article 8.</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
			<p>The Applicant notes not all rights set out in the Parts listed above are relevant to the Proposed Development, but referencing the Part simplifies the drafting in the dDCO.</p> <p>The Applicant has also removed Part 18 as it is not felt this is necessary for the Proposed Development.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.15	Applicant	Art. 10. Notwithstanding that this Article [APP-005] is a model provision and has been used in the cited Order and others, explain why it is necessary in this case.	The Applicant may want to lease the whole or part of the Site in the future and this provision ensures any statutory rights belonging to landlord and/or tenant which may prejudice the operation, construction or maintenance of the site do not apply.
Q1.3.16	Applicant	Art. 12. As presently drafted Art. 12 [APP-005] does not state the purpose for which the undertaker needs to submit documents to the Secretary of State. Please review the wording of similar Articles in other recently made DCOs and provide justification for the current drafting. If satisfactory justification cannot be provided, can the Applicant provide alternative drafting for consideration?	<p>The omission of the purpose was a drafting error and Article 12 has now been amended to include the additional wording.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.17	Applicant	<p>Art. 12 addresses the certification of plans etc. [APP-005].</p> <p>Please confirm whether the ES [APP-042] means all of the documents listed under category 6.0 of Table 2.1 in the Application Guide [APP-002] or only those documents listed under 6.2.</p> <p>If it is the former, should additional documents such as the CEMP [APP-081], the Site Waste Management Plan (SWMP) [APP-068] and the Construction Traffic Management Plan (CTMP) [APP-078] be listed as well?</p> <p>If it is the latter, is there any need to identify the Flood Risk Assessment (FRA) separately? Furthermore, is there any need to certify the FRA if there is no Requirement which specifically applies to it?</p> <p>In addition, is it necessary to separately certify other documents which are proposed to provide control during both the construction and operational phases including the Construction Environmental Management Plan (CEMP), SWMP and CTMP or would they be certified as Annexes to the ES?</p>	<p>The Applicant confirms the ES means all documents listed under category 6.0 of Table 2.1 in the Application Guide [APP-002] and the definition of ES in Article 2 has been updated accordingly.</p> <p>The framework CEMP [APP-081], the outline Site Waste Management Plan ('SWMP') [APP-068] and the outline Construction Traffic Management Plan ('CTMP') [APP-078] will be certified as part of the ES. These documents will inform the contents of the detailed plans to be submitted for approval pursuant to requirements 13, 14 and 15 respectively.</p> <p>The flood risk assessment has been removed from Article 12</p> <p>See comments above - outline documents will be certified as part of the ES and final versions of the CEMP, SWMP and CTMP are to be approved pursuant to Requirements 13, 14 and 15 of the draft DCO [APP-005].</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.18	Applicant	<p><u>Art. 12</u> of the dDCO [APP-005] does not use terminology which is consistent with that used for individual documents. This also applies to some of the documents which are interpreted in Art. 2 such as the indicative landscaping and biodiversity plan.</p> <p>Please ensure that there is consistency in terminology.</p>	<p>We have reviewed and amended the terminology.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.19	Applicant National Grid	<p>The dDCO [APP-005] does not contain any protective provisions. National Grid in their Relevant Representation [RR-005] set out their request for a Protective Provision, notwithstanding the submission of a Connection Application.</p> <p>In the light of this request, please provide further comments on the applicability of Protective Provisions. In addition, are there any unresolved matters preventing the approval of the Connection Application?</p>	<p>National Grid Electricity Transmission Plc ('NGET') has now agreed to withdraw its request for Protective Provisions. It has been agreed that Protective Provisions are not needed in the DCO as the leases between SCU and NGET are being updated, and that there are no hindrances to these leases being agreed in a suitable timeframe. These leases will cover NGET rights as per those of Protective Provisions</p> <p>The Applicant received a Bilateral Connection Agreement ('BCA'), Connection Agreement Reference Number A/SUUL/18/1909/TEE-1EN(0) offer on 22 March 2018, comprising of:</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
			<ul style="list-style-type: none"> • A Formal Offer Letter; • An Offer Summary Document; • A new Bilateral Connection Agreement (BCA) with reference A/SUUL/18/1909/TEE-1EN(0); • A new Construction Agreement (ConsAg) with reference A/SUUL/18/1909/TEE-1EN(0); • A new Transmission Related Agreement (TRA) with reference A/SUUL/18/1909/TEE-1EN(0); • BCA Appendices A, B, C, D & F1-F5; • ConsAg Appendices B1, G, H, I, J, K, L, MM & N; and • Security Statements MM1-MM3 (Stage 1 and Stage 2). <p>The BCA demonstrates that to NGET judges that the necessary infrastructure and capacity exists within the transmission network to accommodate the electricity generated.</p> <p>The latest position between the Applicant and NGET is set out in the SoCG between the parties (Application Document Ref: 7.5) – submitted for Deadline 2 of the Examination.</p>
Q1.3.20	Interested Parties Redcar and Cleveland Borough Council	Paragraph 6.3 of the EM [APP-006] indicates that there is no requirement relating to the setting up of a local liaison committee for the reasons given. Are Interested Parties including the Council content with this approach?	
Q1.3.21	Applicant	Paragraph 6.3 of the EM [APP-006] indicates that there is no requirement in relation to foul water drainage as a permitted system is already in place. Please provide details of the permit and demonstrate that it can meet the needs of the proposed development.	<p>An Environmental Permit is already in place with reference QR.25/04/1528 which permits the discharge of sewage and trade effluent from the Wilton International Site in accordance with the terms of the permit [APP- 006, Appendix 3]. The existing drainage system and environmental permit provide sufficient capacity and infrastructure to accommodate the Proposed Development.</p> <p>It follows that further liaison with Northumbrian Water in respect of the waste water from the Proposed development is not necessary as the Applicant owns and operates the sewage and trade effluent Wilton Site system. This system has the capacity to take the additional waste water from the Proposed Development.</p>
Q1.3.22	Applicant	<u>Schedule 1 Part 1</u> . Authorised Development. [APP-005] Please confirm whether or not this is fully consistent with the description of the project components in paragraphs 1.9 and 1.10 of ES [APP-043]. In addition, please explain why Work No 1A (2) and (3) indicate that elements 'may comprise' or 'may include' and why paragraph 1.10 of the ES states that the Project 'is likely also to include' various elements. Are these elements not necessary? Furthermore, have these elements which 'may' be included been taken into account in the Environmental Impact Assessment? Please indicate where the evidence is located and explain whether or not it would alter the conclusions of the assessment.	<p>The short list of components in 1.9 and 1.10 of Chapter 1 (Introduction) of the ES [APP-043] lists the main components of the Project. The longer list in the draft DCO [APP-005] covers the same key components, along with more prescriptive detail of ancillary plant, equipment and buildings.</p> <p>References to 'may' have been replaced with 'will' as they are necessary</p> <p>The Applicant confirms the elements have been included and do not alter the conclusions of the assessment.</p> <p>Please also refer to Agenda Item 8.5 in the Written Summary of Applicant's Oral Case – Issue Specific Hearing on the Scope of the Application 10 April 2018 submitted by the Applicant for Deadline 2 of the Examination (Application Document Ref: 8.7).</p>
Q1.3.23	Applicant	<u>Schedule 1 Part 1</u> . Authorised Development: Work No. 2 (5). [APP-005] What is the reason for, and effect of, the inclusion of 'unlikely' in this Article? In the event that associated development does give rise to materially different environmental effects from those assessed in the ES [APP-042] how would the impact be assessed and what mitigation would be necessary?	<p>This comment relates to the following statement: insofar as they are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.</p> <p>The Applicant has amended the wording as follows: insofar as they will not give rise to any materially new or materially different environmental effects from those assessed in the ES.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.24	Applicant	<u>Schedule 1 Part 1</u> . Work No. 1 [APP-005] is described as 'a natural gas fired electricity generating station'.	No, it is not necessary to specify it is natural gas fired, fuel will be considered in the environmental permit and it is not necessary to state that the land includes the site of a former CCGT power station.

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		Is it necessary to specify that it is natural gas fired? Furthermore, is it necessary to state that the land includes the site of a former CCGT power station?	The Applicant has amended the DCO accordingly. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
Q1.3.25	Applicant	<u>Req. 1: Interpretation.</u> [APP-005] Please ensure consistency in the naming of documents and definitions e.g. Durham Tees Valley Airport.	Noted and DCO amended. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
Q1.3.26	Applicant	<u>Req. 2.</u> [APP-005] The ES [APP-042] indicates that Scenario 2 would see the second CCGT train constructed within an estimated five years after the first train. Req. 2 (2) provides for the proposed phasing of the authorised development to be submitted to and approved by the relevant planning authority. On this basis, can the Applicant guarantee (through the dDCO) that construction of the second train will not commence at a point later than that assessed? In the event that this cannot be guaranteed, can the Applicant confirm that the approach to the assessment and the findings of the ES would remain valid? If not, what would be the controlling mechanism to ensure that any likely significant effects (beyond those currently assessed) are taken into account before the development proceeds?	The Applicant can guarantee that construction of the second train will commence within five years from the completion of the first train and has amended Requirement 2 of the draft DCO to ensure development of the second train must start within 5 years of the first train becoming operational. On this basis the second question “ <i>In the event that this cannot be guaranteed, can the Applicant confirm that the approach to the assessment and the findings of the ES would remain valid?</i> ” has not been answered.
Q1.3.27	Applicant	<u>Req. 4.</u> [APP-005] Comment on the meaning of ‘ <i>all new or modified buildings</i> ’ within Req. 4 (1)(a). Consider whether ‘ <i>all buildings and structures comprising the authorised development which are to be retained following commissioning</i> ’ would achieve the same objective. Is there a need for Req. 4 to end with a statement that the authorised development must be carried out in accordance with the approved detailed design?	The Applicant has included the suggested wording in Requirement 4 and included a requirement for compliance with the approved details. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
Q1.3.28	Applicant	<u>Req. 4</u> [APP-005] provides thresholds for the development of different structures. How do these structures relate to the works identified in Part 1? Why are maximum lengths, widths and floor spaces of main structures not specified? Confirm that the maximum dimensions have been assessed through the ES and HRA.	The thresholds set out in Requirement 2 relate to all buildings and structures set out in Part 1. The buildings named in Requirement 4(2)(a) to (f) are all included within Works No. 1A and 1B and are considered to be the main buildings and structures which make up the authorised development. Any buildings and structures not individually named will be caught by Requirement 4(2)(g): Maximum height of other buildings and structures 20 metres above existing ground level. The lateral limits of deviation are set out in the Works Plans (APP-001 and APP-014), these plans limit the maximum lengths, widths and floor spaces for each element of the Works. The maximum lengths, widths and floorspaces are limited by the limits of deviation shown on the Works Plan (Ref: APP-013 and APP-014). The draft DCO does not set out maximum lengths, widths and floorspaces of the main structures. These are defined by the limits of deviation shown on the Works Plan (Ref: APP-013 and APP-014). However, it would not be realistic to base an assessment on the maximum dimension for each of the main structures (e.g. a single power station would not have both the largest HRSG and largest turbine building in every dimension). The EIA and HRA (based on the air quality results for the ES – APP-049) therefore applied reasonable assumptions on the widths and lengths of the main structures based on dimensions provided by potential suppliers at the time of submission.

REF NO.	RESPONDENT	QUESTION	RESPONSE
Q1.3.29	Applicant	<p>Req. 5. [APP-005] Explain the inclusion of the phrase 'unless otherwise agreed with the relevant planning authority' within Req. 5 (3).</p> <p>Should this confirm that it is the approved scheme for external lighting which must be implemented before, and maintained during the construction, operation and decommissioning of the authorised development?</p> <p>Should minimum measures for construction and operational lighting schemes be secured through outline plans as for other construction measures/design proposals?</p> <p>Req. 5 (2) refers to 'aviation warning lights which are subject to Requirement 17 below'. Req. 17 does not provide for any aviation warning lights to be provided on the main stacks as described in the EM [APP-006]. Please clarify.</p>	<p>This wording was included in error and the Applicant has now removed this phrase and the Applicant has amended requirement 5(3) to make it clear when each scheme should be implemented</p> <p>External lighting is already covered for the construction period in the framework CEMP [APP-081]. The CEMP allows for the drafting of a Lighting Strategy that will be approved under Requirement 13 of the draft DCO [APP-005]. The aim of the Lighting Strategy is to reduce the potential for nuisance during the construction phase of the project.</p> <p>There is insufficient technology detail at this stage to prepare an outline plan addressing minimum measures for the operational lighting scheme, but the detailed scheme is secured by Requirement 5 and must be approved by the relevant planning authority.</p> <p>The reference to aviation warning lights has been removed from Requirement 5 (see answer to 1.3.36 also).</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.30	Applicant	<p>Req. 8. [APP-005] does not make any reference to pedestrian access in spite of the EM [APP-006] doing so. Please comment.</p>	<p>Given the nature of Wilton International Site as a major location for the chemical industry and the safety precautions in place in the unlikely event of a loss of containment from one of the plants on the Wilton International Site, access on foot through the site is not considered suitable.</p> <p>Therefore, there will be no pedestrian access unless pedestrians walk along the grass verges, there is no walkway being provided.</p> <p>The Explanatory Memorandum (version 2) has been amended and submitted by the Applicant for Deadline 2.</p>
Q1.3.31	Applicant	<p>Req. 10. [APP-005] Should 'controlled waters' be defined?</p>	<p>A controlled surface watercourse (Kettle Beck) is present to the immediate west of the Site flowing in a south-north direction. Kettle Beck forms a confluence with Kinkerdale Beck c. 550 m north of the Site, with Kinkerdale Beck flowing in a southwest-northeast direction, towards the River Tees.</p> <p>A total of four drains / surface water channels, including one thought to be culverted beneath the Project Site, are also identified in the immediate surrounding area, of which two are thought to be in direct continuity with Kettle Beck.</p> <p>The Applicant has included an appropriate definition in the draft DCO [APP-005]. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.32	Applicant	<p>Req. 13. [APP-005] provides for a CEMP [APP-081] to be prepared and approved. (The heading states 'environment'; in Art. 2 it is defined as 'environmental'.) It states that the CEMP must include a Code of Construction Practice (CoCP).</p> <p>Various references in the Scoping Report (Annex A) [APP-062] state that a CoCP will be developed for the project and outline some of the core elements, but these have not been addressed in Req. 13.</p> <ul style="list-style-type: none"> • Ensure that all relevant measures included within the Mitigation Summary Table (17.1) [APP-059] including air quality and stipulated within the ES are addressed within the CEMP. • Req. 13 refers to approval by the relevant planning authority in consultation with the relevant highway authority. Why is there no reference to the EA when the EA is identified in paragraph L5 of the CEMP as a consultee? • Explain the relationship between the CEMP and the CoCP. • Should monitoring be included in the list of measures to be included within the CEMP/CoCP in Req. 13 (2)? • How does the SWMP [APP-068] relate to Req. 13? • A CEMP is required which 'accords with the principles' set out in the draft CEMP. Requirements in other DCOs have used the phrase 	<p>The Applicant has amended 'environment' to 'environmental'.</p> <p>The bullets from the question (underlined) are dealt with in turn below:</p> <p><u>Ensure that all relevant measures included within the Mitigation Summary Table (17.1) [APP-059] including air quality and stipulated within the ES are addressed within the CEMP.</u></p> <p>The framework CEMP [APP-081] has been updated accordingly.</p> <p>The updated framework CEMP (version 2) [APP-081] has been submitted for Deadline 2 of the Examination.</p> <p>Working hours as outlined in the draft DCO [APP-005] was discussed with the RCBC Planning Officer on 14th September 2017, and accepted.</p> <p><u>Req. 13 refers to approval by the relevant planning authority in consultation with the relevant highway authority. Why is there no reference to the EA when the EA is identified in paragraph L5 of the CEMP as a consultee?</u></p> <p>Please refer to the draft SoCG with the EA (Application Document Ref: 7.4) for the latest position in respect of the CEMP.</p> <p>A CoCP will be prepared following the DCO for approval as per Requirement 13 of the draft DCO [APP-005]:</p> <p><i>"No phase of the authorised development may commence until a CEMP relating to that phase, which accords with the principles set out in the draft CEMP contained in Annex L of the environmental statement (document 6.3.19) has been submitted to and approved in</i></p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
		<p><i>'substantially in accordance with'</i>. Is there a material difference between these phrases?</p> <ul style="list-style-type: none"> • Req. 13 (2)(a)(ii) refers to the need to minimise the impacts of construction works addressing noise. Table L2.3 of APP-081 also refers to measures designed to minimise the noise impacts of construction activities. Please provide clarification as to the measures required. • The EM [APP-006] states in relation to Req. 13 that the Council confirmed on 14 September 2017 that the hours of construction were acceptable. Please provide evidence of the Council's support. In addition, confirm that any departures from normal construction hours permitted by Req.13 (2) (iv) would not result in any likely significant effects on the environment beyond those assessed in the ES 	<p><i>writing by the relevant planning authority in consultation with the relevant highway authority"</i></p> <p>The CEMP has been updated further aligning the Mitigation Summary table with the CEMP.</p> <p>The framework CEMP [APP-081] has been updated further aligning the Mitigation Summary table with the CEMP. The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.</p> <p><u>Explain the relationship between the CEMP and the CoCP.</u></p> <p>The aim of the CEMP is to provide a high level plan for addressing potential foreseeable construction related issues and potential options to mitigate those issues. The CoCP will be aligned with the CEMP but offers a much more detailed and robust methodology, focussing on Contractor driven mitigation measures. The CoCP will be developed following the appointment of an EPC contractor.</p> <p><u>Should monitoring be included in the list of measures to be included within the CEMP/CoCP in Req. 13 (2)?</u></p> <p>The Framework CEMP has been deliberately designed to be high level and is proposed to be expanded in the detailed CEMP and CoCP. Monitoring will be completed during the construction works in line with good standard practice and to address foreseeable potential nuisances common to construction sites.</p> <p>As this is a key element of the CEMP it has been added into Requirement 13(2). An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p> <p><u>How does the SWMP [APP-068] relate to Req. 13?</u></p> <p>The SWMP is a pivotal plan to maximise the re-use of materials on site, allow the segregation of waste, and appropriate measures to reduce the potential for the generation of waste. The CEMP and SWMP should be considered as complementary documents, but the SWMP is a separate standalone document which must be submitted to the relevant planning authority and approved pursuant to Requirement 14. It will complement the CEMP and build on the principles and procedures set out in the framework CEMP and will be cross referenced in the detailed CEMP</p> <p><u>A CEMP is required which 'accords with the principles' set out in the draft CEMP. Requirements in other DCOs have used the phrase 'substantially in accordance with'. Is there a material difference between these phrases?</u></p> <p>This wording was also used in the Knottingley Power Plant Order. The framework CEMP [APP-081] presents a framework for the detailed CEMP rather than a full detailed draft, so the Applicant considers this phrase is more appropriate.</p> <p><u>Req. 13 (2)(a)(ii) refers to the need to minimise the impacts of construction works addressing noise. Table L2.3 of APP-081 also refers to measures designed to minimise the noise impacts of construction activities. Please provide clarification as to the measures required.</u></p> <p>The updated CEMP provides further noise reduction factors consistent with good practice measures on construction sites. The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination</p> <p><u>The EM [APP-006] states in relation to Req. 13 that the Council confirmed on 14 September 2017 that the hours of construction were acceptable. Please provide evidence of the Council's support. In addition, confirm that any departures from normal construction hours permitted by Req.13 (2) (iv) would not result in any likely significant effects on the environment beyond those assessed in the ES</u></p> <p>Departures for the normal construction works would be assessed following consultation and approval of the local authority and other relevant statutory consultees. The potential impact to the environment would be assessed, appropriate mitigation measures designed (in line with Best Practical Means) and approved by the local authority.</p> <p>Departures from the normal construction hours would be considered only after other options had been exhausted or on the grounds of emergency works, safety or public nuisance (e.g. abnormal loads affecting the local infrastructure).</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
Q1.3.33	Applicant	<p><u>Req. 14.</u> [APP-005] addresses the framework SWMP and the scope is set out in Req. 14 (2). Is the scope of the framework SWMP adequate or should it also include proposals for the monitoring, auditing and review of waste?</p>	<p>Under the Waste Duty of Care and other relevant regulations, the monitoring and auditing of the waste will be completed. The anticipated approach for the Audit Monitoring and Review are presented in the Framework SWMP [APP-068] – Section D1.5 Full details will be presented in the Construction SWMP, once complete, following the appointment of an EPC</p> <p>The Applicant has updated Requirement 14(2) to refer to monitoring measures.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.34	Applicant Redcar and Cleveland Borough Council	<p><u>Req. 15.</u> [APP-005] uses a variety of terminology including 'traffic management and travel plan', 'construction traffic management and travel plan', and 'traffic management plan'. Annex I2 [APP-078] is referenced as a 'construction transport management plan'.</p> <ul style="list-style-type: none"> • Please ensure that where appropriate there is consistency in terminology and where there are different documents that these are clearly identified. • With reference to abnormal indivisible loads (AIL), is this a term which needs defining as it has in other DCOs? • As set out in the EM [APP-006] with regard to Req. 15, the Council's position expressed during discussions on 14 September 2017 was that there is no need for a requirement to cover operational traffic. If this position is correct, why does the Council not seek to control parking or require an operational travel plan in order provide demand management measures to mitigate transport impacts as paragraph 5.13.4 of National Policy Statement EN-1 advises? • Req. 15 provides for a travel plan to be prepared for the construction phase of the Proposed Development. Section I5 of the draft Construction Traffic Management Plan (CTMP) [APP-078] sets out some very broad headings for a workers travel plan. Should this be a standalone framework document with a broader outline of its requirements in line with the advice in paragraph 5.13.4 of National Policy Statement EN-1? • The draft CTMP indicates a willingness by the applicant to work with respective applicants of other schemes to co-ordinate construction programmes (paragraph 1.53 of the CTMP). Should this also be referred to in Req. 15 (2) as one of the minimum measures to be included in the final CTMP? 	<p>The bullets from the question (underlined) are dealt with in turn below:</p> <p><u>Please ensure that where appropriate there is consistency in terminology and where there are different documents that these are clearly identified.</u></p> <p>The Applicant has amended the terminology so it is consistent.</p> <p><u>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</u></p> <p><u>With reference to abnormal indivisible loads (AIL), is this a term which needs defining as it has in other DCOs?</u></p> <p>We have included a sub-section 4 which confirms the meaning is as set out in the Road Vehicles (Authorisation of Special Types)(General) Order 2003.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p> <p><u>As set out in the EM [APP-006] with regard to Req. 15, the Council's position expressed during discussions on 14 September 2017 was that there is no need for a requirement to cover operational traffic. If this position is correct, why does the Council not seek to control parking or require an operational travel plan in order provide demand management measures to mitigate transport impacts as paragraph 5.13.4 of National Policy Statement EN-1 advises?</u></p> <p>The Proposed Development is privately owned, operational parking will be on this land, there are no buses that serve the Proposed Development and there is no pedestrian access so operational parking will be required.</p> <p><u>Req. 15 provides for a travel plan to be prepared for the construction phase of the Proposed Development. Section I5 of the draft Construction Traffic Management Plan (CTMP) [APP-078] sets out some very broad headings for a workers travel plan. Should this be a standalone framework document with a broader outline of its requirements in line with the advice in paragraph 5.13.4 of National Policy Statement EN-1?</u></p> <p>Paragraph 5.13.4 of NPS EN-1 states that:</p> <p><i>"Where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts."</i></p> <p>The Application includes a worker travel plan (hereafter referred to as a 'framework construction travel plan') at Section I5 of the draft Construction Traffic Management Plan ('CTMP') comprising Annex I2 of the ES [APP-078]. The framework travel plan includes detail relating to public transport, walking and cycling, in accordance with paragraph 5.13.4 of NPS EN-1.</p> <p>Requirement 15 of the draft DCO [APP-005] secures submission of a detailed 'construction traffic management and travel plan'. Parts (1) and (2) of Requirement 15 state the following:</p> <p><i>"(1) No phase of the authorised development may commence until a construction traffic management and travel plan relating to that phase has been submitted to and approved in writing by the relevant planning authority.</i></p> <p><i>(2) The plan referred to in sub-paragraph (1) must be based on the draft traffic management and travel plan contained in Annex I2 of</i></p>

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			<p><i>the environmental statement and must address construction traffic to and from the site...</i></p> <p>The above ensure that, amongst other things, the framework construction travel plan contained within Annex I2 of the ES are carried forward into the more detailed plan secured by Requirement 15. It is acknowledged that the travel plan will form part of a broader construction traffic management and travel plan; however, it should be noted that paragraph 5.13.4 of NPS EN-1 does not state that the construction travel plan should be a standalone document, in framework on detailed form. The Proposed Development therefore complies with the policy in this respect.</p> <p><u>The draft CTMP indicates a willingness by the applicant to work with respective applicants of other schemes to co-ordinate construction programmes (paragraph 1.53 of the CTMP). Should this also be referred to in Req. 15 (2) as one of the minimum measures to be included in the final CTMP?</u></p> <p>The draft CTMP does consider co-ordination of construction programmes with other schemes, but the list in requirement 15(2) is not exhaustive, it states the CTMP <i>"must address construction traffic to and from the site, including details of..."</i></p> <p>The Applicant does not therefore consider it necessary to include co-ordination in the list at Requirement 15(2).</p>
Q1.3.35	Applicant	<u>Req. 16.</u> [APP-005] Should approval also be subject to consultation with the lead local flood authority?	In this particular case, RCBC are the lead local flood authority and therefore there is no need for a separate reference in the requirement.
Q1.3.36	Applicant	<p><u>Req. 17.</u> [APP-005] The EM [APP-006] indicates that there is no need to fit aviation warning lighting on the main stacks because such lighting is not necessary on the basis that there are no other stacks on the Wilton International site with warning lights.</p> <p>What are the appropriate standards for lighting of tall structures and has this approach been discussed with appropriate authorities such as the Ministry of Defence and the Durham Tees Airport and the CAA? In responding, please make reference to National Policy Statement EN-1.</p>	<p>The appropriate standards are Section 222 of the Air Navigation Order 2016 which states in 222 that en-route obstacles should be fitted with medium intensity steady red lights positioned as close as possible to the top of the obstacle if the "en-route obstacle" (i.e. any building, structure or erection) the height of which is 150 metres or more above ground level. As the Stacks will be a maximum height of 75m then then aviation warning lighting is not required.</p> <p>Furthermore the airspace above the Wilton International Site is "controlled airspace" CTA (controlled) between 3000-6000ft and the MOD do not conduct low flying training in this airspace.</p> <p>In addition, a 75m stack will not be the tallest structure to have existed on Wilton International Site and no structures have ever had aviation warning lighting fitted.</p> <p>The MOD, Durham Tees Valley Airport and the Civil Aviation Authority ('CAA') were statutory consultees. Importantly, the Applicant's Deadline 2 submission for the Examination includes a signed and fully agreed SoCG with the CAA (Application Document Ref: 7.6), including in respect of the Applicant's proposed approach to aviation warning lighting.</p> <p>The CAA have confirmed that aviation lights that if an en-route obstacle is 150 metres or more, then it should be lit, unless an exemption is granted.</p> <p>The above is consistent with the relevant parts of paragraphs 5.4.10 to 5.4.13 in the NPS EN-1.</p>
Q1.3.37	Applicant Redcar and Cleveland Borough Council	<p><u>Req. 18.</u> [APP-005] provides for a fire prevention method statement.</p> <p>Does this requirement duplicate other legislation or guidance?</p> <p>Is it appropriate that fire suppression measures and fire appliances are maintained to the reasonable satisfaction of the relevant planning authority. Please explain further why Req. 18 is necessary.</p>	<p>The Applicant has decided to remove this requirement from the draft DCO because it would be duplication and is not required.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.38	Applicant	<p><u>Req. 20.</u> [APP-005] makes reference to the western and southern acoustic walls.</p> <p>How do the terms '<i>fully reinstated</i>' and '<i>necessary works</i>' ensure that the acoustic walls achieve their objectives / meet an appropriate standard?</p>	<p>The 'Western Acoustic Wall' was a structure that was present during the operation of the former Teesside Power Station. This structure was removed during demolition of the former power station, but will be rebuilt, hence the term "reinstated". The Applicant has decided to avoid confusion to replace "reinstated" with "rebuilt".</p> <p>The Western Acoustic Wall will be designed (after technology selection) to contribute to the overall noise mitigation to ensure the far</p>

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		How can the western wall be fully reinstated when it has not previously existed?	<p>field noise limit is met and rebuilt in the same position as the original wall.</p> <p>In addition the already constructed South Acoustic Wall will be incorporated into the plant design (after technology selection) as part of the overall noise mitigation to ensure the far field noise limit is met. The DCO requires any necessary works to be carried out to the existing wall to bring it up to standard.</p> <p>The acoustic walls will be constructed in accordance with the details approved by the relevant planning authority.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.39	Applicant	<p><u>Req. 21.</u> [APP-005]</p> <ul style="list-style-type: none"> Why does the term '<i>commercial</i>' precede use in (1)? Why is the phrase 'unless otherwise agreed with the relevant planning authority' included in (5)? How does the 'CHP review' in Req. 21 relate to the definition of 'CHP assessment' in Req. 1, the latter not appearing to be used in Req. 21? 	<p>The reference indicates operations post-commissioning. The Applicant has amended this terminology to "operation" instead of "commercial use" to be consistent with the DCO drafting.</p> <p>This wording allows the Applicant to agree different timescales than those set out in the CHP review which has been approved as there may be good reasons to amend those timescales.</p> <p>The CHP Assessment has been submitted with the application and states that there is currently no demand for CHP in the vicinity of the Project.</p> <p>The CHP review will reassess the demand for CHP and update the CHP assessment.</p> <p>This is set out in Requirement 21(3) where CHP assessment is used.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.40	Applicant Redcar and Cleveland Borough Council	<u>Req. 29.</u> [APP-005] addresses employment and skills. Should it be extended to support local tendering as part of a local economic benefit requirement?	<p>The Applicant and RCBC have agreed the broad outline of a Section 106 agreement which is currently being re-drafted by RCBC.</p> <p>The Section 106 includes provision to ensure opportunities for local businesses by providing a monetary contribution to RCBC Supplier Development programme which aims to deliver events, workshops and coaching sessions to local businesses to achieve the requisite standards to supply the Developer and its primary contractors with goods and services.</p> <p>On this basis the Applicant does not believe the requirement needs to be extended as it does not need to duplicate something secured by planning obligation.</p>
Q1.3.41	Applicant Redcar and Cleveland Borough Council Applicant Health and Safety Executive	<p><u>Req. 30.</u> [APP-005] Please explain why it is necessary to include this bespoke requirement relating to safety.</p> <p>In the light of the Relevant Representation of the Health and Safety Executive ('HSE') [RR-011] please consider the suggestion about consultation in this Requirement and provide alternative wording for Req. 30.</p>	<p>This was inserted in response to HSEs consultation response and reflects the nature of the wider Wilton International Site, which has a number of different companies manufacturing a wide range of chemicals.</p> <p>In light of HSEs relevant representation, the Applicant has removed reference to consultation from this requirement.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.42	Applicant Redcar and Cleveland Borough Council Health and Safety Executive	<p><u>Req. 31.</u> [APP-005] Please explain why it is necessary to include this bespoke requirement relating to accident and emergency response.</p> <p>If such a requirement is necessary, is it appropriate to leave the emergency response plan for future approval? In addition, should it be subject to consultation with other bodies?</p>	<p>An accident or emergency on the Authorised Development has implications for the wider Wilton International Site, which is why this requirement has been included.</p> <p>The Applicant has amended the draft DCO so that the plan must be implemented prior to commencement of development.</p> <p>The Applicant is satisfied the relevant planning authority is the appropriate body to consider and approve the emergency response plan,, which will be in line with other procedures/plans affecting assets already operated by the Applicant.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.3.43	Applicant	Paragraph 1.27 of the Planning Statement [APP-036] states that the DCO	There mitigation measures proposed as part of the Project are set out in ES Volume 1, Chapter 17 [APP-059]. All are embedded in the

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		[APP-005] does not include a development consent obligation as the EIA has not identified the need for mitigation in order to make it acceptable in planning terms. Please explain.	design of the Proposed Development or secured by requirements forming part of the draft DCO [APP-005]. Paragraph 1.27 of the Planning Statement [APP-036] states the EIA of the Proposed Development has not identified the need for mitigation 'in addition to that which is embedded in its design or would be secured by requirements'. It follows that a development consent obligation has not been considered necessary for the purpose of securing mitigation measures.
Q1.3.44	Applicant	Paragraph 7.9 of the Planning Statement [APP-036] indicates that the requirements ensure that the relevant planning authority has control over the final design of the proposed development in relation to a range of matters including the highway accesses. As the connection to the highway is outside of the Project site boundary please explain how this is the case.	It is acknowledged that the point of access to the A1053 is located outside of the Order limits. The statement at paragraph 7.9 is intended to refer to having control in terms of detail relating to: <ul style="list-style-type: none"> • arrangements for vehicular access to and egress from the Site during the construction of the authorised development; and • any permanent arrangements for vehicular access to and egress from the Site (including any associated directional signage). The above are secured by parts 1(a) and 1(b) of Requirement 8 (Highway accesses) forming part of the draft DCO [APP-005].
Q1.3.45	Redcar and Cleveland Borough Council	<u>Schedule 2</u> [APP-005] sets out the procedure for the discharge of Requirements, as described in section 6.4 of the EM [APP-006] which places various responsibilities upon the relevant planning authority. Does the Council wish to comment on these procedures?	
Q1.3.46	Applicant	<u>Explanatory Note</u> . [APP-005] Why is there a reference to tolerance of up to 5% in the Explanatory note instead of the DCO itself? Why is a Book of Reference referred to?	The Applicant has removed references to the 5% tolerance and the book of reference. An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.
4 Economic and Social Effects			
Q1.4.1	Redcar and Cleveland Borough Council Applicant	Table 13.1 of the Environmental Statement (ES) [APP-055] indicates that mitigation measures such as skills and training programmes would promote local employment. Are skills and training programmes appropriately addressed through the DCO [APP-005]?	Yes. Requirement 28 requires an employment and skills plan to be submitted and approved. This plan must detail arrangements to promote employment and skills development opportunities for local residents associated with the authorised development. It must be implemented throughout construction and operation. In addition, the Applicant and RCBC have agreed the broad outline of a Section 106 agreement which is currently being drafted by RCBC, as previously stated. The Section 106 includes provision to ensure opportunities for local businesses by providing a monetary contribution to RCBC Supplier Development programme which aims to deliver events, workshops and coaching sessions to local businesses to achieve the requisite standards to supply the Developer and its primary contractors with goods and services.
Q1.4.2	Applicant Redcar and Cleveland Borough Council	As set out in paragraph 13.14 of the ES [APP-055] Policy CS4 of the Redcar and Cleveland Borough Council (RCBC) Core Strategy states that the Council will ' <i>develop energy industries...focused on hydrogen and renewable energy</i> '. The applicant also states that the project is not renewable but is lower in emissions than traditional coal fired power stations. Please comment on the project's compliance or otherwise with Policy CS4.	Policy CS4 (Spatial Strategy for South Tees Employment Area) states, amongst other things, that in respect of the economy the Council and its partners will aim to: <i>"Develop energy industries including a Fuel Cell Application Centre centred on Wilton, focused on hydrogen and renewable energy"</i> The above statement, whilst specifically mentioning hydrogen and renewable energy, is generally supportive of energy industries. It is the Applicant's interpretation that 'energy industries' extends to the development of a new gas-fired power station with the potential to provide combined heat and power to the wider area in the future. It should also be noted that the supporting text to Policy CS4 states, amongst other things, that the South Tees area continues to provide a key driver in the Tees Valley economy providing a wide range of skilled employment opportunities.

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			<p>The Proposed Development will support sustainable economic growth through the provision electricity generating capacity, for which there is a confirmed need, enhancing the security and diversity of UK energy supplies. The provision of secure energy supplies that are resilient to potential supply disruptions is critical to economic growth. It will generate substantial employment during the construction phase and a significant number of permanent operational jobs, creating both direct and indirect benefits for the local and regional economy.</p> <p>The above demonstrates compliance of the Proposed Development with Policy CS4.</p>
Q1.4.3	Applicant Redcar and Cleveland Borough Council	<p>As set out in paragraph 13.16 of the ES [APP-055] Policy CS10 of the Core Strategy concerns steel, chemical and port related industries. The applicant considers that the proposed use is of a similar classification as those identified within Policy CS10.</p> <p>Please comment on the project's compliance or otherwise with Policy CS10. Can the applicant also update Table 5.4 of the Planning Statement [APP-036] which omits reference to Policy CS10.</p>	<p>Reference to Policy CS10 is included at paragraph 13 of the ES Volume 1, Chapter 13 [APP-055] on the basis that it was raised by RCBC as being a relevant policy during consultation – see Table 13.5 of Chapter 13.</p> <p>Paragraph 13 of the ES acknowledges that Policy CS10 does not include specific support for what could be described as 'energy uses', but rather that the policy supports the continued development and expansion of the chemical, steel and port industries in the area. On this basis, paragraph 13 merely notes that:</p> <p><i>"the proposed use is considered to be of a similar classification as those identified within CS10, and as such it is considered by the applicant that the proposed land use is appropriate."</i></p> <p>The above is considered to be a fair statement, on the basis that the Proposed Development is not in conflict with Policy CS10 and the general appearance and potential environmental effects of a new power station could be considered comparable to steel, chemical and port related industries.</p> <p>For the purposes of the Planning Statement [APP-036], it is considered that Policy CS10 is not of direct relevance to the Proposed Development and, notwithstanding that the policy is mentioned in the ES, it is not necessary to update Table 5.4.</p>
Q1.4.4	Applicant Redcar and Cleveland Borough Council	In paragraph 13.17 of the ES [APP-055] reference is made to Policy LS4 of the Draft Publication New Local Plan. What weight should be attached to this emerging policy?	<p>Paragraph 3.41 of the Planning Statement [APP-036] states that :</p> <p><i>"RCBC is currently preparing a 'New Local Plan' to replace the saved policies of the 1999 Local Plan and the above Development Plan Documents. The Plan is at a relatively advanced stage and has been submitted to the Secretary of State for examination. It is likely that that the Plan will be adopted in 2018."</i></p> <p>The situation has progressed since the Planning Statement was prepared, in that the RCBC website confirms that on 23 March 2018 RCBC received the Inspectors Report into the Examination of the New Local Plan, which concludes that the Plan provides an appropriate basis for planning in the Borough, provided the recommended main modifications are made.</p> <p>It follows that, on the basis of the advanced status of the Plan, it (and the relevant policies contained therein) is considered to comprise an important and relevant consideration; although less so than adopted policies contained within the Statutory Development Plan.</p> <p>Notwithstanding the above, in the event of any conflict between a National Policy Statement ('NPS') and a local development plan document (adopted or draft), the NPS prevails for the purpose of SoS decision-making, given the national significance of the Proposed Development.</p>
Q1.4.5	Applicant Redcar and Cleveland Borough Council Tees Valley Combined Authority	Paragraph 13.18 of the ES [APP-055] states that the site is within the Tees Valley Enterprise Zone. Please explain the implications of this for the proposed development.	We can confirm that this is incorrect. There are five development plots on the Wilton International Site which are part of the Tees Valley Enterprise Zone, but not the Site.

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Q1.4.6	Redcar and Cleveland Borough Council	Does the Council accept the assumptions made in paragraph 13.44 of the ES [APP-055] regarding the multipliers for indirect and induced jobs?	
Q1.4.7	Applicant	How will the applicant ensure that its contractors provide training for employees as set out in paragraph 13.80 of the ES [APP-055]? How will this be secured through the DCO [APP-005]?	<p>The ES starts that <i>"Sembcorp will ensure that its contractors provide training to their employees, as required, so that they are capable of undertaking the work safely and to high technical standard."</i></p> <p>Requirement 29 of the draft DCO [app-005] addresses safety and ensures an assessment has been carried out and approved by the relevant planning authority.</p> <p>A fundamental to setting the right safety standard on site is maintaining suitably qualified and educated personnel. So, training will be contractually obliged to be provided by the EPC Contractor for basic site induction (setting minimum health and safety standards, and site familiarization to ensure employees are aware of the project deliverables). HSE training will further be provided for specialist skills, such as confined space training, training on use of tools and lifting equipment, material and chemical handling training, etc. as required to maintaining an informed and skilled workforce. Furthermore, via the aforementioned section106 agreement, SCU will be committed to provide training to locals via a well-established scheme.</p> <p>Ultimately the requirement to ensure that its contractors provide training for employees is covered under prescriptive legislation and guidance such as Health and Safety at Work Act 1974 and the Construction (Design and Management) Regulations 2015 therefore we do not propose to secure this through the DCO.</p>
Q1.4.8	Applicant Redcar and Cleveland Borough Council	<p>How will contractors and sub-contractors be actively encouraged to adopt local procurement policies as set out in paragraph 13.82 of the ES [APP-055]? Is encouragement enough?</p> <p>Paragraph 13.85 states that the EPC contractor will be incentivised to procure locally/regionally. How would this be secured.</p>	<p>SCU has a policy of where possible to encourage contractors and sub-contractors to procure locally/regionally in line with our current operations at the Wilton International Site. However, it must be noted that SCU is also currently obligated under Article 45 TFEU the free movement of goods, services, labour and capital; therefore, we do not intend to secure our intent in the DCO.</p>
Q1.4.9	Applicant Redcar and Cleveland Borough Council	The applicant recognises the importance of recruitment campaigns reflecting the skills set of the surrounding area and intends to work with RCBC's Routes to Employment Service to maximise local opportunities as set out in paragraph 13.108 of the ES [APP-055]. Would Req. 29 [APP-005] address the matter adequately?	<p>SCU and RCBC have agreed the broad outline of a Section 106 agreement which is currently being re-drafted by RCBC, as previously stated.</p> <p>The Section 106 will include provision to maximise job opportunities for those not in work or who live in deprived communities by providing a monetary contribution to RCBC Routeway which aims to engage and prepare residents for opportunities during the construction phase of the plant, specifically for the planning and delivery of routeways, to provide initial training and upskilling for residents of Redcar and Cleveland, in basic construction and specific vocational skills.</p>
Q1.4.10	Applicant Redcar and Cleveland Borough Council	The applicant intends to develop a policy to manage tendering and sub-contracting for service and supply contracts to source personnel locally as set out in paragraph 13.111 of the ES [APP-055]. How would this be secured through the DCO [APP-005]?	<p>Requirement 29 of the draft DCO requires an employment and skills plan which will detail arrangements to promote employment opportunities associated with the authorised development</p> <p>Sembcorp have a policy to manage tendering and sub-contracting for service and supply contracts to source personnel locally /regionally in line with our current operations at Wilton. However it must be noted the Sembcorp are also currently obligated under Article 45 TFEU the free movement of goods, services, labour and capital, therefore as such we do not intend to secure our intent in the DCO.</p>
Q1.4.11	Applicant	Please explain how the regional operational employment multiplier and regional employment loss to leakage in Tables 13.8 and 13.9 of the ES [APP-055] were determined.	<p>As stated in paragraph 13.98 an operational multiplier of 0.104 shown within Table 13.8 was selected as the most appropriate from those presented within BIS Research to Improve the Assessment of Additionality, using the Capital Projects category which applies to projects relating to 'land reclamation and development in order to bring mostly vacant or derelict land back into economic use'.</p> <p>Using this multiplier a regional leakage of 6.2 shown in Table 13.9 [APP-055] was calculated by multiplying the operational regional multiplier by the number of operational job proposed.</p>

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Q1.4.12	Applicant	Please clarify the last sentence of paragraph 13.118 of the ES [APP-055] which states that 'provisionally' the project will not generate new risks for the Ensus site.	CCGT plants typically do not generate risks that extend beyond the plant boundary. However, as the power generation technology provider has not been selected and as such the detailed design of the plant has not been undertaken, to distinguish that fact the we have used the word "provisionally" The Applicant has been in communication with Ensus. It is "provisionally" considered that the Project will not generate new risks for Ensus, however as the Project is within a COMAH 'consultation zone', Ensus will be required to update their safety report and identify any possible risks. Please note that previously Ensus safety report took into consider the former Teesside Power Station when it was in situ.
Q1.4.13	Applicant	It is indicated in section 13.4.6 of the ES [APP-055] that suitable mitigation will reduce, remove or compensate for significant adverse effects. Please demonstrate in tabular form how it is proposed to mitigate socio-economic impacts through the DCO [APP-005].	The Project is only anticipated to result in beneficial socio-economic effects and therefore there are no adverse effects to mitigate and secure through the DCO.
Q1.4.14	Redcar and Cleveland Borough Council	Paragraph 13.75 of the ES [APP-055] indicates that the regional economy would benefit from the creation of 98 jobs during the construction of the scheme in a single phase and paragraph 13.101 indicates a net employment gain of 247 jobs during the operational phase. Set out the extent to which this assessment is agreed by the Council, identifying any areas where you disagree with the analysis and providing reasons. In the Council's Relevant Representation [RR-008] reference is made to 80 permanent jobs. Please explain the basis of this comment.	
5 Environmental Impact Assessment			
Q1.5.1	Applicant	Please provide a comprehensive list of abbreviations used in the Environmental Statement (ES) [APP-042].	The Applicant has submitted a detailed list of abbreviations for Deadline 2 of the Examination (Application Document Ref: 8.9).
Q1.5.2	Applicant	Chapter 1 of the ES [APP-043] lists Annex E as including Annex E.1, Air Quality Modelling Results, with Annex E2 comprising the Stack Height Assessment and Annex E3 the Greenhouse Gas Statement. However the air quality modelling appears to be provided in Chapter 7 [APP-049] and in Annex G1 [APP-073] whilst Annex E1 provides the Stack Height Assessment and Annex E2 the Greenhouse Gas Statement. Please confirm that no documents are missing in relation to these matters.	No documents are missing from the ES – Chapter 1, paragraph 3.1 of the ES should list: <ul style="list-style-type: none"> Annex E, Air Quality; Annex E.1, Stack Height Assessment; and Annex E.2, Greenhouse Gas Statement.
Q1.5.3	Applicant	The ES does not adopt a consistent approach to how significance has been derived. For example, it is stated in paragraph 11.21 of the ES [APP-053] that in accordance with the EIA Regulations, major and moderate impacts are judged to be significant whereas minor and negligible impacts are considered to be not significant. However, in paragraph 13.48 [APP-055] it is stated that effects of minor significance and above are considered to be significant for the purposes of the socio-economic assessment and the EIA Regulations. Paragraph 3.68 of the ES [APP-045] records that the residual effects and their significance are based on the Project as planned and designed fully inclusive of all proposed mitigation. However, this approach does not identify the significance of effects prior to mitigation which is necessary to assess the effectiveness of proposed mitigation. For each technical chapter of the ES the applicant should: <ul style="list-style-type: none"> Confirm the level of significance that is considered to be 'significant' 	The different approaches to significance are not a matter of inconsistency but rather differences between technical topics on how the matter is addressed, some of which stem from the guidance of professional bodies for such topics. As noted in Figure 3.3 [APP-045]: <i>"In predicting magnitude the effect of all the project mitigation in place (i.e. committed to by Sembcorp) will be taken into account. For some impacts, especially noise, air and water pollution, significance can be assessed directly against numerical criteria and standards. For exceedances, further mitigation must be incorporated by the project to reduce the magnitude of the impact (and the significance of its effect)."</i> The figure also states: <i>"In the absence of quantified standards, significance can be evaluated through considering the magnitude of an impact in combination with the importance/quality/value of the receptor or resource that is affected, also considering the response (or sensitivity) of a resource or a receptor to a particular impact. Effects of more than minor significance may warrant re-examination to see if an impact magnitude can be reduced further."</i> The figure includes the caveat:

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		<p>in EIA terms; and</p> <ul style="list-style-type: none"> Provide a table which identifies the significance of effects prior to mitigation and confirms the overall significance of residual effects. 	<p><i>"While the above provides a general framework for identifying impacts and assessing the significance of their effects, in practice the approaches and criteria applied across different environmental and socio-economic topics vary."</i></p> <p>The Institute of Environmental Management and Assessment ('IEMA') Guide to Shaping Quality Development' (2015) states that:</p> <p><i>"primary and tertiary mitigation* should be included in the project description and can be taken as read in assessing effects. The basis for the EIA should be that both these forms of mitigation definitely will be delivered: thus, any effects that might have arisen without these forms of mitigation do not need to be identified as 'potential effects', as there should be no potential for them to arise"</i>.</p> <p>The EIA and ES has adopted this approach and has therefore not reported the significance of effects in the absence of mitigation where mitigation has been committed to and is incorporated fully into a project in terms of its design, construction working methods and operational management practices. Nonetheless, to add some further clarification, an extra column has been added to Table 17.1 [APP-059] to confirm the mitigation type and how this has been factored into the technical assessments.</p> <p><i>*"Primary mitigation is an intrinsic part of the project design – it should be described in the design evolution narrative and included within the project description. For example, reducing the height of a development to reduce visual impact"</i>.</p> <p><i>"Tertiary mitigation will be required regardless of any EIA assessment, as it is imposed, for example as a result of legislative requirements and/or standard sectoral practices. For example, considerate contractors practices that manage activities which have potential nuisance effects"</i>. (IEMA, 2015).</p>
Q1.5.4	Applicant Redcar and Cleveland Borough Council Natural England Environment Agency	<p>Table 3.6 of the ES [APP-045] identifies other developments which have been considered cumulatively with the proposed development for the cumulative effects assessment (CEA).</p> <ul style="list-style-type: none"> Confirm whether the scope of the CEA was agreed with relevant consultees. Are Redcar and Cleveland Borough Council (RCBC) Natural England (NE) and the Environment Agency (EA) content that all relevant developments have been considered in the cumulative assessment? With reference to paragraph 11.54 of the ES [APP-053] which records that developments within a 5km study area were considered for the cumulative assessment for the landscape and visual assessment, can the applicant confirm that no other plans/projects have been proposed since the Scoping Report was produced in February 2017 which could have cumulative landscape and visual effects upon the Proposed Development? 	<p>The scope of the CEA was presented within the Scoping Report (with reference to planning data supplied by RCBC). Consultee responses on the Scoping Report focussed on the how the CEA would be presented and the impact on the traffic assessment of the nearby York Potash Project which was included as part of the proposed developments to consider during Scoping. These comments were addressed within the subsequent Preliminary Environmental Impact Report ('PEIR') and ES. One proposed development was approved R/2017/0730/FFM and construction and operation of a plastic conversion facility at Wilton International Site between the Scoping Opinion and issue of the ES. The development is not EIA and so is assumed not to raise any concerns in regard to such matters as noise, emission to air or traffic. The height of the largest structure is less than 20 m and would not be visible to receptors and therefore would not be inter-visible with the Project. The scope for cumulative effects with the Project is judged to be low and would not change the overall conclusions on cumulative effects for any EIA topic.</p>
Q1.5.5	Applicant	<p>In Tables 3.4 and 3.5 of the ES [APP-045] references to cultural heritage/archaeology only address scheduled monuments. Why were other heritage assets, such as listed buildings and conservation areas not included?</p>	<p>The scope of cumulative effects assessment with respect to cultural heritage assets was based on the findings of the landscape and visual and cultural heritage joint site visit during the Scoping stage. As reported in paragraph 12.90, Chapter 12 of the ES [APP-054], the landscape and visual assessment concluded that there would be no significant cumulative effects except in relation to Eston Nab Scheduled Monument, where the cumulative magnitude of change was assessed to be small, the overall effect minor but not significant. There would be no significant cumulative effects on listed buildings or conservation areas and hence they are not included in Tables 3.4 and 3.5.</p>
Q1.5.6	Applicant	<p>In the ES, [APP-042] Planning Statement [APP-036] and in various other documents reference is made to Scenario 2 involving the construction of a second CCGT train 'within an estimated five years' from the completion of the first train.</p> <p>It is indicated that this scenario has been fully assessed within the ES but has</p>	<p>The Applicant can guarantee that construction of the second train will commence within five years from the completion of the first train and therefore it is not necessary to consider the possibility of the second train being delayed beyond five years.</p> <p>The DCO has been amended to secure delivery of the second train within 5 years of the date of first operation of the first train.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>

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		the ES considered the possibility of the second train being delayed beyond five years, say to eight or 10 years? If so, what are the implications, if not, why not?	
Q1.5.7	Applicant	Chapter 5 of the ES (Project Description) does not contain details of the works likely to be required for the decommissioning of the Proposed Development. Please indicate where this information is already provided or set out the necessary details.	<p>Paragraph 3.30 of Chapter 3 of the ES [APP-045] states that the Project will have a lifespan of at least 25 years and is not expected to result in any abnormal environmental conditions as a result of or following decommissioning.</p> <p>Decommissioning will involve returning the site to its pre-Project condition and will include similar activities to the construction phase of the Project, such as excavation of materials (e.g. made ground), removal of surface structures and crushing of concrete/brick, removal of foundation works and buried services etc. There will be some change in traffic patterns, which will be broadly similar to that expected for the construction phase.</p> <p>The technical topics of the ES include a description of the likely significant effects from decommissioning, which also incorporates some description of decommissioning activities, in the following sections:</p> <ul style="list-style-type: none"> • Section 6.4.5 and Table 6.18 of ES Chapter 6 Contaminated Land, Water Resources and Flood Risk [APP-048]; • Section 7.4.4 of ES Chapter 7 Air Quality [APP-049]; • Section 8.4.4 of ES Chapter 8 Noise [APP-050]; • ES Chapter 9 Ecology and Nature Conservation [APP-051] does not make explicit reference to decommissioning activities, but it is assumed that the effects would be similar to or less than the construction phase; • Paragraph 10.4, Section 10.1 of ES Chapter 10 Traffic and Transport [APP-052]; • Section 11.4.4 of ES Chapter 11 Landscape and Visual [APP-053]; • Section 12.4.6 of ES Chapter 12 Cultural Heritage [APP-054]; • Section 13.4.4 of ES Chapter 13 Socio-economic Characteristics [APP-055]; • Section 14.6.10 of ES Chapter 14 Health [APP-056]; and • Section 15.4.3 of ES Chapter 15 Major Accidents and Hazards [APP-057].
Q1.5.8	Applicant Redcar and Cleveland Borough Council	<p>Section 6.6 of the ES [APP-048] makes reference to a MMP (Materials Management Plan) and SCP (Sediment Control Plan).</p> <p>Please provide information about the scope of these documents, their relationship to the Site Waste Management Plan (SWMP) [APP-068] and how they would be secured through the DCO [APP-005]. Is it necessary for outline versions of these documents to be prepared during the Examination?</p>	<p>The SWMP presents an assessment of all wastes generated during the construction phase of the Project. The MMP specifically relates to the re-use of soils and crushed concrete on site. The SCP relates to the potential for erosion of soils during the construction period and stormwater events.</p> <p>It is not possible to develop the MMP and SCP without more detailed design work. However, the MMP and SCP will be completed as a requirement of the SWMP, and appended to SWMP once complete. Both documents will be 'live'.</p>
Q1.5.9	Applicant	<p>What activities associated with maintenance (routine and major overhaul) would be required for the proposed power station? Have these been set out in the ES? If so, please indicate where; if not, why not?</p> <p>Have all potential maintenance activities and works been assessed in the ES and HRA report?</p> <p>Would any likely significant effects occur as a result of maintenance works?</p>	<p>Maintenance Activities for the proposed power station would see some disassembly of large equipment (e.g. Removal of Turbine Top-Half Casings and Generator Rotor removal) undertaken on the plot within the Turbine Building. Medium size equipment (e.g. large pumps) would be removed from the plot for overhaul in specialist workshop. Day to day routine maintenance will be limited as the power station will be operation and turbine overhaul events are typically in 2 or 3 year intervals.</p> <p>The ES and HRA Report do not explicitly assess potential maintenance activities. However, all potential maintenance activities are similar but smaller in scale than corresponding construction activities for the Project. As such the impacts they lead to are smaller than and no different from the envelope of effects assessed for the ES. Therefore no likely significant effects will occur as a result of maintenance works.</p>
Q1.5.10	Applicant	Paragraph 11.4 of the ES [APP-053] describes the worst case scenario for maximum heights of the tallest structures as including 44m for the heat recovery steam generators and 23 m for the turbine halls. These heights conflict with Tables 5.3 [APP-047] and 7.6 [APP-049] of the ES (which are not consistent with each other), with the heights provided in Table 2.4 of the Design and Access Statement [APP-037] and those within the dDCO Req. 4 [APP-005].	<p>The Applicant is seeking a non-material change to the DCO to increase the potential, maximum heights of the turbine hall and HRSG buildings. The Applicant submitted a number of documents setting out the proposed non-material change to the Planning Inspectorate on 02 May 2018, including, where necessary, the amendments to the documents referred to by the ExA in Q1.5.10.</p> <p>For more information, please refer to paragraphs 2.10 to 2.22 in the Written Summary of Applicant's Oral Case – Issue Specific Hearing on the Scope of the Application 10 April 2018 submitted by the Applicant for Deadline 2 of the Examination (Application Document Ref: 8.7).</p>

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		Please confirm the maximum height as assessed in the ES and as currently envisaged if different.	
Q1.5.11	Applicant Redcar and Cleveland Borough Council	<p>Annex L of the ES [APP-081] presents a framework for the Construction Environmental Management Plan (CEMP) and Req. 13 of the dDCO provides for the submission of the detailed CEMP.</p> <ul style="list-style-type: none"> Please provide a contents page for the CEMP and confirm whether or not the document ends with paragraph L29. In comparison with framework CEMPs in other DCOs the Tees CCPP proposal is not comprehensive in its scope. The Applicant should update the CEMP to include all relevant mitigation measures stipulated in the ES. Please also give consideration to the inclusion of such matters as legal requirements, standards and policies, implementation (responsibilities, training and communication) complaints procedures, corrective and preventive action, emergency preparedness and process, management review and environmental management systems. Is the framework CEMP sufficiently detailed to provide confidence that the matters it addresses can be satisfactorily discharged at a later stage? Should good practice and the principles for monitoring and responsibilities be established at framework stage? Does the Management and Mitigation Plan (section 1.2.5) adequately reflect Table 17.1 of the ES [APP-059]: Mitigation Summary Table? Update the Mitigation Summary Table (Table 17.1) to cross reference each mitigation measure to the relevant paragraph in the framework CEMP. In revising Table 17.1 identify and distinguish between embedded mitigation measures and 'further' mitigation. (Previously suggested in the Scoping Opinion [APP-063].) Why does the Management and Mitigation Plan (section 1.2.5) not address air quality? Is the CEMP subject to a process for verification /sign-off when construction is complete such as the preparation of a Handover Environmental Management Plan as occurs in other DCOs? Does the framework CEMP meet the requirements of the relevant local planning authority in terms of construction management? 	<p>The Applicant has now included a Contents Page. The document did end with paragraph L29, however this document has now been extended.</p> <p>The following sections have now been included in the framework CEMP:</p> <ul style="list-style-type: none"> LEGISLATION, STANDARDS AND CODES OF PRACTICE; KEY LEGISLATION AND CURRENT STANDARDS; ENVIRONMENTAL MANAGEMENT ROLE OF SEMBCORP UTILITIES LTD; ENVIRONMENTAL MANAGEMENT ROLE OF THE CONTRACTOR; EXTERNAL COMMUNICATIONS; TRAINING; ENVIRONMENTAL MONITORING DURING CONSTRUCTION; INSPECTION AND AUDITING; and CONTINGENCY PLANNING FOR EMERGENCIES AND ENVIRONMENTAL INCIDENTS <p>An updated CEMP has been provided and has been updated to include additional details relating to good practice and monitoring. Further details will be presented in detailed CEMP and CoCP once complete.</p> <p>The CEMP has been expanded to include all mitigation measures presented in the Management and Mitigation Plan [APP-059]. Given that this is a framework CEMP it was deliberately high level with the view that the specific mitigation measures would be addressed in the final CEMP.</p> <p>Table 17.1 [APP-059] has been designed based on those mitigation measures presented at the end of each technical chapter. The mitigation measures in the CEMP have been developed based on the detail presented in Table 17.1. However the CEMP has now been expanded, as requested, to include specific mitigation measure that are considered to be good practice on construction sites. The overarching principles for each mitigation measure within the CEMP are contained within Table 17.1.</p> <p>Air quality is embedded in the text however a specific air quality section has now been included.</p> <p>On completion of the Project, the CEMP will form part of a Handover Environmental Management Plan. This has been included in the CEMP – Section L4.6.</p> <p>An updated CEMP has been provided and is believed to meet with the relevant construction management requirements, at this stage, of the project. Please note that a detailed CEMP and CoCP will be completed following the appointment of an EPC.</p> <p>The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.</p>
Q1.5.12	Applicant Redcar and Cleveland Borough Council Environment Agency	In paragraph L5 of Annex L [APP-081] reference is made to the detailed CEMP being agreed with Redcar and Cleveland Borough Council and the Environment Agency whilst paragraph L6 refers to the final scope also being determined by other relevant regulatory authorities. Which other authorities should be involved?	Redcar and Cleveland Borough Council.
Q1.5.13	Applicant	Paragraph L16 of Annex L [APP-081] states that the operational start date is Q1 2022 whilst paragraph 10 of the Planning Statement (Summary) [APP-036] states that the proposed development 'could' be operational by 2022. Section 5 of the Transport Assessment [APP-077] indicates that the predicted operational year is 2023. Please clarify.	<p>The current project plan, subject to grant of a DCO and final investment decision, has the plant operational in 2022.</p> <p>The Transport Assessment ('TA') [APP-077] uses the year of operation as 2023 as the model was run before the Project completion date was set. However, the TA is robust in that it represents a traffic baseline that is built cumulatively year on year – with 2023; therefore setting the traffic baseline slightly higher than 2022. The assessment therefore provides a robust assessment of transport impacts.</p>

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Q1.5.14	Redcar and Cleveland Borough Council	<p>Paragraph L16 of Annex L [APP-081] states that the size of the parking provision together with access and egress routes will be set out in the final CEMP. Paragraph L21 also indicates that designated routes for HGV movements and construction workers car movements will be provided in the CEMP.</p> <p>Are the Council content to leave these matters for later determination or should they be included in the framework CEMP based on material within the Transport Assessment [APP-077]?</p>	
Q1.5.15	Applicant Redcar and Cleveland Borough Council	Paragraph L16 of Annex L [APP-081] refers to a Considerate Constructors Scheme (CCS). Please provide details of the scope of this scheme and demonstrate how it would be secured through the DCO.	<p>The Considerate Constructors Scheme ('CCS') has been added to Requirement 13 (2) of the draft DCO [APP-005].</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.5.16	Applicant Redcar and Cleveland Borough Council	Section L2.5 of Annex L [APP-081] purports to set out mitigation and management measures to be included as a minimum in the CEMP. Some of the mitigation / enhancement measures are vague or simply a repetition of guidance whilst the monitoring requirements and responsibilities are not yet defined. Please provide greater clarity. In addition, how do these measures relate to the mitigation measures set out in Table 17.1 of the ES?	<p>The CEMP has been expanded to include all mitigation measures presented in the Management and Mitigation Plan. A consistency check has been completed cross checking Table 17.1 [APP-059] with the mitigation measures presented in the CEMP. Given that this is a framework CEMP it was deliberately high level with the view that the specific mitigation measures would be addressed in the detailed CEMP.</p> <p>The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.</p>
Q1.5.17	Applicant	In Table L2.6 of Annex L [APP-081] what is meant by a Precautionary Working Method Statement? How will this be secured through the DCO?	<p>An updated CEMP has been provided and the Precautionary Working Method Statement has been removed.</p> <p>The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.</p>
Q1.5.18	Applicant	Please identify the different colours used in ES Fig 5.1 'Sembcorp Plot on the Wilton International Site' [APP-047]. Present the table showing areas for each plot at a larger size and show the DCO site boundary.	The table is shown in drawing ref GIS-00-L-02668 (Application Document Ref: 8.21) submitted by the Applicant for Deadline 2 of the Examination.
Q1.5.19	Applicant	Please reproduce Figures 5.3 and 5.4 of the ES [APP-047] at a larger scale to provide greater clarity.	Please see the updated Figure 5.3 (Application Document Ref: 8.22) and Figure 5.4 (Application Document Ref: 8.23) submitted by the Applicant for Deadline 2 of the Examination.
Q1.5.20	Applicant Redcar and Cleveland Borough Council	<p>Monitoring of construction phase impacts would be undertaken in accordance with paragraph L2.8.1 and Tables L2.2-L2.10 of the draft CEMP [APP-081] with details of monitoring confirmed in the detailed versions of the CEMP, CTMP and SWMP.</p> <p>Please provide a description of the monitoring measures which are likely to be required in relation to each environmental topic during construction and operation. Where monitoring is not proposed, confirm that this is the position.</p> <p>Does the Council wish to comment on the scope of the monitoring?</p>	<p>Full details of monitoring can only be confirmed following the appointment of EPC contractor, however additional detail has now been presented in the CEMP which addresses the key topics within the ES for construction. The methods of working have yet to be determined and therefore the scope of the monitoring cannot be designed at this stage.</p> <p>Additional monitoring required for operation as well as decommissioning such as noise and water is detailed within APP-059.</p> <p>The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.</p>
6 Historic Environment			
Q1.6.1	Applicant Redcar and Cleveland Borough Council Historic England	A 5km radius around the project site was identified for the assessment of historic environment information, as set out in paragraph 12.32 of the Environmental Statement (ES) [APP-054]. Based on a site visit and consultation response from Historic England the study area for the assessment was based on a 2km radius around the site.	<p>While Historic England was consulted in regard to the size of the study area, no documentary evidence of this exchange was retained. As a result, the Applicant has prepared the following statement:</p> <p><i>'Historic environment information for a radius of 5 km around the Project was collected during the scoping stage. Based on a site visit in association with a landscape and visual impact assessment specialist it was concluded that no significant effects would result beyond a distance of 2 km from the Project. The study area for the purposes of this assessment is therefore a radius of 2 km around</i></p>

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		Please provide the Historic England consultation response on which the study area was based and comment on the appropriateness of a 2km radius.	<i>the Project Site ('Study Area'). Historic Environment Record (HER) data were collected within this area.'</i> In addition, a 2km study area was considered appropriate following a site visit and consultation with colleagues in the landscape and visual team. The results of the site visit and consultation allowed a professional judgement to be made in regard to the potential for significant effects within a 5 km area to be assessed. No potential significant effects were identified at a 5km distance from the Proposed Development; therefore the study area was reduced to 2km to ensure a proportionate approach to assessment. This approach is considered reasonable and proportionate as a result of the industrial character of the site and its surrounds and the fact that the site is very well-screened by established planting.
Q1.6.2	Applicant	In paragraph 12.57 of the ES [APP-054] Old Hall Farmhouse and Garden Wall, Lackenby is identified as Grade II listed. In Annex J [APP-079] it is identified as Grade II* (List entry 1139659). Similarly in paragraph 12.59 of the ES the Church of St Cuthbert is identified as Grade II whilst in Annex J it is identified as Grade II* (List entry 1310519). Please clarify the listed status of these buildings. Please confirm the location of the Church of St Cuthbert as identified as No.28 in AS-005.	According to the Historic England website; Old Hall Farmhouse and Garden Wall, Lackenby is Grade II* (List entry 1139659). The Church of St Cuthbert is Grade II* (List entry 1310519). The Church of St Cuthbert is in Kirkleatham and is shown as a blue circle and the no.28 on drawing ref GIS-00-L-02754 (Application Document Ref: 8.24) submitted by the Applicant for Deadline 2 of the Examination.
Q1.6.3	Applicant Redcar and Cleveland Borough Council Historic England	Paragraph 12.79 of the ES [APP-054] indicates that a number of listed buildings at Lazenby will be masked from views of the project by surrounding buildings and there will therefore be no effect on the heritage significance of these assets. Please comment on this statement in the light of the assessment of setting in paragraphs 12.30-12.31.	The contribution of setting to the significance (value) of heritage assets has the potential to be expressed more clearly. As a result, the Applicant has prepared the following statement: <i>'A group of Grade II listed buildings, comprising Lazenby Village Hall and Number 9 and Number 11 Chapel Street, is located at the historic core of Lazenby and depicted on OS and pre-OS mapping (Figure 12.1 and Figure 12.6). The setting of these assets comprises the immediate surrounding streetscape and buildings of the historic core of the village. This setting contributes to the significance (value) of the assets themselves by enhancing our understanding of the development of the historic core. The Project is masked from the assets by surrounding buildings and its presence in the landscape does not result in a change to their settings. As a result, no effect on the significance of the assets is predicted.'</i>
Q1.6.4	Applicant Redcar and Cleveland Borough Council Historic England	Paragraph 12.83 of the ES [APP-054] describes a 'designed' (sic) view (viewpoint 13 within Chapter 11). Please provide details of its designation/status.	The view north from the terrace in front of Wilton Castle is not designated and has no formal status. It is referred to here as an element of the castle's setting that contributes to its heritage significance in accordance with Historic England guidance (GPA3).
7	Infrastructure		
Q1.7.1	Applicant	Please clarify whether the existing demineralised water connection to the site [APP-021] would be served by a new structure or building.	There will be a demineralised water tank constructed within the Order limits. This is included in the list of Authorised Works in Schedule 1 of the draft DCO [APP-005].
Q1.7.2	Applicant	Demonstrate how the proposed grid and gas connections are secured through the Authorised Development in Schedule 1 Part 1 of the dDCO [APP-005].	These connections are listed in Schedule 1, paragraph 3 (c) of the dDCO [APP-005] as authorised works
Q1.7.3	Applicant	Please explain the annotation on [APP-023] where the existing gas connection enters the site and confirm whether this is an existing or proposed building or structure.	We have assumed the ExA is referring to the indicative gas connection plan [APP-024]. The existing gas connections comprises of existing piping equipment for the 24" pipeline and the 8" pipeline. Also existing is an Above Ground Installation ('AGI') Control Cabin adjacent to the piping. The equipment will be able to seen in detail during the Accompanied Site Inspection ('ASI').
Q1.7.4	Applicant Northumbrian Water	Paragraph 5.47 of the Environmental Statement (ES) [APP-047] states that water for the hybrid water coolers will be sourced from an existing raw water connection which is currently in service and has sufficient capacity to supply the requirements of the Project without variation to existing agreements. <ul style="list-style-type: none"> Demonstrate why you consider that there is sufficient water capacity and no need to vary existing agreements. 	In respect of raw and potable water supplies, the Applicant benefits from an existing supply agreement with Northumbrian Water. There is sufficient capacity – this has been confirmed by Northumbrian Water. The Applicant's Deadline 2 submission includes an email (Application Document Ref: 8.25) from Northumbrian Water that confirms the above.


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		<ul style="list-style-type: none"> What agreements are already in place? What discussions have taken place with Northumbrian Water about the water requirements in the light of their comment set out in the Scoping Report [APP-062] recommending that the applicant contact them? If no dialogue has taken place, why not? 	
Q1.7.5	Applicant Environment Agency	<p>Paragraph 4.21 of the Carbon Capture Readiness (CCR) Statement [APP-039] indicates that an 8 hectare site for CCR would be required based on International Energy Agency estimates. Paragraph 4.22 goes on to estimate that based on other studies the requirement may only be 4.6 hectares. The area available for CCR at the application site is 5.4 hectares.</p> <p>Does the fact that the total area of 5.4 hectares is split between two areas create any difficulties?</p> <p>What further reassurance can be provided that this area would be adequate for CCR?</p>	<p>The statement in paragraph 4.26 of the CCR Statement [APP-039] indicates that additional land would be available on the adjacent Wilton International Site, if required. However, we have concluded that land outside of the Order limits is not required on the basis that the Site has sufficient area (5.4ha) for a future carbon capture plant requirement (4.6ha).</p> <p>The nature of the process equipment for post-combustion Amine solvent based absorption carbon capture is such that it can be installed, if required, on the two areas identified with the Order limits. The process is multi-stage treatment, absorption, stripping, compression etc.; therefore, although the two areas are not shown as being connected, the required interconnectivity (e.g. piping, power) can be achieved via a pipe bridge between the two areas which are shown in CCR Statement Figure 1 Tees CCPP High Level Layout.</p> <p>The Applicant's Deadline 2 submission includes an updated CCR Statement (Revision 2) (Application Document Ref: 5.8).</p>
Q1.7.6	Applicant	Please provide a copy of Figure 1 from the CCR Statement [APP-039] at a larger scale in order to improve clarity.	The Applicant's Deadline 2 submission includes an updated Figure 1 at a larger scale (Application Document Ref: 8.26).
Q1.7.7	Applicant	<p>Paragraph 4.26 of the CCR Statement [APP-039] indicates that additional land would be available on the adjacent Wilton International site if required.</p> <p>How could this be addressed through the DCO?</p>	<p>No additional land outside of the Order limits would be required.</p> <p>The Applicant's Deadline 2 submission includes an updated CCR Statement (Revision 2) (Application Document Ref: 5.8).</p>
Q1.7.8	Applicant	<p>Paragraph 4.26 of the CCR Statement [APP-039] states that a carbon capture plant retrofitted to Tees CCPP would capture approximately 500 tonnes of CO₂ per hour and paragraph 6.9 indicates that CO₂ captured would be in the region of 2.7m tonnes per annum. It goes on to indicate that the alternative storage areas are 15 Mtpa.</p> <p>Please demonstrate whether the storage areas have capacity for the capture proposed.</p>	<p>The CO₂ would be captured on site and the pumped to off-site storage areas in liquid form.</p> <p>SCU are members of the Teesside Collective. In 2015 the Teesside Collective produced a technically viable, end-to-end blueprint for a shared industrial CCS network in the UK.</p> <p>The 15Mtpa refers to the potential for CO₂ capture from a future expanded Teesside Industrial Regional System. The current Teesside industrial CO₂ emissions are c.2.4Mtpa and the proposed power station would emit up to 2.7Mtpa. A further 10.0Mtpa of captured CO₂ is forecast from industrial expansion at Teesside.</p> <p>The two storage sites in the UK Government CCS Commercialisation programme are in the geographical areas considered to be the most likely potential locations for storing CO₂ from the industrial hub at Teesside, including the proposed power station. Although the specific sites at the depleted Goldeneye gas field overlying the Captain Formation and the northern portion of 5/42 structure in the Bunter Formation have insufficient storage capacity or injectivity to accommodate the quantities of CO₂ to be exported from Teesside, these two geographic areas and the Bunter and Captain formations have been the subject of substantial CO₂ storage studies. For this reason only these two areas, and the associated known extensions have been considered by the Teesside Collective. These are the Captain Formation aquifer underlying the Goldeneye depleted gas field and extending generally in a NW direction from there (Captain) and Bunter Formation aquifer 5/42 and 5/43 (Bunter). Both stores (based on current assessments) have a storage capacity of approximately 100MT which we believe is sufficient for a nascent technology and the proposed power station.</p>
Q1.7.9	Applicant	In paragraph 5.77 of the ES [APP-036] reference is made to a 15 million tonne per annum Carbon Capture and Storage network. Please provide further details of this network.	<p>As detailed in our response to Q1.7.8, the 15Mtpa refers to the potential CO₂ capture quantity from a future expanded Teesside Industrial Regional System, an increase of 10Mtpa on the combined total of current industrial emissions and the proposed power station. The 15Mtpa network was evaluated by the Teesside Collective in addition to the 5Mtpa base case pipeline and transportation system.</p> <p>http://www.teessidecollective.co.uk/teesside-collective-blueprint-for-industrial-ccs-in-the-uk/</p>

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Q1.7.10	Applicant	<p>Paragraph 5.67 of Planning Statement [APP-036] states that the Gas Connection Statement [APP-034] demonstrates the feasibility of connecting to the National Transmission System (NTS) and provides information on 'who will be responsible for designing, building and operating the Proposed Gas Connection, including details of the name, owner, start and end point, length in kilometres and external diameter of the pipeline...'. Please comment on this statement with reference to the appropriate reference in the Gas Connection Statement.</p>	<p>The Applicant owns the pipeline and the connection point to the Proposed Development. National Grid is responsible for the reconnection to the Applicant's pipeline at the Enron Billingham Exit Point.</p> <p>Following further discussions between the Applicant and NGG, it was agreed that National Grid Gas ('NGG') would undertake a Bespoke Technical Study to assess the reconnection to the Enron Billingham Exit Point. The Applicant has accepted NGG's Connection Study Agreement in respect of a proposed connection to the National Grid AGI at Billingham and contracts were signed 28 March 2018.</p> <p>It is agreed that upon completion of this Bespoke Technical Study, which will take 3 months to complete, the Applicant will be in the position to apply for a Full Connection Offer to NGG for the capacity required for the Project.</p>
Q1.7.11	Applicant	The Grid Connection Statement [APP-033] does not provide details of responsibilities for designing and building the connection. Please provide details.	On March 22 2018, the Applicant received a Bilateral Connection Agreement which included a new Construction Agreement (ConsAg) with reference A/SUUL/18/1909/TEE-1EN(0), which contains the details of responsibilities for building the connection.
Q1.7.12	Applicant	Paragraph 2.3 of the Grid Connection Statement [APP-033] indicates that the new power plant will also be able to supply the Wilton International site. Please give an indication of the amount of electricity which it is envisaged would be provided to the Wilton site.	Presently it is envisaged that each generating unit would be able to supply 180MW directly to the Wilton International Site.
Q1.7.13	Applicant National Grid	Paragraph 3.2 of the Grid Connection Statement [APP-033] indicates that a connection application was submitted to National Grid to connect to the national electricity transmission system. Please indicate what progress has been made with this application.	<p>The Applicant received a Bilateral Connection Agreement ('BCA'), Connection Agreement Reference Number A/SUUL/18/1909/TEE-1EN(0) offer on 22 March 2018, comprising of:</p> <ul style="list-style-type: none"> • A Formal Offer Letter; • An Offer Summary Document; • A new Bilateral Connection Agreement (BCA) with reference A/SUUL/18/1909/TEE-1EN(0); • A new Construction Agreement (ConsAg) with reference A/SUUL/18/1909/TEE-1EN(0); • A new Transmission Related Agreement (TRA) with reference A/SUUL/18/1909/TEE-1EN(0); • BCA Appendices A, B, C, D & F1-F5; • ConsAg Appendices B1, G, H, I, J, K, L, MM & N; and • Security Statements MM1-MM3 (Stage 1 and Stage 2).
Q1.7.14	National Grid	<p>Paragraph 2.4 of the Gas Connection Statement [APP-034] states that the Applicant believes that the proposed gas connection infrastructure provided by existing assets is entirely feasible and deliverable. Paragraph 2.3 states that the gas supply capability of the pipeline is well in excess of the requirement for the new Tees CCPP.</p> <p>Would National Grid wish to comment on these statements?</p>	
Q1.7.15	Applicant National Grid	Please provide an update regarding the application to National Grid for connection and capacity as referred to in paragraph 3.1 of the Gas Connection Statement [APP-034].	<p>Following further discussions between the Applicant and NGG, it was agreed that NGG would undertake a Bespoke Technical Study to assess the reconnection to the Enron Billingham Exit Point. The Applicant has accepted NGG's Connection Study Agreement in respect of a proposed connection to the National Grid AGI at Billingham and contracts were signed 28 March 2018.</p> <p>It is agreed that upon completion of this Bespoke Technical Study, which will take 3 months to complete, the Applicant will be in the position to apply for a Full Connection Offer to NGG for the capacity required for the Project.</p> <p>The monthly National Transmission System ('NTS') Exit (Flat) Capacity available in accordance with TPD Section B of the UNC details that for Enron Billingham Exit Point there is 121,510,000 kWh/day available. The Project's maximum demand would be 75,331,272 kWh/day, significantly below the Baseline Obligation amount of Firm NTS Exit (Flat) Capacity NGG has to make available. It is agreed that the connection will have the required capacity for Tees CCPP.</p> <p>The SoCG with NGG submitted by the Applicant for Deadline 2 sets out the position in respect of the gas connection in more detail (Application Document Ref: 7.5).</p>

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Q1.7.16	Applicant	Please provide an update to Table 2.1 of the Other Consents and Licences [APP-035] and ensure that this is kept updated and resubmitted at each subsequent deadline of the Examination.	The Applicant's Deadline 2 submission includes and updated Consent and Licences documents (Application Document Ref: 5.4) (Revision 2).
Q1.7.17	Applicant	Paragraphs 2.5 and 2.6 of the Combined Heat and Power (CHP) Assessment [APP-038] state that the Wilton International site has extensive utilities infrastructure and established CHP generation equipment and that the former Teesside Power Station provided supplementary steam and power to Wilton. Please provide evidence that the existing connections to utilities as shown in Figure 1 of the CHP Assessment would be adequate to provide CHP to the Wilton International site or other sites.	Within the Order limits there is a 24" IP Steam Main that feeds Wilton International IP Steam Distribution System. The IP Steam Main has a capacity of 600 tonnes/hour. Current Wilton heat demand is less than 200 tonnes/hour at normal operation and less than 400 tonnes at abnormal peak demand. Therefore, the connection and capacity of the infrastructure is sufficient for the CHP requirements.
Q1.7.18	Applicant Environment Agency	Paragraph 4.6.6 of EN-1 sets out the need for proposals for thermal power stations to include CHP or contain evidence that the possibilities for CHP have been fully explored. This should include an audit trail of dialogue between the applicant and prospective customers. Paragraph 12 of the Guidance on Background Information to Accompany Notifications under Section 14 (1) of the Energy Act 1976 and Applications Under Section 36 of the Electricity Act 1989 (the 2006 DECC Guidance) state that if a proposal is for generation without CHP the application should provide a description of future heat requirements in the area. Paragraph 3.4 of the CHP Assessment [APP-038] indicates that the development of the Tees CCPP with CHP capabilities would enable the applicant to attract new energy intensive manufacturing customers to the Wilton site. Paragraph 5.2 then concludes that there are currently no immediate opportunities for the supply of heat. In the light of the guidance in paragraph 4.6.8 of EN-1: <ul style="list-style-type: none"> • Demonstrate whether or not it is economically feasible to exploit existing regional heat markets. If it was concluded that it was not feasible to exploit existing markets was a high level economic appraisal undertaken?; • Provide an audit trail which demonstrates the dialogue which has taken place with prospective customers and a description of future heat requirements in the area; and • Explain the provisions in the proposed scheme for exploiting any potential heat demand in the future. 	The Applicant's core business is the supply of power and steam to industrial customers. In order to sustain and grow this power and steam utilities business, SCU is continuously working to retain and attract energy intensive industries to the Wilton International Site. In line with this, any future prospective customers that require heat will be able to be supplied with heat from the Proposed Development if economically viable. The CHP readiness provisions in the Proposed Development will be able to exploit any potential heat demand in the future by being able to offer steam suitable for most industrial processes. Regional Heat Markets - the South Tees District Heating scheme, which will take industrial heat from Wilton International and supply homes, local authority buildings and James Cook Hospital, is currently completing the final stages of scheme feasibility. This work will optimise and cost the route, detail supply arrangements, determine heat costs, secure commitments from users including draft Heads of Terms and develop the overall business model. The initial economic appraisal is that the industrial heat from Wilton International should be waste heat recovered from a process plant rather than heat from a Combined Heat and Power Plant for the low grade heat required for district heating.
Q1.7.19	Redcar and Cleveland Borough Council Tees Valley Combined Authority	Paragraph 16 of the 2006 DECC Guidance requires applicants to demonstrate that they have properly consulted the results of the UK heat mapping exercise. Demonstrate how the UK heat mapping exercise (UK CHP Development Map) has been taken into account in the development of proposals and what work has been undertaken with Redcar and Cleveland Borough Council and the Tees Valley Combined Authority to identify whether development opportunities in the area can support CHP.	
Q1.7.20	Applicant	Has the CHP Assessment [APP-038] taken account of the possibility of the Proposed Development being constructed as two steams under Scenario 2? If so, what are the implications; if not, why not?	The CHP Assessment [APP-038] has taken account of the possibility of the Proposed Development being constructed as two steams under Scenario 2. The intention is that any generating set will be able to export heat from the unit, either individually or both at the same time. The main implication for a single source of heat export when one generating unit is not yet built, or in service, is that the

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			security of supply is reduced. However the proposed power station will not work in isolation as the heat exported will go into the Wilton International steam distribution system which will be supplied by other, existing, CHP plants to give security of supply to the heat customers.
Q1.7.21	Environment Agency	<p>The Environment Agency requires applications for Environmental Permits for new installations to demonstrate the use of Best Available Techniques (BAT) for various criteria including energy efficiency. The applicant states [APP-038] that:</p> <ul style="list-style-type: none"> • First BAT Test: There are currently no immediate opportunities for the supply of heat but the growth of business will require new steam raising capacity; • Second BAT Test: The new Power Plant will be CHP Ready; and • Third BAT Test: The applicant will carry out periodic reviews of opportunities for the supply of heat. <p>Does the Environment Agency consider that the three BAT Tests have been adequately addressed? If not, what additional information needs to be provided?</p>	
Q1.7.22	Applicant	How would the initial electricity efficiency of the CHP Ready plant compare with the equivalent non CHP Ready plant?	There is no difference in the initial electricity efficiency of the CHP Ready plant compare with the equivalent non CHP Ready plant. The CHP readiness doesn't carry any auxiliary power requirements.
Q1.7.23	Applicant	<p>Figure E3.1 of Annex E1 (Stack Height Assessment) [APP-069] shows Modelled NOx Concentrations.</p> <p>Please clarify how this assessment contributed to the determination of 75m being the lowest stack height at which impacts on sensitive human receptors are deemed to be acceptable and why a stack height of 40-45m is deemed to be impractical in terms of managing environmental impacts on ecological receptors.</p>	Please refer to Agenda Item 7.6 and the remainder of Agenda Section 7 in the Applicant's Written Summary of Applicant's Oral Case – Issue Specific Hearing on the Scope of the Application 10 April 2018 submitted for Deadline 2 of the Examination (Application Document Ref: 8.7).
Q1.7.24	Applicant	<p>Paragraph E1.9 of Annex E1 [APP-069] states that the applicant will carry out a further stack height assessment among other assessments as part of the environmental permit process.</p> <p>What would be the implications of a change to the stack height for the EIA and the DCO?</p>	The stack height assessment that is often requested by the Environment Agency to support the Environmental Permit has been undertaken. This is presented in Annex E2 with a maximum stack height set within the DCO of 75m. Any reduction in height of the stack will be subject to further stack height assessment to support the Environmental Permit process.
Q1.7.25	Applicant National Grid	Table 15.3 of the ES [APP-057] describes the mitigation in the event of a gas transmission pipeline rupture as maintenance of an easement zone for the pipeline. Would this require a protective provision?	<p>We have used the wrong word, we meant an 'exclusion' zone – access for construction personnel and equipment will be carefully controlled by the EPC to ensure there is no accidental damage to the pipeline.</p> <p>We do not need an 'easement' zone.</p>
8	Landscape and Visual		
Q1.8.1	Applicant Environment Agency	<p>Paragraph 4.7 of the Design and Access Statement [APP-037] states that the location and height of the CCGT stacks have been fixed whilst paragraph 4.8 states that the maximum height of the co-located stacks is 75m above existing ground level. Table 11.1 of the Environmental Statement (ES) [APP-053] indicates that during the detailed design and environmental permitting processes there may be scope to reduce stack heights below 75m only if this is approved by the Environment Agency (EA). Req. 4 of the dDCO [APP-005] also specifies a maximum height for the stacks to be 75m.</p>	During the scoping stages of the Project, two stack heights, 75 m and 90 m, were considered. Although a stack height sensitivity assessment for air quality purposes identified 75 m as an acceptable height the LVIA assessment adopted a stack height of 90 m for the two stacks as a worst case scenario. This approach is undertaken to ensure that the EIA captures the theoretical worst case, so that if there is a need to change stack height, the impacts will only improve and not worsen. However, of note is that in the case of stack height, the worst case for L+V is the best case for air quality, and vice versa. As a result, the 'worst case' does not entirely align between the disciplines. In theory, the stack height could range from 40m to 75m; (the maximum height permitted by the DCO). Any reduction in height of the stack will reduce the impacts on available views and significant effects on human air quality can still be avoided; the threshold for insignificant contributions of pollutants at ecological receptors may however be exceeded, further

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		<p>Explain how these statements reconcile with paragraph E1.9 of Annex E1 [APP-069] which states that <i>'the stack height of 75m is the lowest stack height at which impacts on sensitive human receptors are deemed to be acceptable and not significant on ecological receptors'</i> and that the applicant will carry out a further stack height assessment among other assessments as part of the environmental permit process with the implication being that the height could change?</p> <p>Provide an update as to the potential to reduce the stack heights.</p> <p>Whilst the location of the power station units is shown on the layout plans in Figures 5.3 and 5.4 of the ES [APP-047] and on the Works Plan [APP-013] it is not clear where in this envelope the stacks would be located. Why have the locations of the stacks not been fixed within the dDCO, for example by grid reference?</p> <p>What assumptions have been made in the relevant ES assessments on the location of the stacks, noting that their location is not defined within the Works Plans for dDCO? This should include confirmation of what stack locations have been assumed as part of the air quality modelling (and HRA Report) in respect of a 'worst case' scenario.</p> <p>Table 7.5 of the ES [APP-049] indicates that the diameter of the stacks would be 8m. How would the final diameter of the stacks be determined? Would this be through the environmental permitting process?. Please explain why the diameter of the stacks has not been specified in the dDCO.</p>	<p>assessment will therefore be undertaken as part of the permitting process.</p> <p>Stack diameter:</p> <p>The stack diameter is designed to optimise the exit velocity of flue gases from the stack. Too narrow a diameter (and therefore too high velocity) and dispersion is compromised; too wide a stack (and therefore too low velocity) and dispersion is compromised. The optimum stack diameter and exit velocity is based upon the requirements of the installed Gas Turbines, as recommended by the technology provider. There is a small amount of variation as there are differences in the emission profile between different types of gas turbine. In practice, there may be some small variation in stack diameter (anticipated to be less than plus or minus 0.5m), the stack diameter will not be substantially changed for these reasons. The final stack diameter would be determined once the technology supplier has been agreed and the exact plant specifications required for the selected turbines has been determined. These details will be finalised ahead of the Environmental Permit being submitted as they are required for that process.</p> <p>The location of the stacks was fixed based on available layout and drawings with respect to the LVIA and Air Quality Assessments. The locations were fixed to enable development of Photomontages. In practice, the stacks may be moved by a small amount within the site, depending upon specific layout. In practice, this will not have a material effect on the outcome of either the L+V or AQ assessments, as this change is unlikely to be discernible in the overall conclusions and for L+V no laterally moved layout would constitute a worse case visually than what has been assessed. Of note is that for both L+V and AQ assessments, it is the stack height that is of more importance, rather than the exact location of the stacks.</p>
Q1.8.2	Redcar and Cleveland Borough Council	<p>The applicant has stated in paragraph 11.9 of the ES [APP-053] that the landscape and visual assessment has been carried out in conformity with the European Landscape Convention and the Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3).</p> <p>Is the Council content that the assessment was appropriately undertaken in line with this advice?</p>	
Q1.8.4	Applicant	<p>As presented, Figure 11.3: Baseline Landscape View and Green Infrastructure) [APP-053] is unclear in print and CD formats.</p> <p>Please print the images in an A4 landscape format and ensure the Green Wedge designation is clear.</p>	Please see the updated Figure 11.3 (Application Document Ref: 8.11) submitted by the Applicant for Deadline 2 of the Examination.
Q1.8.5	Applicant	<p>As presented, the smaller images forming part of Figure 11.4 [APP-053] are unclear.</p> <p>Please print the images in an A4 landscape format.</p>	Please see the updated Figure 11.4 (Application Document Ref: 8.12) submitted by the Applicant for Deadline 2 of the Examination.
Q1.8.6	Applicant Redcar and Cleveland Borough Council	<p>Figure 11.4 of the ES [APP-053] shows the Local Landscape Character Areas with the project location being within the urban area and not within any defined Local Landscape Character Area.</p> <p>Whilst not formally characterised, what is the local character of the area within which the Project is located?</p>	The 'Urban Area' is not formally characterised within the Local Landscape Character Supplementary Planning Document ('SPD'). In essence, the local character of the 'urban area' is largely a mix of industrial areas, peripheral residential and commercial areas (e.g. offices and small business establishments), schools all interspersed with open green areas which screen residential areas from industrial development. The heavy industries are more concentrated near the estuary, the Wilton International Site, which has been allocated for large-scale industrial development, is within the 'urban area'. It is in essence a large 2,000 acre site and one of the UK's most important locations for process industry manufacturing.

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		There does not appear to be a conclusion of the likely significant effects on the National Character Areas (NCA), although paragraph 11.34 of the ES [APP-053] states that NCA 25 would be largely unaffected due to topographical screening. On what basis was it decided not to assess the effects on NCA?	<p>The local character can be visualised in the photo/view(s) available from Eston Nab (see below):</p>  <p>The NCAs are a natural subdivision of England based on a combination of landscape, biodiversity, geodiversity and economic activity. The Site is located within the NCA 23 Tees Lowlands while the 5 km study area is predominantly located in the NCA 23, as well as being partly located in NCA 25 North York Moors and Cleveland Hills.</p> <p>The industrial installations are recognised as key characteristics of the NCA 23 Tees Lowland and given the fact that the Project is located on a Brownfield plot which had a larger Teesside Power Station (now demolished) it was considered that the Project will only have a localised effect and within the wider context of the NCA, it will represent a negligible magnitude of change. The Project does not directly affect the NCA 25 and taking into account the above reasons the effects of the Project on NCA(s) were scoped out.</p> <p>This approach was part of the proportionate ES reporting focusing only on material and significant effects.</p>
Q1.8.7	Applicant	How have the effects from the operation of the first train concurrently with the construction of the second train under Scenario 1 been assessed in the landscape and visual impact assessment?	<p>In the event of a phased development, Scenario 1 is considered to be worst case on the basis of the larger scale of construction activity (greater footprint and plant assemblage). Under Scenario 2 the overall duration of construction would be longer (i.e. spread over two phases); however, each phase would be less intense than for Scenario 1. The landscape and visual impact assessment ('LVIA') [APP-053] takes into account worst case scenario, i.e. ultimate scale of the finished development.</p> <p>Table 3.2 in ES Chapter 3 EIA Approach [APP-045] has been expanded and amended to provide an explanation for each topic. It explains why Scenario 1 is the worst case scenario for all topics and indicates where in the ES Scenario 2 increases potential impacts therefore leading to different effects. The updated Table 3.2 (Application Document Ref: 8.14) has been submitted by the Applicant for Deadline 2 of the Examination.</p>
Q1.8.8	Applicant	Paragraph 11.65 of the ES [APP-053] describes the mitigation measures proposed to address landscape and visual effects during construction. Why have these measures not been included in the framework CEMP?	<p>These are included in the updated CEMP.</p> <p>The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.</p>
Q1.8.9	Applicant	Paragraph 11.67 of the ES refers to the 'Indicative Landscaping and Biodiversity Plan (Document 4.11)' [APP-029]. Document APP-029 is titled 'Indicative Landscaping Plan' and does not refer to biodiversity. Please ensure consistency in naming documents. How would implementation of this plan impact on ecological receptors?	<p>This is a mistake while assigning name/title to the drawing. The correct name is 'indicative landscape plan'.</p> <p>The planting will include a mix of native shrubs and trees which is likely to bring some small benefits to local habitat and biodiversity.</p>
Q1.8.10	Applicant	At what point in the programme would the Landscaping Scheme, secured by Req. 12 be implemented? Is an amendment to Req. 12 necessary to secure its implementation?	<p>The landscaping scheme which is near to admin and control buildings will be completed after the major construction work is complete. The timings will need to be discussed and agreed as per the construction/works plan</p> <p>The landscaping plan will set out the exact implementation timetables for all landscaping works, which must be adhered to pursuant to Requirement 12(3) of the draft DCO [APP-005]. We do not consider an amendment is necessary.</p>
Q1.8.11	Applicant	What assumptions have been taken into account in the assessment of visual impacts from night-time lighting? How would such assumptions be secured through the DCO?	<p>It is assumed that construction of the Proposed Development is estimated to last some 39 months and is likely to involve tall structures including cranes and night time lighting.</p> <p>Night time lighting will be required for construction works and once completed night time lighting will be required for operational purposes and for Health and Safety reasons. Impacts of lighting have been considered in the assessment.</p>

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			<p>Section 11.65 [APP-053] provides mitigation measures for construction lighting and states 'restricting construction site lighting outside normal working hours as far as practicable to the minimum required for safety and security'. Outline mitigation measures are included in the CEMP [APP-081], as follows:</p> <p>Table L2.6 - a Lighting Strategy will be prepared, setting out how lighting impacts on sensitive ecological receptors have been considered and addressed; and</p> <p>Table L2.10 - Lighting will be designed to reduce unnecessary light spill outside of the Site boundary in accordance with a Lighting Strategy (to be prepared in accordance with draft DCO Requirement 5).</p> <p>The CEMP is secured by Requirement 13 of the draft DCO [APP-005].</p>
Q1.8.12	Applicant	The effect of the Proposed Development on visual amenity at Viewpoint 4 is assessed as minor to moderate. Nevertheless in Table 11.6 it is stated that the range of effect is more towards minor due to the fact that the stacks would be viewed alongside other tall industrial components in the skyline. Can the Applicant provide further explanation of how this judgement has been made?	<p>Views to the Site are restricted due to intervening residences.</p> <p>The two stacks are the only visible components of the Project and will be seen alongside other taller components (Ensus Plant and Electricity Pylons) within the industrial area. These are visible within the gaps of residential buildings (see baseline image viewpoint 4 of the LVIA section). The significance of effect within Table 11.6 of the ES falls into the Minor to Moderate range strictly according to the adopted assessment criteria but the effect is judged to be Minor given the wider context of the site.</p> <p>In addition to the above, it should be noted that the Applicant is now seeking a non-material change to the DCO to increase the potential, maximum heights of the turbine hall and HRSG buildings. The Applicant submitted a number of documents setting out the proposed non-material change to the Planning Inspectorate on 02 May 2018. The Applicant prepared an environmental note (Application Document Ref: 8.3) as part of the non-material change, which concludes that Viewpoint 4 would remain Minor to Moderate, with range of effect that is more towards Minor. Given the fact that there are other tall industrial components in the skyline, like the Ensus plant and pylons.</p>
Q1.8.13	Applicant Redcar and Cleveland Borough Council	<p>Can the Council confirm that the viewpoints are appropriate and provide reasonably representative views of the Project Site? In responding, please explain why there are no representative viewpoints from the north.</p> <p>In addition, please explain how sensitivity was determined.</p>	<p>Viewpoints have been selected across the study area to represent groups of receptors with potential views of the Project. Residential and recreational receptors, which have a high sensitivity to change, and transport receptors (road users), which have a medium sensitivity to change, have been identified.</p> <p>The selected viewpoints were included in the Scoping Report and the PEIR and there were no concerns from Council.</p> <p>Viewpoint 14 is located at north-east. There were no other representative viewpoints chosen from the north as to the north of site lies heavy industrial buildings and industrial facilities which are not sensitive receptors with respect to LVIA [APP-053] and screen views from further off-site</p> <p>As mentioned in Figure 11.1 LVIA Methodology [APP-053], receptor sensitivity is a judgement based on the extent to which the receptor can accept change of a particular type and scale without adverse effects on its character, and the value attached to it. Viewpoint sensitivity depends on a number of factors including: context of the viewpoint, viewer occupation, viewing opportunities, number of people affected, and extent to which the viewers are affected by changes in their view together with the quality of the existing view.</p>
Q1.8.14	Applicant Redcar and Cleveland Borough Council	<p>As set out in paragraph 11.53 of the ES [APP-053], the assessment of cumulative effects is based on developments of a similar type and excludes other types of development.</p> <p>Is this approach supported by reference to the GLVIA3 or other guidance or practice?</p>	<p>The GLVIA defines cumulative landscape and visual effects as effects that result from additional changes to the landscape or visual amenity caused by a development in conjunction with other developments (associated with or separate to it), or actions that occurred in the past, present or are likely to occur in the foreseeable future. The guidance also stresses that the task should be proportionate and reasonable to the nature of the project and that it is important to remember that the emphasis in EIA is on likely significant effects rather than a comprehensive cataloguing of every conceivable effect.</p> <p>The GLVIA 3 states on page 122, section 7.9 and 7.10 that:</p> <p><i>"cumulative effects assessment can be relevant to any form of development. In most cases the focus of the cumulative assessment will be on the additional effect of the project in conjunction with other developments of the same type"</i>.</p>
Q1.8.15	Applicant	Section 11.6 of the ES [APP-053] indicates that the residual effects will	The Project is located on a brownfield land in the same plot of the former Teesside Power station, which has now been demolished. It

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		<p>reduce over time.</p> <p>Demonstrate why and how this will occur.</p>	<p>is reasonable to say that the residential receptors were used to seeing the large power station and once the Project is completed it would not make much difference in views when compared with previous views. The Site is located in an industrial area which is surrounded by heavy industrial facilities.</p>
Q1.8.16	Applicant Redcar and Cleveland Borough Council	<p>Annex K of the ES [APP-080] provides photomontages and photowireline images of the proposed development.</p> <p>Why were viewpoints 7, 11 and 12 from Figures 11.6/11.7 [APP-053] not chosen when the sensitivity of the viewpoints is described as high?</p> <p>For the Council, should these viewpoints have been shown as photomontages/photowireline images?</p>	<p>While a number of viewpoints were chosen, photomontages and Photowireline were only prepared for those, which aided assessment/decision making. Other locations where the Project was unlikely to be seen or would offer similar views to the ones for which montages were developed were excluded, as they would not be of additional benefit for the assessment.</p> <p>As part of consultation, viewpoints were selected and a list provided in the Scoping report along with justifications. The viewpoint locations were agreed with RCBC and were included in the PEIR and the Scoping Report [APP-062]. Extra viewpoints suggested by members of the public as well as RCBC have also been incorporated.</p>
Q1.8.17	Applicant	<p>Have any assumptions been made in the ES [APP-042] about the location of the stacks within the envelope provided by the Works Plans [AS-001 and APP-014]?</p>	<p>The assumption for the LVIA [APP-053] was based on the stack location as shown in the layout plan [APP-018] and as shown in the Photomontages [APP-080].</p> <p>To allow an assessment to be made of the likely significant effects, a reasonable worst-case model of the Project has been developed via consultation with SCU's design team and based on professional judgement and experience gained on similar schemes. Given the fact that the design of the Project is evolving while writing the assessment there is some degree of flexibility in the assessment.</p> <p>If the stack locations change or the buildings move a few metres from their location it is unlikely there would be material changes in the assessment or constitute a worse case than that assessed. Lateral movement of the stacks and main structures by the equivalent of less than three stack widths would not change the visual impact in any material way as can be seen from the photomontages. No laterally moved layout would constitute a worse case visually than that which has been assessed.</p> <p>Furthermore, it should be noted that lateral deviation is restricted by the Works Plans [APP-013 and APP-014].</p>
Q1.8.18	Applicant Redcar and Cleveland Borough Council	<p>Indicative Landscaping Plan [APP-029] shows an area for partial tree/shrub/grass and flower planting to the west of the site.</p> <p>Would it be appropriate to introduce similar soft landscaping within the areas reserved for Carbon Capture and Storage to the east of the site in the period until that scheme is brought forward? If not, why not?</p> <p>Why is the area to the south of the site identified for hard landscaping – tarmac rather than soft landscaping?</p>	<p>We do not believe that this is required for a power station that is effectively embedded within an industrial park. The main issue identified is that soft landscaping could introduce ecology aspects that could delay the implementation of a future carbon capture scheme which could ultimately be more holistically detrimental to the environment.</p> <p>The area to the south of the Site is identified for hard landscaping and is reserved for CCS and will be utilised in the future for maintenance activities. Due to historic use for industrial purpose it is unlikely to facilitate the development of vegetation unless the area is stripped and checked. Planting and vegetation in this area is unlikely to bring any major benefits due to its location which is surrounded by hard standing areas to its north, south and its immediate east and west.</p> <p>The area to the south of the Site is for additional construction vehicle parking if the gravel is in a poor state.</p>
Q1.8.19	Applicant	<p>Do the photomontages and photowirelines present the worst case extent of development in line with the description of development in ES Table 5.3, [APP-047] and Table 7.6 [APP-049] and do they reflect the dimensions set out in the dDCO [APP-005]?</p> <p>For the avoidance of doubt, please confirm that the full height of the stacks as shown on the photomontages and photowirelines represent the 90m worst case scenario?</p>	<p>The photomontages presented in Annex K of the ES were prepared based on layout and dimensions (massing and heights) of the key units of the Proposed Development that would comprise the tallest and largest structures and therefore be material to the LVIA [APP-053] as provided by the supplier of the largest output turbine. These were identified as the HRSG buildings, turbine buildings, stacks and the cooling towers. Other smaller buildings were included as blocks for illustrative purposes to help represent the overall proposed development. With regards to the stack height a worst case of 90 m was represented in the assessment. The photomontages were produced early in the overall EIA process to support local community consultation.</p> <p>The photomontages are based on a slightly lower gas turbine building height (23m above existing ground level, compared to 25m as defined in Requirement 4 (2)(c) of the draft DCO). This means that the photomontages do not fully reflect the maximum dimensions set out in the draft DCO or in theory a worst case scenario for the height of this particular structure. However, this small change in the height of the turbine building does not change the significance ratings presented in the assessment. This is because the main impact is from the HRSG buildings and stacks. A small increase in height of the turbine building would not alter its visibility from any of the other viewpoints due to the nature of the site location and due to intervening mature vegetation, buildings and topography.</p> <p>Requirement 4. (2) (g) of the draft DCO [APP-005] also introduces the possibility of some 'other smaller buildings' being of up to 20 m in height, which could in theory introduce a factor that should have been addressed by the photomontages in terms of the assumed</p>

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			<p>height for 'other smaller buildings'. If, for the purposes of landscape and visual assessment, it is assumed 'other smaller buildings' are up to 20 m in height this would not alter the majority of photomontages at the agreed viewpoints.. Due to the nature of the site location and the manner in which it benefits from screening due to mature vegetation and intervening buildings, the other smaller buildings would be concealed by screening. The only viewpoint where the buildings would be perceptible is from Viewpoint 10 Eston Nab where the Project could appear to have more massing, but this is a distant view and the main structures as assessed would still dominate the effect.</p> <p>The other key units of the Proposed Development are consistent with the dimensions presented in the draft DCO. The photomontages show the stack height at 90m above existing ground level, however the 75m point on the stack (which accords with the draft DCO Requirement 4 (2) (e)) is also shown and considered in the assessment.</p> <p>Importantly, it should also be noted that the photomontages are not meant to be a true depiction of the proposed development but rather a tool to allow an assessment to be undertaken in accordance with the Landscape Institute and Institute of Environmental Management & Assessment (2013) Guidelines for Landscape and Visual Impact Assessment (Third Edition).</p> <p>Overall, the conclusions of the LVIA as presented in Table 11.6 the ES remain valid.</p> <p>In addition to the above, it should be noted that the Applicant is now seeking a non-material change to the DCO to increase the potential, maximum heights of the turbine hall and HRSG buildings. The Applicant submitted a number of documents setting out the proposed non-material change, including updated photomontages, to the Planning Inspectorate on 02 May 2018. The Applicant prepare an environmental note (Application Document Ref: 8.3) as part of the non-material change, which concludes that there are no changes to the conclusions presented in the ES submitted as part of the Application and the building height change is not material to the overall findings of the EIA.</p>
Q1.8.20	Applicant	<p>Table 11.1 of the ES [APP-053] states that grey cladding is regarded as the least visible. Nevertheless, it is not clear what assumptions have been made regarding the external appearance of the Proposed Development which would be secured through Req. 4 of the dDCO.</p> <p>What assumptions about appearance were made in undertaking the landscape and visual impact assessment?</p>	<p>Typically industrial building cladding (including the finish of tall structures) is a mute grey colour as it is regarded as the least visually intrusive. Assumptions made in the assessment are that Silver reflective finishes will be avoided. The sky is predominantly a light grey to blueish white and hence grey cladding is regarded as the least visible. In areas of generally flat topography (such as the Site) with limited solid background (for instance steep hills), sky is the main backdrop against which tall structures are viewed reinforcing the above point. The most sensitive viewpoints are in the south looking north.</p> <p>These have the existing industrial areas in the background so grey cladding is more suitable.</p>
Q1.8.21	Applicant	<p>Viewpoint 10 in APP-080 shows the existing noise barrier/wall on the southern edge of the application site in the photomontage. The proposed western noise barrier/wall is not shown.</p> <p>Can the Applicant confirm whether the proposed western noise barrier/wall has been considered in the LVIA?</p>	<p>The western noise barrier was not considered in the LVIA [APP-053], as it was a much later addition following noise modelling. However, the noise barrier will not change the assessment ratings, given its location and height and intervening vegetation further west screens it from available views from west. Moreover, there are no ground level views from where the barrier will be visible. It will be seen from viewpoint 10 but does not change the significance rating as it will be a minor addition to the west.</p>
Q1.8.22	Applicant Redcar and Cleveland Borough Council	<p>Req. 12 secures the provision of a written landscaping scheme which must be based on the indicative landscaping and biodiversity plan [APP-029] which would be a certified document under the DCO. As presented the indicative landscaping and biodiversity plan simply indicates areas of the site which would be vegetated.</p> <p>Is it appropriate or necessary for the indicative landscaping and biodiversity plan to provide greater detail at this stage?</p>	<p>The landscape plan provides benefits in terms of visual amenity/green space for the offices and visitors. It is currently sufficient for this stage and can be developed in detail when the office and entrance buildings are further designed, e.g. green buildings.</p>
9 Noise and Vibration			
Q1.9.1	Applicant Redcar and Cleveland Borough Council	<p>Paragraph 8.8 of the Environmental Statement (ES) [APP-050] states that the assessment of construction noise was based on an even spread of construction sources around the site which was thought to be a more realistic distribution than adopting a worst case view of all plant operating at the site boundary.</p>	<p>This approach was not specifically agreed with consultees. However, it reflects good practice in EIA in terms of assessing the 'likely significant' effect rather than an unrealistic worst case). There is no likely scenario where the plant would all operate on the site boundary at the same time, and so agreement for this approach was not sought from the consultees.</p>

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		Was this approach agreed with relevant consultees?	
Q1.9.2	Applicant Redcar and Cleveland Borough Council	Paragraphs 8.31 and 8.63 of the ES [APP-050] indicate that survey data to establish baseline noise conditions was agreed with RCBC. Please provide evidence of such an agreement and for the Council please confirm whether the methodology for the data collection and assessment is acceptable. Identify any matters where agreement was not reached and explain why.	The paragraphs referred to indicate that the approach to the survey was agreed with RCBC. This has been recorded in the email from Mick Gent of RCBC to SCU 28/3/2017 as noted in Table 8.1 of the ES [APP-050]. The above email has been submitted by the Applicant for Deadline 2 of the Examination (Application Document Ref: 8.27).
Q1.9.3	Applicant	Paragraph 3.73 of the Scoping Opinion [APP-063] stated that vibration from traffic movements should be addressed although there is no evidence that this has been assessed within the ES. Please confirm whether any significant effects are likely from vibration from traffic movements?	Traffic during operation has been scoped out (see section 8.5) [APP-050] on the basis that the Site can be accessed by major roads which already serve the Site. Major changes in traffic are considered unlikely, and therefore changes in vibration effects from traffic are also not significant. The Design Manual for Roads and Bridges ('DMRB') 2011 requires an assessment to state " <i>Whether there is likely to be an increase in the PPV level of groundborne vibration at any sensitive receptors within the study area to above a level of 0.3 mm/s, or an existing level above 0.3 mm/s is predicted to increase.</i> " Since the construction and operational traffic will flow along existing major roads as stated above, and individual lorries will create no higher levels of vibration at receptors than the existing traffic, none of these conditions are expected to be the case and reporting would not be required under this methodology.
Q1.9.4	Applicant Redcar and Cleveland Borough Council	RCBC have indicated in a letter to the applicant dated 8 March 2017 (Table 8.1) [APP-050] that anything above a 3dB(A) increase above background noise level would not be acceptable. Can the Council explain why they suggest this noise level and can the applicant comment on it.	The assessment has been based on recognised national guidance rather than the up to 3 dB change that RCBC has requested, which is not referenced in formal guidance. Although it is not unusual for such local guidelines to be adopted where noise levels from large industrial areas are already high and a council is trying to avoid 'creeping background' as a result of gradual intensification of the use of a site, it can be noted that the background noise at Wilton has reduced over recent years due to plant closures, and therefore the reductions will off-set any increase in ambient noise as a result of the development. The predicted noise levels from the project are low as shown in Table 8.11 of the ES [APP-050], and are 3 dB above the representative baseline levels. When noise from the project and the baseline are combined, noise increases could be approximately 5 dB(A). However, as noted in paragraph 8.103, this situation is actually based on wind directions that cannot occur at the same time, which have been adopted to construct a robust worst-case assessment. Under more realistic conditions the project is likely to result in noise changes that are close to the 3 dB guidance proposed by RCBC.
Q1.9.5	Applicant Redcar and Cleveland Borough Council	Paragraph 8.58 of the ES [APP-050] states that sensitivity to the impact of industrial noise is increased as a result of known history of feedback regarding noise from residents in Lazenby and isolated properties such as Old Hall Farm. What feedback has been provided and how has this been addressed in terms of increasing sensitivity?	As per paragraph 8.58 of the ES [APP-050] there have been historical noise complaints from Old Hall Farm concerning the previous power station on the Site. There are no numerical corrections that can be made to account for increased sensitivity to noise from a local community. The nationally recognised criteria which have been used take into account the general sensitivity of residential receptors.
Q1.9.6	Applicant Environment Agency Redcar and Cleveland Borough Council	It is proposed to retain and where necessary reinstate an acoustic wall on the southern boundary of the application site [APP-014]. Why was the efficacy of the wall not verified at pre-application stage?	The wall is a purpose built acoustic screen and is therefore built in a robust way from materials which are commonly used in such structures that will make it effective at reducing sound. There was no need to physically test the wall before the application. The screening effect of the wall on the proposed plant has been modelled in the noise model that has been used to assess the noise effects.
Q1.9.7	Applicant Environment Agency Redcar and	Draft DCO Req. 20 (2)(e) requires details of any works and maintenance to the wall to be submitted to and approved by the relevant planning authority in consultation with the EA prior to commissioning whilst Req. 20 (6) states that commissioning cannot take place until any necessary works have been carried	Three factors could affect the performance of the noise barrier in terms of reducing noise during construction or operation. Firstly a sufficiently high barrier mass is selected to resist the passage of sound through the barrier. This will have been specified at an appropriate level to ensure that no significant sound passed through the barrier during its original design. The acoustically absorbing materials on the surface of the barrier will also reduce reflections and increase performance. However, the key effect on performance

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	Cleveland Borough Council	out. What certainty can the Applicant provide that the existing noise barrier will prove as effective in mitigating construction noise as assumed in the noise model?	will be the height and location to sources and receptors, and this has been modelled as part of the construction and operational noise study. Although it was noted that the existing wall may require some maintenance, on page 8-6 of the ES Chapter 8 [APP-050], the Applicant has committed to the following: <i>"The noise model simulated the existing wall as a highly absorptive barrier (i.e. with reflection loss > 11 dB, and absorption coefficient $\alpha > 0.91$). Prior to the commencement of construction the EPC contractor will verify the efficacy of the wall to ensure it meets or exceeds this assumption."</i> Since the appropriate materials will be selected for the barrier and its location and height will be optimisation as described above, it can be expected that the predicted attenuation values will be realised (subject to inevitable tolerances between modelled and measured values).
Q1.9.8	Applicant	Has the proposed noise barrier/wall (on the western site boundary) been included within the noise modelling presented in ES Annex F2 [APP-072]? If so, what assumptions were made regarding this barrier and how would these assumptions be incorporated into the completed barrier.	Yes, the western boundary noise barrier has been included in the noise modelling. The same assumptions were made regarding the barrier properties as for the barrier discussed in Q1.9.7. Therefore, similar selection of acoustic properties of the barrier will be required through contractual arrangements. Detailed design of the noise mitigation will allow for optimisation of the barrier design selected.
Q1.9.9	Redcar and Cleveland Borough Council	Does the Council consider the predicted construction noise levels set out in Table 8.9, operational noise levels in Table 8.10 and Initial Estimate of Noise Impacts at Night in Table 8.11 [APP-050] to be reasonable?	
Q1.9.10	Applicant	Table 8.14 of the ES [APP-050] sets out the mitigation measures to reduce noise. Please set out in tabular form how the individual mitigation measures would be secured through the DCO during both construction and operational phases. Please ensure that all mitigation measures relevant to construction are included in the CEMP.	Please see attached updated CEMP. The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.
Q1.9.11	Applicant	Has the operational noise assessment [APP-072] taken account of the need for maintenance works? If it has, what would be the impact of such works and how would any short term effects be mitigated if necessary. If not, why not?	Typical requirements for maintenance works are set out in the response to Q1.5.9. There are no proposed maintenance works that would be noisier than the corresponding construction activity and so such works were not specifically assessed. Maintenance works would be expected to be subject to similar mitigation measures as applied during construction.
Q1.9.12	Applicant	In Table F2.1 of Annex F1 [APP-071] it is stated in footnote b) that the JV06 flare has been lit at all points up to and including Yearby, whilst footnote e) comments that the flare was not lit at JV06. Please explain the relevance of these comments to the background noise levels.	The flare at JV06 is always lit, for safety reasons in case the plant has to burn its inventory. The comments refer to flaring actually taking place which has the potential to be noisy. It is normal practice to note potential changes in operating conditions that could affect noise levels. These observations do not always result in a clear relationship between noise levels and the observed operating conditions as was the case on this occasion.
Q1.9.13	Applicant	Section F4 of Annex F1 [APP-071] provides wind direction analysis whilst paragraph 8.61 of the ES indicates that wind direction has an important effect on noise levels at receptors. Show how the wind direction analysis has had an effect on noise levels.	Paragraph 8.77 of the ES chapter [APP-050] explains how the wind direction analysis has been used to establish the noise level during the most commonly occurring wind directions: <i>"...since it is the representative background noise level that is required and not the minimum under any circumstances it has been considered relevant to base the assessment on commonly occurring wind conditions. The prevailing wind direction (from the south) resulted in background noise levels of approximately 37 dB L_{A90}. This wind direction is maintained for 31% of the time based on historic met data that is representative of conditions at the site.</i> <i>For the next most commonly occurring direction (SSW which is experienced for 19% of the time) measurements of 34 to 39 dB L_{A90}</i>

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			<i>were recorded. This results in an arithmetic average value of 37 dB L_{A90}. These indicate typical noise levels that could be expected under stable conditions at night under representative wind directions (i.e. 37dB L_{A90}). This value is obtained whether the values are averaged together for the two wind directions or for each one and then combined."</i>
Q1.9.14	Applicant Redcar and Cleveland Borough Council	In paragraph F1.3 of Annex F2 [APP-072] it is stated that it is not appropriate to combine operational and construction noise levels in Scenario 2. Explain further why this is the case and specifically, why it would not be possible to use the operation of the first train as the future baseline and then assess construction noise impacts of the second train?	Construction noise is a temporary and variable activity, whereas the noise from the operational plant is continuous at a fixed level and long term. The guidance for operational noise (BS 4142) requires the noise from the operational components of the project to be compared with criteria from that standard. In the same way the BS 5228 construction guidance requires the construction noise to be compared with the relevant criteria in BS5228. It would be possible to assess the construction impacts against the background noise from the first train; however, this would be less conservative and would assume that the noise from the operation of the first train would have formed the new baseline. It is more usual to consider baseline to reflect the situation which is established over a longer period.
Q1.9.15	Applicant	In Annex F2 [APP-072], why are the operational noise contours in Figures F2.1 and F2.2 skewed to the north-east?	The skewing of noise contours is due to screening and reflection off the facades of the following structures: existing noise barrier along the southern boundary of the site, proposed/existing site buildings west of the operational trains (e.g. Admin building and Substation 1), and existing Greystones Substation northwest of the site.
Q1.9.16	Applicant	In Table 17.1 of the ES [APP-059], item 105 states that the wall of the HRSG building has been assumed to be acoustically upgraded cladding material. <ul style="list-style-type: none"> Is there a need for acoustically upgraded cladding material and what would this achieve? How would this be secured through the dDCO? 	Acoustically upgraded material was modelled to reduce overall noise emitting from the HRSG building. This was assumed to be provided by commercially available composite industrial cladding material with enhanced properties to reduce noise breakout through the building walls. Other alternative or complimentary acoustic mitigation could be provided to absorb noise reflecting off the indoor surfaces, which would also reduce the noise from this source. The detailed specifications for the mitigation measures that are required will be established during detailed design and will be secured through the DCO by Requirement 27 and 20 as stated within Table 17.1 of the ES [APP-059]. The modelling in the ES study has taken one practical and achievable option to demonstrate the likely noise emissions from operation of the project and to demonstrate there is at least one viable and proven option available to mitigate noise.
Q1.9.17	Applicant	The operational noise assessment is based on both trains operating as a worst case scenario with operational assumptions and predictions provided in Annex F2. [APP-072] The assessment has been informed by noise modelling by potential contractors based on their experience and the types of mitigation required will be developed during the detailed design process to ensure that the plant design meets the levels assumed in the modelling. How will this be ensured?	As stated in answer to question Q1.9.16, Requirement 27 of the draft DCO [APP-005] requires the authorised development to be carried out in accordance with the approved details, which must be in accordance with the parameters of the ES. Requirement 4(2) will require detailed designs relating to each phase to have been submitted to and approved in writing by the relevant planning authority before development commences, this will include plant design. In addition, Requirement 20(2) ensures that the agreed written programme includes the maximum permitted levels of noise at each monitoring locations.
Q1.9.18	Applicant	Table 8.14 [APP-050] identifies mitigation works for the operational phase including that gas turbines will be inside buildings and within enclosures. Please provide details of the proposed enclosures, indicate whether or not this would have any effect on noise propagation and whether or not this has been taken into account in the noise assessment.	Detailed engineering design for an enclosure was not available during the ES noise study [APP-050]. A reasonable approach was used to simulate the effects of noise enclosures on the Gas Turbine noise, which resulted in a reduction of overall noise emissions from the GT Building by 16.5 dB(A). This reduction has been included in the noise predictions and was sufficient to reduce residual impact significance to not significant at receptor locations, as stated in Table 8.13 of the ES [APP-050].
Q1.9.19	Applicant	Paragraph L18 of the CEMP [APP-081] states that construction noise limits have been identified for nearby noise sensitive receptors and that compliance with the noise limits will ensure that adverse effects are unlikely. Confirm where in the application documents these noise limits are presented and how they would be monitored and enforced. Paragraph L18 also states that for out of core-hours working/abnormal or emergency construction traffic, measures would be put in place to reduce potential noise impacts at noise sensitive receptors. Please provide details of these measures.	The noise limits applied will be based on the guidance within BS 5228, the same as the criteria in Table 8.3 of the ES [APP-050], and would apply as far as reasonably practicable. The baseline category A would be assumed unless baseline samples showed alternative conclusions. The mitigation measures that would be considered where appropriate would draw on common guidance such as BS5228 where necessary and appropriate see the updated framework CEMP provided. The detailed measures will need to be determined once detailed construction and logistics information has been developed and when the activities that may need to take place out of hours are identified and will be included within the detailed CEMP (secured by Requirement 13 of the draft DCO [APP-005]).
10 Risk and Hazard Management			
Q1.10.1	Applicant Redcar and	As set out in paragraph 14.13 of the Environmental Statement (ES) [APP-056], the National Policy Statement for Energy (EN-1) indicates that the	Paragraph 14.13 quotes the sustainability appraisal of National Policy Statement for Energy (EN-1) and does not form the parameters of the Project assessment.

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	Cleveland Borough Council	<p>positive effects of energy policy for health can achieve 'positive medium and long term effects...for equalities'.</p> <p>Please indicate how the proposed development has a positive effect on equalities.</p>	<p>The effect on 'equalities' has not been specifically assessed and is not regarded as relevant in the context of the scale of the proposed development, which will generate energy for local industrial users and the national grid.</p> <p>The updated framework CEMP [APP-081] has been submitted for Deadline 2 of the Examination.</p>
Q1.10.2	Applicant Redcar and Cleveland Borough Council	<p>Emerging Policy SD4 of the Redcar and Cleveland Draft Publication New Local Plan states that a Health Impact Assessment (HIA) will be required where the development is likely to have a significant impact on the health and wellbeing of the local population or particular groups within it [APP-056].</p> <p>What matters should a HIA address and does the DCO application meet those requirements.</p>	<p>Public Health England raised issues at EIA Scoping stage that were subsequently addressed in the HIA (APP-056). The HIA presents an assessment of the likely significant health effects. RCBC did not request a HIA although it is noted within the HIA as emerging policy.</p> <p>Mitigation measures identified as part of the HIA are secured within the draft DCO [APP-005] by Requirements 13, 6, 15, 30 and 29, as listed within Table 17.1 in APP-059.</p>
Q1.10.3	Applicant	<p>Paragraph 6.190 of the ES [APP-048], states that a site emergency response and contingency plan will be developed in consultation with the Environment Agency, Redcar and Cleveland Borough Council and the EPC (Engineering, Procurement and Construction) contractor and that the plan will be a requirement of the DCO.</p> <p>Expand on what matters the plan should address and how it will be secured through the DCO.</p>	<p>Procedures to deal with emergencies and incidents will be set out in a specific site emergency response plan (now Requirement 30 in the amended DCO submitted for Deadline 2). Environmental incidents can be defined as unexpected events which lead to, or could in different circumstances have led to, adverse effects on people, property or on environmental resources such as natural habitats or watercourses.</p> <p>Emergency response protocols will be detailed in SCU's site management procedures. All of the works associated with the Project will be conducted in accordance with Project-specific risk assessments and method statements, to be prepared by the contractor, and agreed in advance with Sembcorp.</p> <p>Responsibility for the site emergency response procedures will lie with the SHE Manager (or similar). Accidents will be investigated and reviewed by the Safety Manager and Health, Safety and Environment Officer.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.10.4	Applicant	<p>With reference to paragraph 14.23 of the ES [APP-056], please demonstrate how the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines to prevent the effects of electromagnetic fields (EMF) have been taken into account in assessing potential health effects.</p>	<p>As stated in paragraph 14.155 of the ES Chapter 14 Human Health [APP-056], as the National Grid substations already exist for this Project, there will be no new EMF effects associated with their use for the Project.</p> <p>Construction personnel will be protected from EMF from the existing substations by distance, i.e. the fences around the substations. The Project will comply with the EMF at work regulations 2016 for any new transformers and associated electrical plant.</p> <p>Measures will be implemented to protect operational staff from potential EMF effects associated with the existing substations. As National Grid will adopt the accepted design codes, no significant health effects in the medium to long-term for operational staff are predicted, based on the voluntary code of practice produced by Department of Energy and Climate Change and publicly available data.</p> <p>Construction personnel will be protected from EMF from the existing substations by distance, i.e. the fences around the substations. The project will comply with the EMF at work regulations 2016 for any new transformers and associated electrical plant.</p>
Q1.10.5	Applicant	<p>As set out in paragraph 14.36 and Table 14.4 of the ES, decommissioning may have an impact upon several attributes of health but is beyond the scope of the assessment.</p> <p>Please provide further explanation as to why decommissioning has not been assessed.</p>	<p>As stated in 14.157 [APP-056], the assessment assumes a scenario whereby decommissioning would require all components of the Project to be removed. The nature of potential health effects would therefore be similar to those anticipated during construction. However, the magnitude and therefore significance of health effects may be slightly less than those anticipated during construction due to the shorter duration and intensity of decommissioning activities in comparison with construction. If a less intensive approach to decommissioning is used the employment and economic effects may be less than those reported here. Temporary disruption to the local community and reduced amenity for directly affected properties may occur during decommissioning, as a result of increased traffic, air quality, dust and noise, landscape and visual effects. These effects will be appropriately managed and no significant adverse effects are anticipated in respect of disruption to local communities.</p> <p>To conclude, decommissioning will be a planned and managed process involving activities and mitigation similar to construction activities and not having any greater impacts than those from construction. The assessment of effects of decommissioning is therefore contained within the envelope of effects assessed for construction and the effects will be no worse than those predicted to occur during</p>

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			construction.
Q1.10.6	Applicant	Notwithstanding the applicant's comment in paragraph 14.90 of the ES [APP-056], that there will be no new EMF effects and that there will be compliance with applicable codes, how does this address ICNIRP guidelines?	Construction personnel will be protected from EMF from the existing substations by distance, i.e. the fences around the substations. The project will comply with the EMF at work regulations 2016 for any new transformers and associated electrical plant. The Applicant will be designing equipment to comply with National Grid's Relevant Electrical Standards (RES) https://www.nationalgrid.com/uk/electricity/codes/grid-code/electrical-standards-documents-including-specifications-electronic and the Energy Networks Association (ENA) Technical Specifications (TS), Engineering Recommendations (ER) and Engineering Technical Reports (ETR) http://www.energynetworks.org/electricity/engineering/engineering-documents/engineering-documents-overview.html and other applicable industry standards. Sembcorp already operate high voltage equipment on the Wilton International site and comply fully with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines.
Q1.10.7	Applicant	Paragraph 14.132 of the ES [APP-056], indicates that noise resulting from the project is unlikely to result in sleep disturbance although some noise may be audible outside of domestic properties. Has the assessment taken account of the possibility of windows being open?	Paragraph 8.53 of the ES [APP-050] explains how the assessment criterion for avoiding sleep disturbance considers the possibility of windows being open: <i>"Benchmark noise criteria for various building uses are provided in BS 8233 (2). The British Standard provides guidelines for avoiding disturbance at night which includes 30 dB_{L_{Aeq}} at night between 2300 and 0700 inside residential buildings. The external noise levels that are equivalent to this value are typically 10 to 15 dB higher with windows open so that a reasonable benchmark would vary between 40 and 45 dB_{L_{Aeq}} (free-field 2300-0700 hours). These noise targets, which apply outside a building, are based on preserving good standards for sleep within the building."</i>
Q1.10.8	Applicant	Please clarify what is meant by 'none of these effects are expected to be minor or not significant' in paragraph 14.140 of the ES [APP-056].	Should be amended to: However, none of these effects are expected to be minor or not significant and it is unlikely that the changes to the landscape would lead to negative health effects.
Q1.10.9	Applicant National Grid	Section 14.6.9 of the ES [APP-056] indicates that there are no predicted impacts associated with EMF during construction. Please clarify this statement having regard to the proximity of construction taking place close to existing sub-stations on site. With regard to the operational phase of the project it is stated that National Grid will adopt accepted design codes. Similarly, on page 15-8 of the ES (Table 15.1) [APP-057], in response to the comments of National Grid it is stated that all guidance will be fully complied with. Should this be secured through the DCO, and if so, how?	Please see comment above for Q1.10.4. The Applicant will be designing equipment to comply with National Grid's Relevant Electrical Standards (RES) https://www.nationalgrid.com/uk/electricity/codes/grid-code/electrical-standards-documents-including-specifications-electronic and the Energy Networks Association (ENA) Technical Specifications (TS), Engineering Recommendations (ER) and Engineering Technical Reports (ETR) http://www.energynetworks.org/electricity/engineering/engineering-documents/engineering-documents-overview.html and other applicable industry standards. Sembcorp already operate high voltage equipment on the Wilton International site and comply fully with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines.
Q1.10.10	Applicant	How will the HIA mitigation measures set out in 14.7 [APP-056] be appropriately secured through the DCO [APP-005]?	The HIA recommendations at 14.7 are construction mitigation and operational mitigation. Mitigation measures identified as part of the HIA are secured within the draft DCO [APP-005] by Requirements 13, 6, 15, 30 and 29, as listed within Table 17.1 [APP-059].
Q1.10.11	Applicant	Paragraph 15.8 of the ES [APP-057] states that the Project Site is within the consultation distance of the adjacent Ensus plant with part of the site within an area possibly affected by a major accident at the Ensus facility. Is the layout of the Proposed Development influenced by this consultation zone? What would be the effect of the proposed development on the Ensus site in hazard terms?	The plant layout was influenced by the following factors: Noise and Visual Receptors at Lazenby Village to the south east of the development, Noise and Visual Receptors at Grangetown to the west of the development, the requirement for CCR and the adjacency to Ensus a Tier 1 COMAH Site. Taking those factors into consideration then the areas where there are the highest concentration of people will be in normal operation – Administration Building, Control Room, Workshops, are on the west of the plot furthest away from Ensus and shielded by the mass of the Turbine and HRSG buildings. There are no effects on the Ensus site in hazard terms arising from the construction or operation of the Proposed Development.
Q1.10.12	Applicant Health and Safety	On page 15-7 of the ES (Table 15.1) [APP-056], in response to the comments of the Health and Safety Executive it is stated that Ensus, Lotte and Sabic	The companies have been contacted and understand the Proposed Development would support Wilton International Site electricity demand and that there is a potential for CHP being developed. All of the companies were supportive of any projects that strengthened

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	Executive	have been contacted in relation to the project. What is the outcome of those discussions?	Wilton International Site utility supplies. The Proposed Development is within the consultation zone for Ensus, but not that for Sabic. The previously demolished power station was operational when the Ensus plant was constructed so was taken into account when the Ensus safety case was written.
Q1.10.13	Applicant	Section 15.4.2 of the ES sets out an assessment of construction and operational phase effects with separate tables dealing with construction (Table 15.3) and operation (Table 15.4) [APP-056]. Has an assessment been undertaken to consider the risks associated with Scenario 2 as well as Scenario 1? If not, why not?	No specific consideration of phasing was made within Chapter 15 Major Accidents as there are no specific or new risks that would arise from constructing one train while the other is operational that would be significantly different from constructing both trains together. The operational area would be segregated from the construction area for the protection of workers and the integrity of the operating equipment. The construction and operational risks could potentially occur concurrently, but since they are different risks, there is no cumulative effect and therefore no difference in their assessment.
Q1.10.14	Applicant Health and Safety Executive	Reference is made in paragraph 5.88 of the ES [APP-047] to a 'health, safety and environmental (HSE) management plan'. How does this relate to the assessment to be provided under Req. 30? If they are different documents how would the HSE management plan be secured?	They are different documents. The HSE management plan referenced in the ES is for construction and forms part of the CEMP. The safety assessment referenced under Requirement 30 of the draft DCO [APP-005] is for operation. The HSE management plan will also be secured as a requirement of the EPC contract.
11 Transportation and Traffic			
Q1.11.1	Applicant	Paragraph 10.15 of the Environmental Statement (ES) [APP-052], indicates that for Scenario 1 there will be 48 new members of staff when the project is operational whilst paragraph 10.16 states that in Scenario 2, Phase 1 the operational workforce will be 46 and paragraph 3.17 of Annex I1 [APP-077], indicates that this will rise to 48 once the second CCGT is operational. This appears to conflict with the figures in paragraph 13.103 of the ES [APP-055], which indicates that for Scenario 2 the first train will employ approximately 40 staff and when both trains are operational approximately 60 staff will be required. Please comment on this discrepancy and confirm the basis on which the transport assessment [APP-077] has been undertaken.	ES Annex I1 Transport Assessment ('TA') [APP-077] is based on the number of workers on site at any one time within shift patterns detailed in Chapter 10 of the ES [APP-052]. Scenario One = 48 workers Scenario Two = 46 workers (1 st CCGT) and a total of 48 workers (once 2 nd CCGT is operational) The figures used within the TA have been based on information provided by SCU and based on the operation of similar facilities. Paragraph 13.103 of the ES [APP-055] uses the approximate total number of jobs created by the Project in each scenario and not the number of employees on-site at any one time.
Q1.11.2	Applicant	In Table 10.1 of the ES [APP-052], Highways England indicated that there was a need for the Project to be co-ordinated with other major construction projects. The applicant's response stated that it was intended to co-ordinate projects prior to construction and that the approach had been agreed in principle with Highways England. In Appendix A of Annex I1 [APP-077], a response from CH2M on behalf of Highways England recommended that further information on committed major developments should be built into the traffic impact assessment. Please demonstrate how this has been done.	Section 8 of the TA [APP-077] provides an explanation of how the cumulative impact has been taken into account. MBL have reviewed the estimated level of traffic generation associated with the Lotte LCI PET Plant and the York Potash Project and it has been concluded that these developments will have a minimal impact on the proposed CCGT Project during its construction phase. Para 8.8 details that Sembcorp will seek to coordinate with the promoters proponents of these schemes and Local Highway Officers to coordinate the delivery of these projects so that any cumulative impacts are minimised.
Q1.11.3	Applicant	Paragraphs 10.22 and 10.95 of the ES [APP-056] indicate that the provision of a shuttle bus from the Wilton International main access to the project site is being considered. Similarly paragraph 4.14 of Annex I1 [APP-077] indicates that the Project will consider the provision of a pedestrian/cycle link from the Wilton International site main access to the Project Site. Please indicate how these matters are being progressed and how they will be secured through the DCO.	With regard to the possible provision of a pedestrian/cycle route from the Wilton International Site main site access to the Site, ES Annex I2 [APP-078] states at para 1.49 that "a possible cycle route through the adjacent Wilton International site is not practical due to safety concerns". Given the nature of Wilton International as a major location for the chemical industry and the safety precautions in place, in the unlikely event of a loss of containment from one of the plants on the Wilton International Site, access on foot or cycle through the site is not considered suitable. The other matters will be progressed during the development of the CEMP and are secured by Requirement 13 of the draft DCO [APP-

REF NO.	RESPONDENT	QUESTION	RESPONSE
			005].
Q1.11.4	Applicant Redcar and Cleveland Borough Council	<p>Paragraph 10.26 of the ES [APP-056] states that a Travel Plan for the operational phase of the project is not necessary due to the low level of operational trips.</p> <p>For the applicant please demonstrate how this conclusion was reached in terms of policy and guidance. Is this view shared by the Council?</p>	<p>The preparation of an operational travel plan was ruled out at the EIA Scoping stage of the Project. The Scoping Opinion issued on behalf of the SoS by the Planning Inspectorate (ES Annex B) [APP-063] states at paragraph 3.93 that:</p> <p><i>“The SoS notes that it is proposed at this time that an operational Travel Plan will not be submitted with the DCO application. The SoS considers that this is acceptable, however suggests that consideration is given to the preparation of a construction phase Travel Plan.”</i></p> <p>The above conclusion was reached on the basis of the small amount of traffic generated during operation and the capacity to accommodate it on the road network. There have been no material changes to the operational traffic anticipated as part of the Proposed Development.</p> <p>The above complies with relevant planning policy, including paragraph 5.13.4 of NPS EN-1, which confirms that travel plans should only be prepared where appropriate. In this case, an operational travel plan is not necessary and is therefore not appropriate.</p>
Q1.11.5	Applicant Redcar and Cleveland Borough Council	<p>The proposed mitigation measures identified in Table 10.13 of the ES [APP-056] for abnormal indivisible loads (AIL) would in part be secured through Req. 15 of the dDCO [APP-005]. Whilst Req. 15 addresses routeing and scheduling, does it adequately address the management of AILs?</p> <p>What consideration has been given to the movement of AIL by water and have discussions taken place with Highways England's abnormal loads team?</p>	<p>ES Chapter 10 paragraphs 10.11-10.13 [APP-052] details that all AILs will be shipped from abroad to Teesport and then via the strategic road network to the Site; therefore the greater majority of their transport will be by water.</p> <p>Section 10.2.5 of ES Chapter 10 details the number of AIL's during the construction phases for both Scenario One and Scenario Two. AIL applications will be made by SCU and/or the Contractor at the relevant time.</p> <p>No explicit discussions have been had with Highways England's abnormal loads team, but it is aware of the Proposed Development and has not said anything about AILs in its relevant representations.</p>
Q1.11.6	Applicant Redcar and Cleveland Borough Council	<p>Paragraph 1.2 of Annex I2 [APP-078] states that the EPC contractor will meet or exceed the framework provisions of the draft Construction Transport Management Plan (CTMP) and adapt it to their project specific construction methodology.</p> <p>Please confirm that this relates to Req. 15 of the draft DCO [APP-005] and not Req. 25 as stated and that the reference within paragraph 1.2 should be to Highways England and not the Highways Agency. Req. 15 is addressed above.</p>	<p>This is confirmed – it relates to Requirement 15 of the draft DCO [APP-055] and the reference should be Highways England.</p> <p>An updated ES Annex I2 ‘Draft Construction Traffic Management Plan’ (Revision 2) [APP-078] has been submitted by the Applicant for Deadline 2 of the Examination.</p>
Q1.11.7	Applicant Redcar and Cleveland Borough Council	<p>Paragraph 1.25 of Annex I2 [APP-078] states that HGV arrivals will be spread evenly between the hours of 0800-1800 to avoid on-site congestion and avoid peak traffic on adjacent roads. Paragraph 2.9 of the Transport Assessment states that the AM peak is between 0730-08.30 whilst the PM peak is between 1630 and 1730.</p> <p>Is there any conflict between these statements and if so how will the situation be managed?</p> <p>Will abnormal indivisible loads be restricted to particular time periods?</p>	<p>ES Annex I1 TA Section 5 [APP-077] details the HGV trips generated during the construction phases for all scenarios for the AM peak 07:30-08:30.</p> <p>Tables 5.1, 5.7 and 5.13 show that there will be no HGV movements during the AM peak hour between 07:30-08:30.</p> <p>ES Annex I1 TA [APP-077] in paragraph 3.23 states that: <i>“Contract requirements will include establishment of relevant procedures for scheduling arrival of abnormal loads to the site through discussions with the relevant local authorities, including identification of suitable routes, temporary protection to carriageway surfaces (if necessary), statutory undertakers’ plant and equipment. The transport arrangements for the delivery of abnormal loads are already an established practise and will take place off peak and wherever possible overnight to minimise the disruption caused to general traffic”.</i></p> <p>Therefore, all AILs would have a scheduled arrival window which would be agreed with the local authority and Highways England prior to its arrival.</p>
Q1.11.8	Applicant Redcar and Cleveland Borough	<p>Section I5 of Annex I2 [APP-078] addresses the need for a Workers Travel Plan. It comments that there are no train services and no bus stops nearby.</p>	<p>The comments in Section I5 of Annex I2 [APP-078] do conflict with Section 4 of the TA [APP-077]. Section 4 of the TA details the existing site accessibility which includes that location of nearby bus stops on the A1085 Trunk Road (North) as detailed in paragraph 4.3. Paragraph 4.5 details the bus services that currently operate/stop at the bus stops.</p>

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	Council	Do these comments conflict with Section 4 of the Transport Assessment [APP-077] which considers the potential for public transport trips?	Existing rail services are detailed in paragraph 4.8 of the TA, South Bank Rail station is located 2.8km from the Site. Therefore, the information within section I5 of Annex I2 regarding public transport facilities nearby is incorrect. An updated ES Annex I2 'Draft Construction Traffic Management Plan' (Revision 2) [APP-078] has been submitted by the Applicant for Deadline 2 of the Examination.
Q1.11.9	Applicant Redcar and Cleveland Borough Council	Paragraph 1.52 of the CTMP [APP-078] indicates that the construction contractor will ensure that arrangements are in place to maximise car sharing and the use of minibuses. Set out the extent of measures to be addressed through a Workers Travel Plan and demonstrate how they would be secured through the DCO?	Please refer to the Applicant's answer to Q1.3.34.
Q1.11.10	Applicant	The 'Existing Access and Rights of Way' Plan [APP-015] identifies 'major road' and 'private road'. What is the status of these roads in terms of the Highways Act 1980?	The Site is accessed from the A1053 Greystone Road which forms part of the Strategic Road Network ('SNR'). The access road from the A1053 is a private road which is not adopted highway.
Q1.11.11	Applicant Redcar and Cleveland Borough Council	Item 15 of Table 2.1 in the Other Consents and Licences document [APP-035] identifies North Yorkshire County Council as local highway authority. Can the applicant confirm the correct local highway authority?	Redcar and Cleveland Borough Council.
12 Water Environment			
Q1.12.1	Environment Agency Redcar and Cleveland Borough Council	Can the Environment Agency (EA) and the Lead Local Flood Authority confirm whether or not they are content with the scope, assessment, methodology and conclusions of the Flood Risk Assessment [APP-064]? If not, please provide details of the specific areas of concern and confirm how these should be addressed by the applicant.	
Q1.12.2	Environment Agency	Can the EA confirm whether or not it agrees that the Water Framework Directive (WFD) information provided in the application appropriately demonstrates the Proposed Development's compliance with the requirements of the WFD? Do any other matters relevant to WFD need to be taken into account?	
Q1.12.3	Applicant	The scope of the Applicant's WFD assessment is unclear but appears to be limited to assessment of impacts on the Tees Estuary (South Bank). Can the applicant confirm and justify the scope of the WFD assessment? If other bodies have been assessed explain the outcome of the assessment and where this information can be found.	We can confirm that the Tees Estuary is the only Water Framework Directive ('WFD') waterbody included in the assessment. A formal Water Framework Assessment compliance assessment was scoped out of the assessment as the construction of the Project will not interact with any watercourse, and all water within the site will be managed by the site drainage system and existing discharge permit. As such, it is considered that the Project presents no tangible change to the WFD baseline.
Q1.12.4	Redcar and Cleveland Borough Council	Table C1.2 of Annex C (Flood Risk Assessment) [APP-064] refers to Policy SD7 of the Draft Publication New Local Plan which has a requirement for brownfield developments to limit runoff to 50% of that previously discharged. The applicant considers this to be impractical. Please comment.	
Q1.12.5	Applicant	Paragraph C1.41 of Annex C [APP-064] states that drainage features are shown on Figure C3.1. Please provide an amended figure which shows these features.	An updated Figure C3.1 (Application Document Ref: 8.13) has been submitted by the Applicant for Deadline 2 of the Examination.

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Q1.12.6	Applicant	<p>Paragraph C1.48 of Annex C [APP-064] states that the updated flood map for surface water flooding indicates that there are some areas of surface water flood risk within the site itself. Plan BGS Flood GFS Data in Annex D2 [APP-066] also shows the potential for groundwater flooding.</p> <p>Please explain the implications of this finding.</p>	<p>Surface water flooding and groundwater flooding are two separate processes.</p> <p>As stated at paragraph C1.49 [APP-064], it is considered by our experts that the surface water flooding shown on the uFMfSW (now renamed by the EA as RoFSW) to be an artefact of the digital elevation model used in the generation of the map. This is common in industrial areas where high level structures such as gantries and pipelines are present. At the DEM is generated from LiDAR data, these structures are represented as solid 'walls' in the topographic model, resulting in 'ponding' in the model simulation. In reality, these structures do not form barriers to flow, and thus ponding does not occur.</p> <p>As stated at C1.51, although the BGS flood map suggests that the eastern extent of the Site has the potential for groundwater flooding to occur at the surface, the risk of this occurring, and having a detrimental effect on the project site or elsewhere is considered minimal. This is due to the geology of the site which is predominantly low permeability. This is supported by the evidence that such flooding has not occurred during the last 20 years of operation at the Site.</p>
Q1.12.7	Applicant Environment Agency	<p>In paragraph C1.59 of Annex C [APP-064] it is asserted that climate change is not considered likely to increase flood risks within the vicinity of the project site.</p> <p>Please comment further on this statement.</p>	<p>Paragraph C1.59 [APP-064] specifically states that climate change is unlikely to increase flooding from tidal, groundwater, and artificial sources.</p> <p>With regards to tidal flooding, the Site is located at an elevation of approximately 16.5m AOD. Even considering the revised sea level allowances for the north east, the total cumulative increase of 0.99m by 2115, this is considered unlikely to have a significant effect on the Site as the highest ever recorded tide level recorded in the Tees Estuary, is 4.09m¹. This is over 12m lower than the site level, which is protected by the naturally occurring higher ground along the south bank of the River Tees. Even in combination with a storm surge, the site is still considered to be well protected from any future events. The highest ever recorded storm surge in the North Sea, which occurred in January 1953 only reached 5.6m above mean sea level.</p> <p>With regards to groundwater flooding, any climate change influence is likely to be associated with increased rainfall intensity, which could indirectly affect ground water flood, but is more likely to affect surface water. The implications of surface water flooding are already presented in the FRA and changes due to climate change will not affect the assessment and its conclusions.</p> <p>With regards to artificial sources (reservoirs) such risks are related to the maintenance and condition of impounding structures. As these are large raised reservoirs, they are subject to the requirements of reservoir safety legislation² and the inundation risk posed by these reservoirs is not likely to change as a result of climate change, as inspection and maintenance will still be required as per this legislation.</p>
Q1.12.8	Applicant Environment Agency Redcar and Cleveland Borough Council	<p>What relevance, if any, does the Redcar and Cleveland Strategic Flood Risk Assessment have for the Project site?</p>	<p>The overall aim of the Redcar and Cleveland Strategic Flood Risk Assessment (May 2016) is to steer new development to low risk Flood Zone 1 areas.</p> <p>It provides a review of the 295 potential development sites identified by RCBC. Out of the 295 sites provided for assessment by RCBC, 15 are within or partially within the functional floodplain (Flood Zone 3b). Out of these 15 sites, 4 are recommended for withdrawal where the level of risk is considered too great for development to proceed. There are a further 5 sites that are recommended for withdrawal based on significant surface water flood risk.</p> <p>The Site is located within ELD 15 (RCBC SFRA Detailed Map 17.pdf). The SFRA makes no specific recommendations for the Site. This is taken as an indication that development of the Site would not pose a risk with regards to flooding.</p>
Q1.12.9	Applicant	<p>In its response to the s55 checklist the applicant responded to matters concerning the WFD. Nevertheless the applicant is requested to provide an updated version of Figure 6.1 [APP-048] which labels the water bodies and</p>	<p>Please see the Applicant's response to Q1.12.5.</p>

¹ <https://www.riverlevels.uk/north-yorkshire-tees-dock-tidal#.WvUeUaQvypo>

² Reservoirs Act 1975 (RA75), as amended by the Flood and Water Management Act 2010.

REF NO.	RESPONDENT	QUESTION	RESPONSE
		confirms the WFD of each.	
Q1.12.10	Applicant	What discussions have taken place with Northumbrian Water about waste water requirements in the light of their comment set out in the Scoping Report [APP-062] recommending that the applicant contact them? If no dialogue has taken place, why not?	<p>An Environmental Permit is already in place with reference QR.25/04/1528 which permits the discharge of sewage and trade effluent from the Wilton Site in accordance with the terms of the permit. Consequently there is no need for a requirement in relation to foul water drainage, as a permitted system is already in place and the Project will connect into that system.</p> <p>The existing drainage system and environmental permit provide sufficient capacity and infrastructure to accommodate the Proposed Development.</p> <p>It follows that further liaison with Northumbrian Water in respect of the waste water from the Proposed development is not necessary as the Applicant owns and operates the sewage and trade effluent Wilton Site system. This system has the capacity to take the additional waste water from the Proposed Development.</p>
Q1.12.11	Applicant	Please clarify what the annotations are (Q8, AS etc.) on the 'Indicative Drainage Plan' [APP-027] and how drainage within the Project site would drain to the connection.	<p>The annotations are as follows: 'AS' stands for Air Shafts and these act as vents for the drains. Q8, Q7 etc. identify Drains Chambers. These are constructed chambers that allow a connection point into the drain.</p> <p>With regards to how drainage within the Site would drain to the connection then during detailed design an internal drains system would be developed and subsequently constructed to the point shown on the Indicative Drainage Plan [APP-026 to APP-028].</p>
Q1.12.12	Applicant	<p>Please clarify whether the existing demineralised water connection to the site [APP-019], potable water connection plan [APP-023 – Sheet 1] and raw water connection plan [APP-023 – Sheet 2] would be served by new structures or buildings.</p> <p>Please also confirm the feature shown as concentric circles in the north west corner of the site.</p>	<p>There may be a new demineralised water tank, this is shown IN the Indicative Generating Station Plan (Sheet 2) [APP-014] by the concentric circles in the north west corner of the Site.</p> <p>There will be no new structures or buildings for the potable or raw water connections.</p>
Q1.12.13	Applicant	Would trade effluent discharges in the form of cooling water require Trade Effluent Discharge Consent? If not, why not?	<p>A Trade Effluent Discharge Consent will not be required.</p> <p>An Environmental Permit is already in place with reference QR.25/04/1528 which permits the discharge of sewage and trade effluent from the Wilton Site in accordance with the terms of the permit. Consequently there is no need for a for a separate trade effluent discharge consent as a permitted system is already in place and the Project will connect into that system.</p>
Q1.12.14	Applicant	<p>Table 6.17 of the ES [APP-048] states that the discharge of process water and surface water runoff from the Project site will take place to the existing Wilton site drainage system through which it will be monitored through the Environmental Permit.</p> <p>Would separate Surface Water Discharge Consent be required and should this be included in Table 2.1 of Other Consents and Licences [APP-035]?</p>	<p>A separate Surface Water Discharge Consent will not be required.</p> <p>An Environmental Permit is already in place with reference QR.25/04/1528 which permits the discharge of sewage and trade effluent (which includes surface water run off) from the Wilton Site in accordance with the terms of the permit. Consequently there is no need for a requirement in relation to surface water drainage, as a permitted system is already in place and the Project will connect into that system.</p> <p>The existing drainage system and environmental permit provide sufficient capacity and infrastructure to accommodate the Proposed Development.</p>
13 Other Matters			
Q1.13.1	Applicant	With reference to paragraphs 1.14 and 1.15 of the Statutory Nuisance Statement [APP-040], what is the difference between 'no significant ... nuisance effects following the implementation of identified mitigation' and 'the mitigation committed ... will ensure no statutory nuisance effects are likely to occur'?	<p>Both statements convey the same message. For clarity the second statement could be amended to:</p> <p><i>'the mitigation committed ... will ensure no significant statutory nuisance effects will occur'</i></p>
Q1.13.2	Applicant Environment	In the light of the advice within EN-1 that where possible, applicants are encouraged to submit applications for Environmental Permits at the same time	The latest position in respect of the Environmental Permit is set out in the SoCG with the EA (Application Document Ref: 7.4) – submitted by the Applicant by Deadline 2 of the Examination.

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	Agency	<p>as applying for a DCO could the applicant explain their position with regard to Environmental Permits.</p> <p>Paragraph 7.4 of the Planning Statement states that the applicant has received a positive indication from the Environment Agency (EA) that an Environmental Permit for the proposed power plant will be granted. Please provide a copy of the letter dated 1 March 2017.</p> <p>Would the EA wish to comment further on whether the necessary Environmental Permit is capable of being granted?</p>	
Q1.13.3	Applicant	<p>Why do the dimensions on the indicative generating station plan [APP-019] refer to FFL (presumably finished floor level) when the DCO [APP-005] refers to height above ordnance datum (AOD)?</p> <p>Additionally, why does APP-019 have the height of the stacks fixed in terms of AOD whilst other heights are up to FFL?</p>	<p>The Applicant has updated the Indicative Generating Station Plan (Sheet 2) to show the elevation of buildings and stacks as above existing ground level – this replicates the terminology in the draft DCO [APP-005].</p> <p>The updated Indicative Generating Station Plan (Sheet 3) (Application Document Ref: 8.28) has been submitted by the Applicant for Deadline 2 of the Examination.</p>
Q1.13.4	Applicant	<p>The Works Plans [APP-013 and APP-014] show the various works proposed under the DCO, some of which overlap. Because of the overlapping colours the plans lacks clarity. Please reproduce the plans with insets to show each of the works/colours individually, as part of the original Works Plans.</p>	<p>The Applicant has updated the plans (Application Document Refs: 8.29 to 8.33) and these have been submitted for Deadline 2 of the Examination.</p>
Q1.13.5	Applicant	<p>The Works Plan [APP-014] shows two sound walls, partially along the western boundary and partially along the southern boundary. In articles 2 and 20 of the dDCO the sound walls are described as acoustic walls.</p> <p>Please ensure that a consistent term is used.</p>	<p>All references have been amended to refer to 'sound walls'.</p> <p>An updated draft DCO [APP-005] (Rev 2) has been submitted for Deadline 2 of the Examination.</p>
Q1.13.6	Applicant	<p>In paragraph 6 of the Schedule of Land Ownership and Interests [APP-007] it is stated that there are only two Section 44 Persons, namely National Grid and Northern Powergrid (Northeast) Limited.</p> <p>Please explain whether any other utility service providers such as those providing water and gas have any interests within the Order Limits.</p>	<p>Diligent inquiries carried out by the Applicant and its consultants have confirmed that there are no interests, other than NGET and NPG.</p> <p>For more information, please refer to Agenda Item 3.1 in the Written Summary of Applicant's Oral Case – Issue Specific Hearing on the Scope of the Application 10 April 2018 submitted by the Applicant for Deadline 2 of the Examination (Application Document Ref: 8.7).</p> <p>As an aside, in respect of land ownership matters, the Written Summary of Applicant's Oral Case – Issue Specific Hearing on the Scope of the Application 10 April 2018 submitted by the Applicant for Deadline 2 of the Examination (Application Document Ref: 8.7) also refers to a number of Land Registry and other plans when dealing with land ownership matters under Agenda Section 3.</p> <p>The plans are as follows and have been submitted by the Applicant for Deadline 2 of the Examination:</p> <ul style="list-style-type: none"> • Land Registry Plan CE115855 (Application Document Ref: 8.15); • Plan GIS-00-L-02801, which depicts Land Registry Plan CE189675 (Application Document Ref: 8.16); • Land Registry Plan CE189675 (Application Document Ref: 8.17); and • Tees CCPP Adjoining Land Map GIS-00-L-02691 (Application Document Ref: 8.18); and • Plan supplied by NPG (Application Document Ref: 8.19).
Q1.13.7	Applicant	<p>Paragraph 5.44 of the ES [APP-047] states that design will have regard to appropriate guidance including the Design Council guidelines.</p> <p>Please provide details of the guidelines indicated.</p>	<p>Nationally significant infrastructure projects. Design guidance. A design-led approach to infrastructure. The Design Council.</p> <p>https://www.designcouncil.org.uk/sites/default/files/asset/document/A_design_led_approach_to_infrastructure_Cabe.pdf</p>

REF NO.	RESPONDENT	QUESTION	RESPONSE
Q1.13.8	Applicant	<p>Redcar and Cleveland Borough Council's Relevant Representation [RR-008] states that the output of the power plant will satisfy the energy needs of 5m people in 1.3m households.</p> <p>Please indicate the output of the power plant in terms of people/households served.</p>	<p>The typical electrical consumption of average UK household is taken as 3,650kW per annum (the average of the medium values of electricity Profile Class 1 and 2 (3,100 and 4,200) Ref https://www.ofgem.gov.uk/gas/retail-market/monitoring-data-and-statistics/typical-domestic-consumption-values</p> <p>The full application is for 1,700MWe output. The expected load factor for electricity to be exported (some continuous power will be consumed by Wilton International Customers) is c.32% as gas is the marginal fuel so will be displaced by intermittent renewable generation. Therefore a total of 4,745,000MWh will be generated and exported to the National Grid – equal to the electricity needs of 1.3m households</p> <p>RCBC may be assuming an average household occupancy of 3.85. An alternative figure would be 2.4 people per household as per the ONS: https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2016</p> <p>For this reason, SCU prefers to use the number of households rather than number people when using this statistic.</p>
Q1.13.9	Applicant National Grid	<p>Table 2.1 of Other Consents and Licences [APP-035] sets out the need for a Bilateral Connection Agreement for connection to the National Grid substations.</p> <p>Is further consent required to export electricity to the National Electricity Transmission System through a Bilateral Embedded Generation Agreement?</p>	<p>No. The project will not be an embedded generator but will connect to the high voltage network. Bilateral Embedded Generation Agreements are for embedded generators only.</p>