

# Net Zero Teesside Project

Planning Inspectorate Reference: EN010103

Land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stockton-on-Tees, Teesside

The Net Zero Teesside Order

Document Reference: 8.33 – Statement of Common Ground with National Highways



Applicants: Net Zero Teesside Power Limited (NZN Power Ltd) & Net Zero North Sea Storage Limited (NZNS Storage Ltd)

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## DOCUMENT HISTORY

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## GLOSSARY

<b>Abbreviation</b>	<b>Description</b>
Applicants	Together NZT Power and NZNS Storage
Application (or DCO Application)	The application for a DCO made to the SoS under Section 37 of PA 2008 in respect of the Proposed Development, required pursuant to Section 31 of the PA 2008 because the Proposed Development is a NSIP under Section 14(1)(a) and Section 15 of PA 2008 by virtue of being an onshore generating station in England or Wales of electrical capacity of more than 50 megawatts, and which does not generate electricity from wind, and by the Section 35 Direction
CCP	Carbon capture plant
CCGT	Combined cycle gas turbine
CCUS	Carbon capture usage and storage
CEMP	Construction and Environmental Management Plan
DCO	A Development Consent Order made by the relevant Secretary of State pursuant to the PA 2008 to authorise a NSIP. A DCO can incorporate or remove the need for a range of consents which would otherwise be required for a development. A DCO can also include powers of compulsory acquisition
EIA	Environmental Impact Assessment - the assessment of the likely significant environmental effects of a development, undertaken in accordance with the EIA Regulations
EIA Regulations	Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) setting out how the environmental assessment of

	NSIPs must be carried out and the procedures that must be followed
ES	Environmental Statement, documenting the findings of the EIA
ExA	Examining Authority
Land Plans	The plans showing the land that is required for the Proposed Development, and the land over which interests or rights in land are sought as part of the Order
Limits of Deviation	The limits shown on the Works Plans within which the Proposed Development may be built
NSIP	Nationally Significant Infrastructure Project that must be authorised by the making of a DCO under PA 2008
NZT Power	Net Zero Teesside Power Limited
NZNS Storage	Net Zero North Sea Storage Limited
NZT	Net Zero Teesside - the name of the Proposed Development.
Order	The Net Zero Teesside Order, being the DCO that would be made by the Secretary of State authorising the Proposed Development, a draft of which has been submitted as part of the Application
Order Land	The land which is required for, or is required to facilitate, or is incidental to, or is affected by, the Proposed Development and over which powers of compulsory acquisition are sought in the Order
Order Limits	The limits of the land to which the Application relates and shown on the Land Plans and Works Plans within which the Proposed Development must be carried out and which is required for its construction and operation
PA 2008	The Planning Act 2008 which is the legislation in relation to applications for NSIPs, including preapplication consultation and publicity, the examination of applications and decision making by the Secretary of State
PCC Site	Power, Capture and Compression Site - the part of the Site that will accommodate the Electricity Generating Station, along with the CCP and high-pressure compressor station
Proposed Development (or Project)	The development to which the Application relates and which requires a DCO, and as set out in Schedule 1 to the Order

Requirements	The 'requirements' at Schedule 2 to the Order that, amongst other matters, are intended to control the final details of the Proposed Development as to be constructed and to control its operation, amongst other matters to ensure that it accords with the EIA and does not result in unacceptable impacts
Site (or Proposed Development Site)	The land corresponding to the Order Limits which is required for the construction and operation of the Proposed Development
SoCG	Statement of Common Ground
SoS	The Secretary of State - the decision maker for DCO applications and head of Government department. In this case the SoS for the Department for Business, Energy, and Industrial Strategy
STDC	South Tees Development Corporation
Work No.	Work number, a component of the Proposed Development, described at Schedule 1 to the Order
Works Plans	Plans showing the numbered works referred to at Schedule 1 to the Order and which together make up the Proposed Development

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## **1.0 INTRODUCTION**

### **1.1 Overview**

- 1.1.1 This SoCG (Document Ref. 8.32) has been prepared by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the 'Applicants') in conjunction with National Highways in respect of the Net Zero Teesside Project (the 'Proposed Development').
- 1.1.2 The SoCG sets out the matters of agreement between the Applicants and National Highways and also explains those matters which, at the time of writing, remain unresolved between the parties.
- 1.1.3 The agreements to date have been reached through consultation on submitted documentation and continuing discussions between the parties.

### **1.2 The Role of National Highways**

- 1.2.1 National Highways is the government company charged with operating, maintaining and improving England's Strategic Road Network (motorways and designated A roads).
- 1.2.2 National Highway's role in relation to the DCO process derives from the PA 2008 Act and secondary legislation made under the same.
- 1.2.3 National Highways is a consultee under Sections 42 and 5 of the PA 2008 Act, meaning applicants must consult with National Highways before submitting a DCO application and once an application has been accepted for examination.
- 1.2.4 National Highways interests with regard to the Proposed Development relate to the potential traffic and transport impacts of development on the Strategic Road Network in the vicinity of the Site and which would be used to access the Site.

### **1.3 The Purpose and Structure of this Document**

- 1.3.1 The purpose of this document is to summarise the agreements reached between the parties on matters relevant to the Examination of the Application and to assist the Examining Authority ('ExA'). It also explains the matters which remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any Development Consent Order ('DCO') for the Proposed Development.
- 1.3.2 The SoCG has been prepared with regard to the guidance in 'Planning Act 2008: examination of application for development consent' (Department for Communities and Local Government, March 2015).
- 1.3.3 The SoCG is structured as follows:
- Section 2 – sets out consultation and related discussions held between the Applicants and National Highways.
  - Section 3 – sets out the matters discussed and agreed to date.

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- Section 4 – sets out matters to be agreed and the proposed way forward.

## 2.0 SUMMARY OF CONSULTATION AND DISCUSSIONS

### 2.1 Overview

2.1.1 This section provides a summary of how the Applicants have consulted National Highways on the Proposed Development and also sets out the discussions that have taken place between the parties.

### 2.2 Consultation

2.2.1 **Table 2.1** (below) provides a summary of how the Applicants have consulted National Highways and how National Highways have responded to that consultation.

**Table 2.1: Summary of Consultation**

Consultation Stage/Date	National Highways Response
March 2019 (EIA Scoping)	National Highways were consulted on the Scoping Report prepared by the Applicant in March 2019, however, at the time of consultation, no response was noted.
February 2020 (Transport Assessment Scoping consultation)	National Highways provided a range of feedback on the following headings, to inform the Transport Assessment for the Proposed Development. The headings included in the response are as follows: <ul style="list-style-type: none"> <li>- Construction Generation</li> <li>- Operation and Decommissioning</li> <li>- Trip Distribution and Assignment</li> <li>- Study Area</li> <li>- Committed Development</li> <li>- Identification of Peak Hours for Assessment</li> </ul>
February to July 2020 (Email correspondence regarding a review of the Transport Assessment Scoping Report provided by National Highways and their consultant) and included the Stage 2 consultation – Preliminary Environmental Information (PEI) Report)	National Highways provided further correspondence regarding the Transport Assessment Scoping Report. National Highways provided commentary on the specific sites which has been identified in the Scoping Report and provided clarification on the types of further information they require to be included in the Transport Assessment. In addition, National Highways provided clarification on the types of mitigation they would require to be referenced within the Application to meet their expectation around how site traffic and worker traffic would be managed.
December 2020 (Meeting with Highways England and their Consultants to discuss the Transport Assessment	National Highways and their consultants met with AECOM regarding the approaches proposed in the Transport



Scoping Report and ES inclusions.	Assessment and how these would be translated into the Environmental Statement.
December 2021 Submission (February 2022 Publication due to internal communication issues) of a letter from National Highway's to PINS regarding the publication of their Relevant Representation at start of pre-examination phase)	National Highways provided their review of the TA submitted as part of the Application and requested further information and clarification for certain points within the TA.
May 2022 – Further information provided by the applicant in relation to identified issues with the TA. National Highways response provided in June 2022.	Further information was provided in relation to the points of clarity requested in relation to the TA. National Highways reviewed and provided comments on the further information.
May 2022 Correspondence regarding initial draft of SOCG	A draft of the SOCG was passed to National Highways. Comments were provided regarding structure, which were not accepted, there were queries regarding the consultation log and the positions submitted were reviewed.
June 2022 – National Highways response to information provided by the applicant in May 2022	National Highways responded to the technical note provided by the Applicant in June 2022. The response accepted most of the responses made in the technical note and raised a query regarding the approach to modelling of A1085/A1053 junction.
June 2022 – National Highways annotated SOCG response	National Highways provided an updated and annotated response to SOCG provided in May 2022.

### 3.0 MATTERS AGREED

3.1.1 The below Table 3.1 contains a list of “matters agreed” along with a concise commentary of what the item refers to and how it can be agreed between the two parties.

**Table 3.1: List of Matters Agreed between the Applicant and National Highways**

Matter Agreed	National Highways Response
<b>Study Area</b>	As part of May/June 2022 correspondence, the area of focus for the Strategic Road Network has been agreed.
<b>Assessment years</b>	It has been agreed that a single phase build lasting circa 48 months would be considered a realistic worst-case scenario for assessment purposes. For the purposes of the Transport Assessment, a construction programme lasting approximately 51 months, starting in 2022 and ending 2026 has been assumed.
<b>Consultation</b>	A summary of pre-application consultation is contained in the Consultation Report and in Chapter 10 of ES Volume I and in section 2 of this SoCG. It is agreed that the consultation summary in section 2 of this SoCG provides an accurate record of consultation with National Highways on matters to date.
<b>The Applicant’s Transport Assessment and impact of construction and operational traffic on the Strategic Road Network.</b>	<p>National Highways provided their review of the TA submitted as part of the Application in the review of December 2021 and requested further information and clarification for certain points within the TA. As part of the review, the following assumptions have been accepted:</p> <ul style="list-style-type: none"> <li>• There would be no material impact to the Strategic Road Network during the operation of the Proposed Development</li> <li>• That the effects of decommissioning could not accurately be assessed as part of the Transport Assessment. The TA acknowledged that the site decommissioning is likely to be addressed via a DCO requirement that will need to be discharged before any decommissioning works can take place.</li> <li>• That 60% of the workforce will be external and 40% will be local</li> <li>• That the assumptions around the “local” construction distribution are appropriate.</li> </ul>

	<ul style="list-style-type: none"> <li>• That the overall methodology used for the distribution of external workers is appropriate.</li> <li>• That the principle of the HGV assignment is agreed (whilst recognising the need for further information in relation to the detail (as set out in the Transport Assessment Review)).</li> </ul> <p>As part of this review, the following parts of the TA have been accepted:</p> <ul style="list-style-type: none"> <li>• Peak construction trip generation</li> <li>• Combined peak vehicle generation</li> <li>• The daily profile of traffic movement</li> <li>• The growth factors used from the TEMPro traffic modelling, although given the time that has advanced since these comments, the reality of a Q4 2022 construction commencement may need review.</li> <li>• The committed development traffic assumptions are acceptable for inclusion within the Transport Assessment, although given the time that has advanced since these comments there is the potential need to ensure the committed development list is reflective of the latest committed situation, particularly with regard the out-turn position in relation to the Teeswork developments.</li> <li>• The assessment scenarios used as part of the Transport Assessment, although given the time that has advanced since these comments, the reality of a Q4 2022 construction commencement may need review.</li> </ul> <p>As part of the exchange of information in May / June 2022, all elements of the assessment have been agreed, other than the outstanding matter with regard the proposed approach to dealing with the impact at the A1053 / Trunk Road junction. Two proposed options to overcome this have been suggested by National Highways and in this regard this remains the only outstanding matter to agree.</p>
<p><b>Mitigation measures including: Framework Traffic Management Plan; and</b></p>	<p>As identified above, the further information reviewed as part of the exchange of information in May/June 2022, two options have been identified for dealing with the impact at the A1053 / Trunk Road junction. The</p>

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<b>Framework Construction Workers Travel Plan.</b>	Framework Construction Traffic Management Plan [APP-334] and Framework Construction Workers Travel Plan [APP-333] will likely be (or form part of) the overall mitigation measures. They have been reviewed and are considered appropriate frameworks, which we consider most appropriate to finalise through planning condition.
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## **4.0 MATTERS TO BE AGREED**

### **4.1 Overview**

- 1.1.1 This section sets out matters to be agreed between the parties and the proposed way forward. This SoCG sets out the agreements that have been reached between the Parties to date in respect of the matters relating to the Proposed Development outlined in Table 3.1 of this SoCG.
- 1.1.2 Following the National Highway's letter regarding their Representation dated 14<sup>th</sup> December 2021 (and processed in February 2022), National Highways requested further clarification regarding various elements of the Transportation Assessment [APP-327 to APP-332].
- 1.1.3 As part of the exchange of information in May / June 2022, all elements of the assessment have been agreed, other than the outstanding matter with regard the proposed approach to dealing with the impact at the A1053 / Trunk Road junction. Two proposed options to overcome this have been suggested by National Highways and in this regard this remains the only outstanding matter to agree.
- 4.1.1 The Parties are both committed to taking forward discussions on the matter above as necessary, so whilst not yet agreed, both Parties hope to reach agreement in the near future.