



Application by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited for the Net Zero Teesside Project
The Examining Authority's written questions and requests for information (ExQ1)
Issued on 19 May 2022.

The following table sets out the Examining Authority's (ExA's) first round of written questions and requests for information – ExQ1. Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as **Annex C** to the Rule 6 letter of 11 April 2022. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with an alphabetical code and then has an issue number and a question number. For example, the first question on general matters is identified as GEN.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table is available in [Microsoft Word](#).

On 28 April 2022 the Applicants submitted a formal change request in respect of the DCO application. Full details can be found on the [project page on the National Infrastructure Planning website](#) with [Examination Library](#) references AS-047 to AS-195. As the following written questions were largely prepared before the change request was submitted some of the references in the questions do not correspond with those in the documents submitted as part of the change request. Nevertheless, in responding, parties are asked to use the updated document references where appropriate.

Responses are due by Deadline 2: 9 June 2022.



Abbreviations used:

AELs	Associated Emission Levels
AOD	Above Ordnance Datum
AP(s)	Affected Person(s)
AS(s)	Additional Submission(s)
BoR	Book of Reference
BAT	Best Available Techniques
BEIS	Business, Energy and Industrial Strategy
CA	Compulsory Acquisition
CCGT	Combined Cycle Gas Turbine
CCC	Climate Change Committee
CCR	Carbon Capture Readiness
CCS	Carbon Capture and Storage
CCUS	Carbon Capture Usage and Storage
CEMP	Construction Environmental Management Plan
CHP	Combined Heat and Power
CO	Carbon monoxide
CO₂	Carbon dioxide
CIEEM	Chartered Institute of Ecology and Environmental Management
CHP	Combined Heat and Power
COMAH	Control of Major Accidents and Hazards
DAS	Design and Access Statement



DCO	Development Consent Order
dDCO	Draft Development Consent Order
EA	Environment Agency
EIA	Environmental Impact Assessment
EM	Explanatory Memorandum
ES	Environmental Statement
ExA	Examining Authority
HBC	Hartlepool Borough Council
HDD	Horizontal Direct Drilling
HE	Highways England
HGV	Heavy Goods Vehicle
HRA	Habitats Regulations Assessment
HRSG	Heat Recovery Steam Generator
HSE	Health and Safety Executive
IP(s)	Interested Party (Parties)
LCA	Landscape Character Assessment
LIR	Local Impact Report
LLFA	Lead Local Flood Authority
LVIA	Landscape and Visual Impact Assessment
LWS	Local Wildlife Site
m	metre
MMO	Marine Management Organisation
MBT	Micro-Bored Tunnels



MLWS	Mean Low Water Springs
MEA	mono-ethanolamine
NE	Natural England
NDMA	N-nitrosodimethylamine
NH₃	Ammonia
NO₂	Nitrogen dioxide
NO_x	Nitrogen oxides
NPPF	National Planning Policy Framework
NSIP	Nationally Significant infrastructure Project
NWL	Northumbrian Water Limited
NZT	Net Zero Teesside
NPSs	National Policy Statements
PC	Process contribution
PEC	Predicted environmental concentration
PM₁₀	Particulate matter less than 10 micrometres in diameter
PCC	Power Capture and Compression
PRoW	Public Rights of Way
R	Requirements
RCBC	Redcar and Cleveland Borough Council
RPAs	Relevant Planning Authorities
RR	Relevant Representation
SAC	Special Area of Conservation
SoCGs	Statements of Common Ground



SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
STBC	Stockton-on-Tees Borough Council
STDC	South Tees Development Corporation
TPA	Tonnes per annum
WFD	Water Framework Directive
WSI	Written scheme of investigation
WwTW	Wastewater Treatment Works
ZTV	Zone of Theoretical Visibility

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: <https://infrastructure.planninginspectorate.gov.uk/wp-content/pc/uploads/projects/EN010103/EN010103-001182-NZT%20EL.pdf>

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg GEN.1.1 – refers to question 1 in this table.



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ExQ1	Question to:	Question:
GENERAL AND CROSS-TOPIC QUESTIONS		
GEN.1.37	Applicants Redcar and Cleveland Borough Council (RCBC) Stockton-on-Tees Borough Council (STBC)	<p>Table 3.1 of the Planning Statement [APP-070] and the Long and Short Lists of Developments Table 24-5 and Figures 24-2 and 24-3 [APP-106, APP-235 and APP-236] include a number of relevant development proposals in the vicinity of the Order Limits which were known as of March 2021.</p> <p>The Applicants are asked to:</p> <ul style="list-style-type: none"> i) Update the tables and figures to include decisions made and relevant planning applications submitted since production of the Planning Statement; ii) Present the relevant proposals on an Ordnance Survey map base; iii) Confirm whether any such updates would affect the conclusions reached in the ES in particular with regard to in-combination effects. <p>The Relevant Planning Authorities (RPAs) are asked to:</p> <ul style="list-style-type: none"> i) Provide an update to the status of the referenced planning applications including whether a decision has been made and development timescales, in particular whether development has commenced; ii) List details of any additional relevant planning applications and Development Consent Orders (DCOs) which have been submitted since production of the Planning Statement (March 2021); and <p>Planning Applications R/2022/0355/FFM – Link to application Planning Application Details (redcar-cleveland.gov.uk)</p> <p>Planning Applications R/2022/0343/ESM – Link to application Planning Application Details (redcar-cleveland.gov.uk)</p> <p>Planning Application R/2021/1048/FFM – Link to application Planning Application Details (redcar-cleveland.gov.uk)</p> <ul style="list-style-type: none"> iii) Provide details of development at Teesworks (No's 3 and 5 to 10 inclusive of Table 3.1 and any others submitted since), including site location and layout plans, and (if available) officer reports and decision notices. <p>No updates on Applications Nos. 1 and 2</p>

ExQ1	Question to:	Question:
		<p>Application No.3 no update on site with no subsequent Reserved Matters applications having been made</p> <p>Application No. 4 no further update and works have not commenced</p> <p>Application No. 5 Application has been approved and Reserved Matters application received and approved as detailed above in point (ii). Works to commence on site in July 2022</p> <p>Application No. 6 no update on site with no subsequent Reserved Matters applications having been made</p> <p>Application No. 7 no update on site with no subsequent Reserved Matters applications having been made</p> <p>Application No. 8 is awaiting determination, however all technical matters are resolved and the decision should be issued shortly. Once this has been approved decision notices and relevant plans will be sent to the Examining Authority</p> <p>Application No. 9 no update on site with no subsequent Reserved Matters applications having been made</p> <p>Application No. 10 is awaiting determination, however all technical matters are resolved and the decision should be issued shortly. Once this has been approved decision notices and relevant plans will be sent to the Examining Authority</p> <p>Copies of Decision Notices and Relevant Plans can be found using the links contained within the email submission.</p>
AIR QUALITY AND EMISSIONS		
AQ.1.13	Applicants EA/ NE RCBC STBC	<p>The assessment of cumulative effects described in Annex B of Appendix 8B [APP-248] suggests that the predicted environmental concentration (PEC) would increase to 72% of the critical load and would therefore exceed the threshold for significance for NO_x at Teesmouth and Cleveland Coast SPA, SSSI and Ramsar.</p> <p>Paragraph 8.6.17 of Appendix 8B [APP-248] states that emissions would be regarded as insignificant if less than 70% of the critical level. The Applicants are asked how can this be resolved with the conclusion that 72% is not significant in Annex B?</p>

ExQ1	Question to:	Question:
		<p>EA/ NE/ RCBC/ STBC are asked to comment on the Applicants' conclusion that because the predicted NO_x concentration remains below the critical level it is not significant.</p> <p>The dispersion model has used DEFRA NO_x background levels for Teesmouth and Cleveland Coast SPA, SSSI and Ramsar of 19.43 µg/m³ which is about 64% of the critical load, the predicted environmental concentration (PEC) would increase to 72% of the critical load which does seem to be increasing above the insignificance criteria, however the model suggests that the process contribution is 2.3 µg/m³ which in isolation from the background would be insignificant. It is interesting to note that for Coatham Marsh which is SW of the site increases to 90% of the CL yet the prevailing wind is SW which would blow emissions NE?</p> <p>Due to modelling uncertainty and no final design spec my previous comments recommended adopting a precautionary approach and also to recommend adding a condition that a final air quality assessment and to include an odour assessment should be submitted in order to assess the impact of the development once the detailed design stage is finalised.</p>
AQ.1.14	EA/ NE RCBC STBC	<p>Paragraph 8.6.18 of Appendix 8B [APP-248] states that the impact of stack emissions can be regarded as insignificant at sites of local importance if the long and short term Process Contribution is less than 100% of the critical level.</p> <p>Do the named parties have any comments to make on this threshold?</p> <p>IAQM guidance suggests that to screen out the need for further assessment, a PC for any substance emitted from an industrial source must meet both of the following criteria:</p> <ul style="list-style-type: none"> • the short-term PC is less than 10% of the short-term environmental standard; and • the long-term PC is less than 1% of the long-term environmental standard – therefore the consultants statement needs further clarification
AQ.1.16	EA/NE RCBC	<p>Appendix 8B [APP-248] describes the approach taken to the assessment of the effects of the development on air quality during the operational phase.</p>

ExQ1	Question to:	Question:
	STBC UK Health Security Agency	<p>Do the named parties you have any additional comments that you would like to bring to the ExA's attention regarding the overall approach?</p> <p>I have recommended that a final air quality assessment to include an odour assessment should be submitted in order to assess the impact of the development once the detailed design stage is finalised.</p>
GEOLOGY, HYDROGEOLOGY AND LAND CONTAMINATION		
GH.1.1	Applicants EA RCBC STBC	<p>Chapter 10 of the ES [APP-092] states that ground investigation will take place in Q2/Q3 of either 2021 or 2022. Annex A of Appendix 10A [APP-292] shows the proposed preliminary exploratory hole locations.</p> <ul style="list-style-type: none"> i) The Applicants are asked to confirm the scope and timetable for the ground investigations, risk assessments and any remediation required. ii) Requirement 13 of the dDCO does not allow commencement of the development until a scheme to deal with contamination has been approved. How does the timetable in (i) relate to the proposed date for commencement of construction on the site? iii) Should ground investigation results not be available prior to the close of the Examination, what certainty can the ExA have that subsequent assessment would not demonstrate that the site is unsuitable for the Proposed Development? iv) Are the EA and LPAs content with the proposed locations and scope of the preliminary investigation outlined in Annex A of Appendix 10A [APP-292]? <p>I have previously stated that further GI should be carried out when all demolition works have been carried out</p> <p>The report stated</p> <p>Recommendations for further works and further site investigation works are made in Appendix 10A annex A which will update the preliminary risk assessment and conceptual model throughout the process.</p> <p>For the purposes of a planning application Appendix 10A is satisfactory to act as a desk based study required for validation purposes, although consideration should be given to the mitigation of odorous emissions and potentially contaminated dust during further GI works and remedial earthworks to protect both onsite and offsite receptors</p>

ExQ1	Question to:	Question:
		So I would recommend that further GI works will be necessary once the site is cleared of structures to fill in data gaps
GH1.3	Applicants EA RCBC STBC	<p>Paragraph 10.6.4 [APP-092] states that assessment of the significance of impacts will take into account the principles of assessment in CIRIA Report C552 (2001) and the EA's Guiding Principles for Land Contamination (2010). Appendix 10C [APP-294] and Table 10A-28 of Appendix 10A [APP-293] contain an environmental risk assessment.</p> <ul style="list-style-type: none"> i) The Applicants are asked to explain how the risk assessments take into account the EA's Guiding Principles for Land Contamination. ii) Please could all parties confirm that these are the most up to date and appropriate approaches for undertaking an assessment of the risks to controlled waters and human health iii) If this is not the case, then the Applicants should justify why it has taken this approach. <p>The most up to date guidance for managing the risks from land contamination is Land contamination risk management (LCRM) set down by The Environment Agency.</p>
GH1.7	Applicants RCBC STBC	<p>Paragraph 10.4.17 of the ES [APP-092] states that 7 nearby mineral sites are 'highly unlikely' to resume extraction and 2 sites may require new planning permission.</p> <ul style="list-style-type: none"> i) Can the Applicants provide the evidence for this conclusion and a map showing the location of all of these sites? ii) Do the local authorities agree with this assessment of the future of these sites? <p>Sites are outside the RCBC boundary no comment to make</p>
HISTORIC ENVIRONMENT		
HE.1.6	RCBC HBC Applicants	<p>ES Figure 18-1 [APP-229] shows conservation areas at Coatham, Kirkleatham, Yearby, Wilton and Seaton Carew which are proximate to the PCC Site.</p> <p>Could RCBC and HBC:</p> <ul style="list-style-type: none"> i) provide a map of each of the conservation areas and a copy of any conservation area appraisals and management plans, if available.

ExQ1	Question to:	Question:
		<p>ii) If no conservation area appraisals are available, provide an assessment of their significance.</p> <p>Copies of the relevant Conservation Area Appraisals attached</p> <p>Could the Applicants:</p> <p>iii) provide an assessment of the effect of the Proposed Development on the setting of each of the conservation areas.</p>
NOISE AND VIBRATION		
NV.1.1	RCBC Applicants	<p>ES Chapter 11 [APP-093] paragraph 11.4.2 states that the baseline data are considered 'conservative' due to Covid-19 restrictions at the time of surveys. Paragraph 11.4.14 refers to the future baseline.</p> <p>Can the Applicants:</p> <p>i) Confirm if any further surveys been carried out since restrictions were lifted, or are any planned?</p> <p>ii) Explain what type of activities and sound levels will/would have increased once covid restrictions were lifted and would subsequently affect the baseline data?</p> <p>Can RCBC:</p> <p>i) Provide comments on whether the baseline data and monitoring locations are reasonable and representative; and</p> <p>ii) Provide comments on whether further surveys should be undertaken now restrictions have been lifted.</p> <p>Baseline locations were discussed with the consultants prior to monitoring – further monitoring data is always helpful</p>
NV.1.3	RCBC Applicants	<p>Redcar Beach Caravan Park is noted at paragraphs 20.4.25 and 20.6.27 of ES Chapter 20 [APP-102] as a popular tourism destination and is located over 1km from the PCC Site. Cleveland Golf Links is located directly east of the PCC Site.</p>

ExQ1	Question to:	Question:
		<p>The ExA noted an additional caravan park nearby at York Road in Coatham on their unaccompanied site visit [EV1-001]. This caravan park is close to the PCC Site but does not appear to have been specifically noted in the ES in terms of noise effects.</p> <p>Can RCBC and the Applicants provide comment:</p> <ul style="list-style-type: none"> i) Does the location of NSR2 [AS-103] correspond with the caravan park at Coatham; 51 York Road Redcar the location of NSR2 [AS-103] does correspond with the caravan park at Coatham ii) Is there any residential use of these units and/or any planning conditions limiting them to holiday occupation? Provide a copy of such conditions if available; and An application was approved in 1995 under reference L/1995/0862/VC for the variation of condition to allow occupancy from 1st march to 4th January in each season. Unfortunately there is no decision notice for this approval, however it was approved on 22/02/1996. iii) Have noise effects on tourists and recreational users been appropriately considered in Chapter 11 of the ES, including those at the nearby caravan parks, golf course, beach and other recreational facilities, and if not should they? M3 Tod Point Road is located at western end of Tod Point Road by Cleveland Golf Links. Representative of NSR 4 for recreational users.