

Date: 12 December 2023
Your Ref: EN070009
Our Ref: 16373

DWD

69 Carter Lane
London
EC4V 5EQ

National Infrastructure
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

FAO: Lily Robbins – Case Manager

By email to: H2Teesside@planninginspectorate.gov.uk

Dear Ms Robbins,

THE H2TEESSIDE PROJECT – LAND EITHER SIDE OF THE RIVER TEES WITHIN THE BOROUGH OF REDCAR AND CLEVELAND AND STOCKTON-ON-TEES ON TEESSIDE AND THE BOROUGH OF HARTLEPOOL IN COUNTY DURHAM

NOTIFICATION IN ACCORDANCE WITH SECTION 46 ‘DUTY TO NOTIFY SECRETARY OF STATE OF PROPOSED APPLICATION’ OF THE PLANNING ACT 2008

I write on behalf of H2 Teesside Limited (the ‘Applicant’) in connection with the H2Teesside hydrogen project (the ‘Project’).

The Applicant is proposing to submit an application (the ‘Proposed Application’) seeking development consent pursuant to Section 37 ‘Applications for orders granting development consent’ of the Planning Act 2008 (the ‘PA 2008’) from the Secretary of State (the ‘SoS’) for the Department of Energy Security and Net Zero (‘DESNZ’) for the construction, operation and maintenance of the Project on land either side of the River Tees within the boroughs of Redcar and Cleveland and Stockton-on-Tees on Teesside and Hartlepool within County Durham.

H2Teesside will be one of the UK’s largest hydrogen production facilities with a capacity of up to 1.2 gigawatts (‘GW’) thermal by 2030, representing more than 10% of the Government’s hydrogen production target of 10 GW by 2030. This equates to the production of approximately 160,000 tonnes of low carbon hydrogen per annum, with approximately two million tonnes of CO₂ being captured and stored each year.

The Project will use natural gas to produce hydrogen (known as ‘blue’ hydrogen) with the carbon dioxide (CO₂) created during the hydrogen production process being captured and compressed for onward transportation and storage, under agreement with the Northern Endurance Partnership (the ‘NEP’). NEP will store the CO₂ securely below ground within the Endurance store and other nearby CO₂ stores that NEP holds CO₂ storage licences for. These are located approximately 145 kilometres (‘km’) offshore from Teesside under the North Sea.

The site for the Project (the ‘Project Site’) comprises land either side of the River Tees within boroughs of Redcar and Cleveland and Stockton-on-Tees on Teesside and the borough of Hartlepool in County Durham. The Project Site extends to approximately 508 hectares in total.



It is anticipated that the Proposed Application will be submitted to the Planning Inspectorate ('PINS'), acting on behalf of the SoS for DESNZ, in Q1 2024.

The Applicant consulted on the Project between 14th September and 26th October 2023 ('the first consultation') and is now carrying out further consultation ('the second consultation') on the Project in respect of a number of changes that have resulted to the Project Site boundary following further design development and technical assessments and responses to the first consultation.

This letter represents the Applicant's notification to the SoS of the Proposed Application pursuant to Section 46 'Duty to notify secretary of state of proposed application' of the PA 2008.

Section 42 'Duty to consult' of the PA 2008 requires prospective applicants for development consent to consult on their proposed application with those persons specified in the PA 2008 and in regulations made pursuant to the PA 2008. The Applicant will commence the second consultation pursuant to Section 42 by issuing letters (the 'Consultation Letters') accompanied by consultation documents (the 'Consultation Documents') to the persons specified in the PA 2008 and in regulations made pursuant to the PA 2008 on or around 13 December 2023.

A notice pursuant to Section 48 'Duty to publicise' of the PA 2008 will be published as follows:

- Telegraph – 14 December 2023
- London Gazette – 14 December 2023
- Lloyds List – 14 December 2023
- Fishing News – 14 December 2023
- Northern Echo – 14 and 21 December 2023
- Teesside Gazette – 14 and 21 December 2023
- Darlington and Stockton Times – 15 and 22 December 2023

In accordance with Regulation 13 'Pre-application publicity under Section 48 (duty to publicise)' of 'The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017' (the 'EIA Regulations'), the Applicant will also send a copy of the Section 48 Notice to the relevant consultation bodies and to any person notified to the Applicant in accordance with EIA Regulation 11(1)(c) on or around 13 December 2023.

The deadline stated in the Consultation Letters (and on the Section 48 Notice) for the receipt of comments and representations on the Proposed Application is **11:59pm on 23 January 2024**.

The Consultation Documents that are to be provided to the persons specified in the PA 2008 and in regulations made pursuant to the PA 2008 (and other 'non-prescribed persons') will be accessible via the download link that accompanies their Consultation Letter (and via the Project Website: www.h2teesside.co.uk) and include:

- a plan showing the extent of the proposed Project Site boundary edged in red and the areas that have been removed and those that have been added since the first consultation;

- land interest plans that have been sent to landowners showing how their land interests have been affected by the changes to the Project Site boundary (these plans are only being sent to landowners who have land that has either been removed from the proposed Project Site boundary or is within it);
- a Community Update Letter being sent to residents and businesses within the vicinity of the Project Site;
- a H2Teesside Project Update Brochure that includes information on whether the conclusions of the Preliminary Environmental Information Report ('PEIR') produced for the first consultation are affected by the changes to the Project that are the subject of this second consultation, which will be available on the Project Website;
- the Section 48 Notice that is being published for the second consultation;
- the published Statement of Community Consultation ('SoCC') dated September 2023.
- the PEIR and its Non-Technical Summary produced for the first consultation and accompanying plans and maps;
- the Consultation Brochure produced for the first consultation; and
- the Consultation Leaflet produced for the first consultation, which was sent to people living within the vicinity of the Project Site.

The above Consultation Documents, along with example versions of the Consultation Letters can be downloaded from the following fileshare link:

<https://dwd.ctit.co/url/fhjwzeicng2spvya>

I look forward to receiving the SoS's acknowledgement of the Applicant's notification to the SoS of the Proposed Application pursuant to Section 46 'Duty to notify secretary of state of proposed application' of the PA 2008. In the meantime, should you have any questions please do not hesitate to contact with myself or my colleague Nathan Cheung (nathan.cheung@dwdllp.com)

Yours sincerely,



Geoff Bullock
Director – Head of Planning
DWD – on behalf of H2 Teesside Limited
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