

The Lighthouse Green Fuels Order

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Applicant: LGF Projects Limited

Statement of Reasons

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Glossary

Acronym	In Full / Term
AFF	Advanced Fuels Fund
AGI	Above Ground Infrastructure
APFP Regulations	The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
ASU	Air Separation Unit
BESS	Battery Energy Storage Systems
CHP	Combined Heat and Power
CO ₂	Carbon dioxide
DBFOM	Design, Build, Finance, Operate and Maintain
DCO	Development Consent Order
DM	Dalcour Maclaren
EPC	Engineering, Procurement and Construction
ES	Environmental Statement
FID	Final Investment Decision
GIS	Gas-Insulated Switchgear
km	kilometre
KSA	Kingdom of Saudi Arabia
kV	Kilovolt
LGF	Lighthouse Green Fuels
LSTK	Lump Sum Turnkey
MW	Megawatts
MWe	Megawatts electrical
NSIP	Nationally Significant Infrastructure Project
PA 2008	Planning Act 2008
PINS	Planning Inspectorate
RCBC	Redcar and Cleveland Borough Council
SAF	Sustainable Aviation Fuel
SoS	Secretary of State
SAR	Saudi Arabian Riyal
STBC	Stockton-on-Tees Borough Council

1 Executive Summary

- 1.1.1 This Funding Statement has been prepared by Alfanar Energy Limited on behalf of LGF Projects Limited (the Applicant) in support of its application for development consent for the Lighthouse Green Fuels Project (the Proposed Development).
- 1.1.2 This Funding Statement is required because the development consent order (DCO) sought for the Proposed Development would authorise the compulsory acquisition of land or interests in land. This gives rise to the requirement under Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 for the Applicant to provide a statement indicating how the Order containing these powers is proposed to be funded. The statement is intended to accompany the wider DCO application and should be read in conjunction with the other application documents, including the **Statement of Reasons (Application Document Ref 4.1)**.
- 1.1.3 This Funding Statement provides information about the Applicant and its corporate structure, the estimated cost of the Proposed Development, how the Proposed Development will be funded and how compulsory acquisition compensation will be funded.

2 Introduction

2.1 Overview

- 2.1.1 This Funding Statement (Application Document Ref 4.2) has been prepared by Alfanar Energy Limited (Alfanar) on behalf of LGF Projects Limited (the Applicant), to support an application (the Application) seeking development consent for the construction, operation, maintenance and decommissioning of the Lighthouse Green Fuels project (the Proposed Development) on land within the administrative boundaries of Stockton-on-Tees Borough Council (STBC) and Redcar and Cleveland Borough Council (RCBC).
- 2.1.2 The Order limits for the Proposed Development are made up of the Main Site and Wider Site, together 'the Site'. A more detailed description of the Site is set out at section 2.4.
- 2.1.3 The Application has been submitted to the Planning Inspectorate (PINS), and the decision whether to grant a Development Consent Order (DCO) will be made by the Secretary of State (SoS) for Energy Security and Net Zero pursuant to the Planning Act 2008 (the PA 2008) [Ref 1].
- 2.1.4 The Proposed Development comprises a commercial-scale second generation Sustainable Aviation Fuel (SAF) production facility and associated infrastructure.

2.2 The Applicant

- 2.2.1 The Applicant is wholly owned by Alfanar Energy Limited (Alfanar). Alfanar is part of a global project development, manufacturing, and engineering group headquartered in Saudi Arabia. Alfanar has developed significant in-house feedstock-to-SAF expertise. This experience will be utilised to construct and operate the Proposed Development.

2.3 Overview of the Proposed Development

- 2.3.1 The Proposed Development is anticipated to be the UK's first commercial-scale second generation SAF production facility.
- 2.3.2 The Proposed Development includes the construction, operation, maintenance and eventual decommissioning of a commercial-scale facility that will produce approximately 180 million litres of advanced SAF and approximately 30 million litres of renewable naphtha each year.
- 2.3.3 The Proposed Development includes the following elements (the location of each Work No. is shown on the Works Plans (Application Document Ref 2.4)):

Table 2.1 Works Description Summaries

Work Number:	
Work No. 1	SAF production facility comprising: • 1A - feedstock pre-treatment facility • 1B - SAF processing facility including stack, flue gas treatment, and thermal oxidiser • 1C - up to two flare structures
Work No. 2	Combined heat and power generating station comprising: • 2A - boilers and steam turbine generators • 2B - stack and flue gas treatment
Work No. 3	Feedstock and intermediate and final product handling and storage
Work No. 4	Cooling infrastructure for SAF production facility and CHP plant
Work No. 5	Bridge and culvert crossings of existing infrastructure
Work No. 6	Marine infrastructure comprising: • 6A - construction of permanent quay • 6B - permanent quay • 6C - capital and maintenance dredging
Work No. 7	Electrical connection works comprising: • 7A - underground and overground cable connections to the existing North Bank Switchyard • 7B - electrical connection works
Work No. 8	Modified or new natural gas connection and above ground infrastructure
Work No. 9	Supply of industrial gases: Only one of Work No. 9A or Work No. 9B would be developed. • 9A - industrial gases connection works comprising upgrade of oxygen pipeline connection, new and repurposed nitrogen pipeline connection, and connection to existing low pressure nitrogen supply • 9B - air separation unit facility and connections to Work No. 1
Work No. 10	Replacement and new wastewater pipeline connection works
Works No. 11	Export connection works comprising: • 11A - pipeline(s) for the export of SAF and renewable naphtha • 11B or 11C - a pipeline for the export of carbon dioxide connecting to above ground infrastructure (AGI) by others (being either AGI C1 or C2 of the Northern Endurance Partnership transport and storage pipeline)
Works No. 12	Surface water attenuation, and drainage and discharge works
Works No. 13	Laydown areas comprising: • 13A - temporary construction compounds and laydown areas • 13B - permanent laydown and storage
Work No. 14	Access works and private street improvements

- 2.3.4 In addition a range of associated development, both specified and unspecified, is proposed in relation to the above.
- 2.3.5 The new quay on the River Tees (**Work No. 6**) will allow delivery of modular plant and construction materials by ship during construction and biomass and waste wood feedstock during operation, reducing reliance on road transport. Feedstock will be stored (**Work No. 3**) then pre-treated at the Main Site and processed into SAF through gasification and gas-to-liquids processes (**Work No.1**).
- 2.3.6 To support operations, the Proposed Development will include a biomass and waste wood-fired Combined Heat and Power (CHP) plant (**Work No. 2**) with an electrical output capacity of up to 200 megawatts electrical (MWe), providing a low-carbon energy supply for the SAF process. Cooling infrastructure (**Work No. 4**) will be required for the SAF process and the CHP plant. Connections will provide electricity for start-up and to maintain ancillary site supplies (**Work No. 7**), natural gas for start-up and as auxiliary fuel for some processes during operation (**Work No. 8**), and oxygen and nitrogen which will either be delivered to the Site via pipelines or produced by a new Air Separation Unit (ASU) in the Main Site (**Work No. 9A or 9B** respectively). Waste materials, including off-specification materials will be exported from the Main Site by road. Finished products (SAF, and a secondary product of the process, renewable naphtha) will be transferred via pipelines (**Work No. 11A**) for marine export or export by road. Carbon dioxide from the acid gas removal unit in Work No. 1B will be exported via pipeline (**Work No. 11B**) to one of the above ground installations in the Northern Endurance Partnership project.
- 2.3.7 The Proposed Development will also include replacement and new wastewater pipeline connection works (**Work No. 10**), surface water drainage systems (**Work No. 12**) and access and street improvements (**Work No. 14**). Space within the Wider Site is identified for temporary construction and laydown and space within the Main Site identified for permanent laydown and storage areas (**Work No. 13**).
- 2.3.8 The layout of the Proposed Development is shown on Figure 4.1: Indicative Proposed Development Layout (**Environmental Statement (ES) Volume II, Document Ref 6.2**).

2.4 The Site

- 2.4.1 The Site location and boundary (which is also known as the 'Order limits') are shown on Figure 1.1: Site Location (**ES Volume II, Document Ref 6.2**). The Site is located in Teesside on land to the north and south of the River Tees with connection corridors crossing the Tees.

- 2.4.2 The Main Site is located in the industrial area of Seal Sands approximately 5km east of Billingham town centre and 4km north-east of Middlesbrough town centre, on the north bank of the River Tees in the borough of Stockton-on-Tees (see Figure 1.1: Site Location (**ES Volume II, Document Ref 6.2**)). The majority of the Main Site lies south of Seal Sands Road and largely comprises previously developed land formerly used as a chemical plant from the early 1970s. It was last operated by INEOS Nitriles.
- 2.4.3 The Main Site comprises the main SAF facility development area of the Site, lying to the south and north sides of Seal Sands Road and bounded by the proposed quay in the River Tees, with the River Tees to the east.
- 2.4.4 The eastern boundary of the Main Site is formed by the River Tees, where existing jetties will be demolished and a new quay developed.
- 2.4.5 The Wider Site comprises the connection corridors, including land required for road access, pipelines (including under the River Tees), dredging near to the Main Site, and utility connections and construction laydown in both North Tees and (in the borough of Redcar and Cleveland) South Tees.

2.5 The DCO Process

- 2.5.1 Part 3 of the Planning Act 2008 ('the PA 2008') defines which projects constitute a nationally significant infrastructure project (NSIP). Once classed as an NSIP, development consent (in the form of a Development Consent Order) is required under Part 4 of the PA 2008.
- 2.5.2 In legislative terms the Proposed Development comprises both a SAF production facility and a CHP generating station together with development associated with the SAF production facility and the CHP generating station.
- 2.5.3 The construction and operation of the main SAF production facility does not automatically fall within the definition of an NSIP. Therefore, on 12 August 2025, the Applicant formally requested a direction by the SoS for Energy Security and Net Zero ('SoS'), pursuant to section 35(1) of the PA 2008, that the following elements be treated as one for which development consent is required. The Section 35 direction request was made in respect of: a main gasification facility to process sustainably sourced biomass; feedstock pre-treatment, syngas clean-up apparatus; Fischer-Tropsch process units; refining units; feedstock, intermediates and finished product storage; quayside with ship loading/ offloading infrastructure; supporting infrastructure and utility connections (hereafter called the 'Specified Elements').

- 2.5.4 The SoS for Energy Security and Net Zero issued a direction under Section 35 of the PA 2008 [Ref 1] on 08 September 2025 to confirm that the Specified Elements of the Proposed Development, together with any matters/ development associated with them, should be treated as development for which development consent under the PA 2008 is required.
- 2.5.5 The CHP plant (**Work No. 2**) surpasses the 50 Megawatt (MW) threshold for generating stations defined in Section 15 of the PA 2008 and is therefore a Nationally Significant Infrastructure Project (NSIP) in its own right.
- 2.5.6 An application for development consent for the Proposed Development has been submitted to PINS acting on behalf of the SoS. Subject to the Application being accepted, PINS will then examine it and make a recommendation to the SoS who will then decide whether to grant a DCO.
- 2.5.7 The application for development consent for the Proposed Development supersedes a previous application that was being progressed by Lighthouse Green Fuels Limited centred on a site off Huntsman Drive in Seal Sands, TS2 1TT (PINS ref. EN010150). Statutory consultation on that application took place between 16 May 2024 and 20 June 2024. As shown on the PINS website¹, that application is discontinued.

2.6 The Purpose and Structure of this Document

- 2.6.1 This Funding Statement has been produced pursuant to Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) [Ref 2] and the Department for Communities and Local Government (now the Ministry of Housing, Communities & Local Government) guidance 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land' (September 2013) [Ref 3].
- 2.6.2 This Funding Statement is required because the DCO sought for the Proposed Development would authorise the compulsory acquisition of land or interests in land. This gives rise to the requirement under Regulation 5(2)(h) of the APFP Regulations for the Applicant to provide a statement indicating how the Order containing these powers is proposed to be funded.
- 2.6.3 This Funding Statement is one of a number of documents accompanying the Application and submitted to the Secretary of State, and should be read in conjunction with those documents. In particular, this document should be read alongside the **Statement of Reasons (Application Document Ref 4.1)**.
- 2.6.4 The document is structured as follows:
- Section 3 – the Applicant and its corporate structure

- Section 4 – the Proposed Development cost
- Section 5 – how the Proposed Development will be funded
- Section 6 – how compulsory acquisition compensation will be funded

¹ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010150>

3 The Applicant and its Corporate Structure

3.1 LGF Projects Limited and the Alfamar group

- 3.1.1 LGF Projects Limited (Company No. 16455871) is the Applicant for the DCO Application. LGF Projects Limited is registered in England and Wales with its registered office at 1-6 Lombard Street, London, England and Wales, United Kingdom.
- 3.1.2 As mentioned above, LGF Projects Limited is wholly owned by Alfamar. As the parent company of LGF Projects Limited, Alfamar has been and remains committed to carrying out development activities on behalf of the Applicant.
- 3.1.3 Alfamar is in turn wholly owned by Alfamar Company (Closed Joint Stock), KSA (CR. 1010057263; Unified No. 7018053871). Alfamar Company is a company headquartered in Riyadh, Saudi Arabia, operating across Asia, Europe and Africa. The Alfamar Group specialises in the energy industry and has activities including the manufacturing and trading of low, medium and high-voltage electrical products and the provision of engineering and construction solutions for conventional and renewable energy projects. Through its Alfamar Projects division, the Alfamar Group also provides services in the oil and gas, water treatment, infrastructure, technical operations and digital solutions sectors.
- 3.1.4 The ownership structure of LGF Projects Limited is presented in the Funding Statement at Appendix A. The Alfamar Group was founded in 1985 and is headquartered in Riyadh, Saudi Arabia. The Alfamar Group operates across Asia, Europe and Africa and has offices, production and research and development centres in more than 26 countries. It employs more than 40,000 people globally and its annual revenue in 2025 was £4.2 billion.
- 3.1.5 The Alfamar Group has undertaken more than 3,820 contracts with a total value of more than US\$35.6 billion. The Alfamar Group also has approximately 2 million square metres of industrial facilities and 26 factories manufacturing electrical and building-system products.
- 3.1.6 Alfamar Company's commitment and capacity to support the Proposed Development is demonstrated by the £99.93 million that it has provided to date towards the Proposed Development as well as its previous iteration. A letter from the statutory auditor of Alfamar confirming this amount of support is appended to this Funding Statement as Appendix B1.

- 3.1.7 The Alfamar Group has also undertaken a range of major energy, infrastructure and industrial projects across its international markets. Examples include:
- 3.1.7.1 NEOM Residential Communities, Saudi Arabia: A major infrastructure project comprising five sustainable residential communities in NEOM with an investment of over SAR 10 billion (£2 billion). Alfamar is delivering the project under a design, build, finance, operate and maintain (DBFOM) model, including community infrastructure, hybrid captive power and sustainable water infrastructure.
 - 3.1.7.2 Haramain High-Speed Railway, Saudi Arabia: Alfamar delivered six 380 kV gas-insulated switchgear (GIS) substations for the Haramain High-Speed Railway between Makkah, Jeddah, Rabigh and Madinah. The scope included engineering, procurement, installation, testing and commissioning, together with associated protection, automation, communications and civil works.
 - 3.1.7.3 Battery Energy Storage Systems (BESS), Saudi Arabia: Alfamar is undertaking large-scale BESS projects in Saudi Arabia supporting the integration of renewable generation and the stability of the electricity network. The group's activities include engineering, procurement and construction of battery storage infrastructure.
 - 3.1.7.4 Tuwaiq Casting & Forging Plant, Saudi Arabia: A major industrial facility in Ras Al Khair Industrial City delivered under an EPC/LSTK contract. The facility covers approximately 400,000 square metres and involved investment of more than SAR 3.5 billion (£690 million). The project comprises approximately 39 buildings and is designed to support the manufacture of heavy industrial components.
 - 3.1.7.5 Jazan Entertainment Complex, Saudi Arabia: A major EPC project comprising a large-scale entertainment and leisure development, with Alfamar responsible for the engineering, procurement and construction scope.
 - 3.1.7.6 Project Lanuza, Spain: A major wind energy development comprising wind farms across 23 sites in three regions of Spain. The project formed part of Alfamar's expansion into the European renewable energy market.
 - 3.1.7.7 Wind energy projects, India: Alfamar has developed and operates wind projects in Gujarat, representing approximately 600 MW of installed renewable generation capacity. The projects form part of the group's wider renewable energy portfolio in India.
 - 3.1.7.8 Benban Solar Park, Egypt: A 50 MW solar photovoltaic project developed and constructed by Alfamar in Egypt. The project was constructed between

2018 and 2019 and forms part of the group's international renewable energy portfolio.

- 3.1.7.9 Smart Meter Programme, Saudi Arabia: Alfanoar has undertaken a major national smart-meter programme in Saudi Arabia, involving the installation of approximately 5 million smart meters and associated infrastructure.
- 3.1.8 The Alfanoar Group has experience across the development and delivery of energy and infrastructure projects, including project development, financing, engineering, procurement, construction, testing and commissioning and operations and maintenance. The Alfanoar Group's manufacturing activities also provide additional capabilities in the supply of electrical equipment and systems.

4 The Proposed Development Cost

4.1 Current Cost Estimate

- 4.1.1 The current estimate of the capital expenditure for the delivery of the Proposed Development that is subject to the DCO Application is approximately £4 billion.
- 4.1.2 This cost estimate includes construction costs, preparation costs, supervision costs and land acquisition costs (including compensation payable in respect of any compulsory acquisition). This includes all aspects of the project including land acquisition, equipment purchase, construction, installation and commissioning.
- 4.1.3 These costs will continue to be fine-tuned throughout the development process. There will be some additional contingencies and an allowance for inflation.

5 Project Funding

5.1 Funding arrangements

- 5.1.1 The Applicant has the ability to procure the financial resources necessary to fund the works to be authorised by the DCO.
- 5.1.2 Prior to the Final Investment Decision (FID) and commencing construction the Proposed Development will be funded from a combination of private investment from the Alfanar Group and from grant funding programmes such as those detailed below. The Applicant confirms that over approximately £99 million has been invested in the project to date by the Alfanar Group, who will continue to support the project until FID. A letter of support from Alfanar Company is appended to this Funding Statement as Appendix B2.
- 5.1.3 Alfanar has also received significant support from the UK Government through a series of competitive grant funding programmes designed to accelerate the development of a domestic sustainable aviation fuel (SAF) industry. For each of these funding rounds, the ability of the Alfanar to deliver the Proposed Development has been evaluated by the UK Government. LGF initially secured approximately £2.4 million under the Department for Transport's Green Fuels, Green Skies competition to support early-stage project development. This was followed by funding awards under all three rounds of the Government's Advanced Fuels Fund (AFF), comprising £11 million under Window 1, £8.664 million under Window 2, and a further £8 million under Window 3 announced in July 2025. Collectively, these awards amount to more than £30 million of public funding support, including over £27 million through the AFF alone.
- 5.1.4 As noted above, the Applicant is currently funded by the Alfanar Group and has the ability to procure the financial resources necessary to fund the Proposed Development.

- 5.1.5 The final funding approach for the Project will be a mixture of funding from the Alfanar Group, as well as external investors and levered debt secured against the revenue streams of the Project. This way of project financing has been used successfully for various projects by the Alfanar Group several times. This approach is also tried and tested in the market and the Applicant is confident that it would be able to obtain finance for the Proposed Development. The Alfanar Group has appointed a number of professional advisors in connection with the development of the Proposed Development, including solicitors, project managers and technical consultants, all of whom have extensive experience of working on projects similar to the Proposed Development. The Applicant is confident that the Proposed Development is commercially viable through its own detailed analysis and having taken the advice of these professional advisors.
- 5.1.6 The Proposed Development will also aim to obtain the award of a Revenue Certainty Contract under the SAF Act 2026, which is akin to established and funded precedent Contracts for Difference schemes such as those under the Energy Act 2003 and the Energy Act 2023.
- 5.1.7 Once the DCO for the Proposed Development is made, the final investment decision on the funding approach for the Project would be made by the Applicant.

6 Compensation Claims

6.1 Funding for land acquisition

- 6.1.1 The DCO will grant the Applicant powers to acquire rights in land as necessary to construct the Proposed Development. These can be used in the event that it has not been possible to acquire the necessary interests and rights by agreement.
- 6.1.2 The Applicant has sought advice from Dalcour Maclaren (DM) who are expert chartered surveyors with over 20 years' experience in the delivery of major infrastructure and Nationally Significant Infrastructure including Energy generation, E-fuels, Transmission and distribution schemes and other associated transport and infrastructure projects. DM have specific experience in Teesside having led on both the NetZero Teesside DCO and H2 Teesside recommended DCO. DM have provided possible heads of claim for:
- Compulsory acquisition of freehold land and permanent rights;
 - Compensation arising out of temporary works (disturbance); and
 - Third Party Professional Fees.
- 6.1.3 Further details on the Property Cost Estimates and the heads of claim are presented in the Funding Statement at Appendix C.
- 6.1.4 DM estimate the costs associated with compulsory acquisition and potential compensation claims to be in the region of £79.2m including the freehold purchase of the main site.
- 6.1.5 It is also noteworthy that the amount already invested by the Alfanar Group i.e., £99 million, substantially exceeds the level of compensation claims expected, thereby, demonstrating its ability to finance the land acquisition costs.
- 6.1.6 The Applicant has also included an article in **the draft DCO (Application Document Ref 3.1 – Article 36 (Funding))** which requires the Applicant to either (i) put in place financial security in respect of compensation liabilities or (ii) provide evidence to the Secretary of State to confirm that no guarantee or alternative security is required because the Applicant is able to demonstrate that it has appropriate funding in place to meet compensation liabilities, prior to exercising any of the relevant powers of compulsory acquisition. The article provides that the financial security must be in a form approved by the Secretary of State, and that it must be directly enforceable by those who are entitled to compensation.

References

- Ref 1 UK Government (2008) Planning Act 2008. Available online:
<https://www.legislation.gov.uk/ukpga/2008/29/contents> [Accessed: 12 June 2026]
- Ref 2 UK Government (2009) Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Available online:
<https://www.legislation.gov.uk/uksi/2009/2264/contents> [Accessed: 12 June 2026]
- Ref 3 Department for Communities and Local Government (2013) Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land. Available online:
[https://assets.publishing.service.gov.uk/media/5a748a8ce5274a7f9902904a/Planning Act 2008 -
Guidance related to procedures for the compulsory acquisition of land.pdf](https://assets.publishing.service.gov.uk/media/5a748a8ce5274a7f9902904a/Planning_Act_2008_-_Guidance_related_to_procedures_for_the_compulsory_acquisition_of_land.pdf)
[Accessed: 12 June 2026]

Appendix A: The Applicant's Corporate Structure

UK Shareholder Structure



■ KSA Company
■ UK Company

Appendix B: Letters in Support

Appendix B1

Appendix B2

Appendix C: Property Cost Estimates

ITEM	NET VALUE	CONTINGENCY @ 10%	TOTAL
Acquisition of Freehold Land	£37,500,000.00	£3,750,000.00	£41,250,000.00
Acquisition of Permanent Rights	£32,500,000.00	£3,250,000.00	£35,750,000.00
Disturbance Compensation	£1,510,000.00	£151,000.00	£1,661,000.00
Third Party Professional Fees	£450,000.00	£45,000.00	£495,000.00
Total	£71,960,000.00	£7,196,000.00	£79,156,000.00



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Glossary

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ASU	Air Separation Unit
AGI	Above Ground Infrastructure
CCUS	Carbon Capture Utilisation and Storage
CCC	Climate Change Committee
CHP	Combined Heat and Power
CO ₂	Carbon dioxide
CNP	Critical National Priority
DCO	Development Consent Order
DESNZ	Department for Energy Security and Net Zero
DNO	District Network Operator
EIA	Environmental Impact Assessment
ES	Environmental Statement
EWP	Energy White Paper
GHG	Greenhouse Gas
GVA	Gross Value Added
HRA	Habitats Regulations Assessment
HRA 1998	Human Rights Act 1998
km	kilometre
LGF	Lighthouse Green Fuels
mAGL	Metres Above Ground Level
mAOD	Metres Above Ordnance Datum
MCZ	Marine Conservation Zone
MW	Megawatts
MWe	Megawatts electrical
NEP	Northern Endurance Partnership
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
NWL	Northumbrian Water Limited
PA 2008	Planning Act 2008
PCCU	Post-Combustion Carbon Capture Unit
PINS	Planning Inspectorate
RCBC	Redcar and Cleveland Borough Council
SAF	Sustainable Aviation Fuel
SoS	Secretary of State

STBC

Stockton-on-Tees Borough Council

Executive Summary

- 1.1.1.1 This Statement explains why it is necessary, proportionate and justifiable for the Applicant to seek powers of compulsory acquisition, and why there is a compelling case in the public interest for the Applicant to be granted these powers.

2 Introduction

2.1 Overview

- 2.1.1.1 This **Statement of Reasons (Application Document Ref 4.1)** has been prepared by Burges Salmon LLP on behalf of LGF Projects Limited (the Applicant), to support an application (the Application) seeking development consent for the construction, operation, maintenance and decommissioning of the Lighthouse Green Fuels (LGF) project (the Proposed Development) on land within the administrative boundaries of Stockton-on-Tees Borough Council (STBC) and Redcar and Cleveland Borough Council (RCBC).
- 2.1.1.2 The Order limits for the Proposed Development are made up of the Main Site and Wider Site, together 'the Site'. A more detailed description of the Site is set out at Section 2.4.
- 2.1.1.3 The Application has been submitted to the Planning Inspectorate (PINS), and the decision whether to grant a Development Consent Order (DCO) will be made by the Secretary of State (SoS) for Energy Security and Net Zero pursuant to the Planning Act 2008 (the PA 2008) [Ref 1].
- 2.1.1.4 The Proposed Development comprises a commercial-scale second generation Sustainable Aviation Fuel (SAF) production facility and associated infrastructure.

2.2 The Applicant

- 2.2.1.1 The Applicant is wholly owned by Alfanar Energy Limited (Alfanar). Alfanar is part of a global project development, manufacturing, and engineering group headquartered in Saudi Arabia. Alfanar has developed significant in-house feedstock-to-SAF expertise. This experience will be utilised to construct and operate the Proposed Development.

2.3 Overview of the Proposed Development

- 2.3.1.1 The Proposed Development is anticipated to be the UK's first commercial-scale second generation SAF production facility.
- 2.3.1.2 The Proposed Development includes the construction, operation, maintenance and decommissioning of a commercial-scale facility that will produce approximately 180 million litres of advanced SAF and approximately 30 million litres of renewable naphtha each year.
- 2.3.1.3 The Proposed Development includes the following elements (the location of each Work No. is shown on the **Works Plans (Application Document Ref 2.3))**:

Table 2.1 Works Description Summaries

Work Number:	
Work No. 1	SAF production facility comprising: • 1A - feedstock pre-treatment facility including flue gas treatment and stack • 1B - SAF processing facility including thermal oxidiser, flue gas treatment, and stack • 1C - up to two flare structures
Work No. 2	Combined heat and power (CHP) generating station comprising: • 2A - boilers and steam turbine generators • 2B - flue gas treatment and stack
Work No. 3	Feedstock and intermediate and final product handling and storage
Work No. 4	Cooling infrastructure for SAF production facility and CHP plant
Work No. 5	Bridge and culvert crossings of existing infrastructure
Work No. 6	Marine infrastructure comprising: • 6A - construction of permanent quay • 6B - permanent quay • 6C - capital and maintenance dredging
Work No. 7	Electrical connection works comprising: • 7A - underground and overground cable connections to the existing North Bank Supply Point • 7B - electrical connection works
Work No. 8	Modified or new natural gas connection and above ground infrastructure (AGI)
Work No. 9	Supply of industrial gases: Only one of Work No. 9A or Work No. 9B would be developed: • 9A - industrial gases connection works comprising installation of new and repurposing of oxygen and nitrogen pipeline connections, and connection to existing low pressure nitrogen supply • 9B - air separation unit facility (ASU) and connections to Work No. 1
Work No. 10	Modification or removal and replacement of industrial wastewater pipeline connection works
Works No. 11	• Export connection works: 11A - pipeline(s) for the export of SAF and renewable naphtha • 11B or 11C - a pipeline for the export of carbon dioxide (CO₂) connecting to AGI by others (being either AGI C1 or C2 of the Northern Endurance Partnership (NEP) transport and storage pipeline) Only one of Work No. 11B or Work No. 11C would be developed
Works No. 12	Surface water attenuation, and drainage and discharge works
Works No. 13	Laydown areas comprising: • 13A - temporary construction compounds and laydown areas • 13B - permanent laydown and storage

Work No. 14	Access works and private street improvements
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- 2.3.1.4 In addition, a range of associated development, both specified and unspecified, is proposed in relation to the above.
- 2.3.1.5 The new quay on the River Tees (**Work No. 6**) will allow delivery of modular plant and construction materials by ship during construction and biomass and waste wood feedstock during operation, reducing reliance on road transport. Feedstock will be stored (**Work No. 3**) then pre-treated at the Main Site and processed into SAF through gasification and gas-to-liquids processes (**Work No. 1**).
- 2.3.1.6 To support operations, the Proposed Development will include a biomass and waste wood-fired CHP plant (**Work No. 2**) with an electrical output capacity of up to 200 megawatts electrical (MWe), providing a low-carbon energy supply for the SAF process. Cooling infrastructure (**Work No. 4**) will be required for the SAF process and the CHP plant. Connections will provide electricity for start-up and to maintain ancillary site supplies (**Work No. 7**), natural gas for start-up and as auxiliary fuel for some processes during operation (**Work No. 8**), and oxygen and nitrogen which will either be delivered to the Site via pipelines or produced by a new ASU in the Main Site (**Work No. 9A or 9B** respectively). Waste materials, including off-specification materials will be exported from the Main Site by road. Finished products (SAF, and a secondary product of the process, renewable naphtha) will be transferred via pipeline(s) (**Work No. 11A**) to local marine loading facilities for marine export or export by road. CO₂ from the acid gas removal unit in Work No. 1B will be exported via pipeline (**Work No. 11B or Work No. 11C**) subject to a suitable agreement to connect to one of two proximate AGIs in the NEP project.
- 2.3.1.7 The Proposed Development will also include replacement and new wastewater pipeline connection works (**Work No. 10**), surface water drainage systems (**Work No. 12**) and access and street improvements (**Work No. 14**). Space within the Wider Site is identified for temporary construction and laydown and space within the Main Site identified for permanent laydown and storage areas (**Work No. 13**).
- 2.3.1.8 The preliminary layout of the Proposed Development is shown on **Indicative General Arrangement Plan (Application Document Ref 2.5.1)** and **Indicative General Arrangement Isometric (Application Document Ref 2.5.2)**.

2.4 The Site

- 2.4.1.1 The Site location and boundary (which is also known as the 'Order limits') are shown on **Site Location Plan (Application Document Ref 2.1)**. The Site is located in Teesside on land to the north and south of the River Tees with connection corridors crossing the Tees.
- 2.4.1.2 The Main Site is located in the industrial area of Seal Sands approximately 5km east of Billingham town centre and 4km north-east of Middlesbrough town centre, on the north bank of the River Tees in the borough of Stockton-on-Tees). The majority of the Main Site lies south of Seal Sands Road and largely comprises previously developed land formerly used as a chemical plant from the early 1970s. It was last operated by INEOS Nitriles.
- 2.4.1.3 The Main Site comprises the main SAF facility development area of the Site, lying to the south and north sides of Seal Sands Road and bounded by the proposed quay in the River Tees, with the River Tees to the east.
- 2.4.1.4 The eastern boundary of the Main Site is formed by the River Tees, where existing jetties will be demolished and a new quay developed.
- 2.4.1.5 The Wider Site comprises the connection corridors, including land required for road access, pipelines (including under the River Tees), dredging near to the Main Site, and utility connections and construction laydown in both north Tees and (in the borough of Redcar and Cleveland) south Tees.

2.5 The DCO Process

- 2.5.1.1 Part 3 of the PA 2008 [Ref 1] defines which projects constitute a nationally significant infrastructure project (NSIP). Once classed as an NSIP, development consent (in the form of a DCO) is required under Part 4 of the PA 2008 [Ref 1].
- 2.5.1.2 In legislative terms the Proposed Development comprises both a SAF production facility and a CHP generating station together with development associated with the SAF production facility and the CHP generating station.
- 2.5.1.3 The construction and operation of the main SAF production facility does not automatically fall within the definition of an NSIP. Therefore, on 12 August 2025, the Applicant formally requested a direction by the SoS for Energy Security and Net Zero, pursuant to section 35(1) of the PA 2008 [Ref 1], that the following elements be treated as one for which development consent is required. The Section 35 direction request was made in respect of: a main gasification facility to process sustainably sourced biomass; feedstock pre-treatment, syngas clean-up apparatus; Fischer-Tropsch process units; refining units; feedstock, intermediates and finished product storage; quayside with ship loading/ offloading infrastructure; supporting

infrastructure and utility connections (hereafter called the 'Specified Elements').

- 2.5.1.4 The SoS for Energy Security and Net Zero issued a direction under Section 35 of the PA 2008 [Ref 1] on 08 September 2025 to confirm that the Specified Elements of the Proposed Development, together with any matters/ development associated with them, should be treated as development for which development consent under the PA 2008 [Ref 1] is required.
- 2.5.1.5 The CHP plant (**Work No. 2**) surpasses the 50 Megawatt (MW) threshold for generating stations defined in Section 15 of the PA 2008 [Ref 1] and is therefore a NSIP in its own right.
- 2.5.1.6 An application for development consent for the Proposed Development has been submitted to PINS acting on behalf of the SoS. Subject to the Application being accepted, PINS will then examine it and make a recommendation to the SoS who will then decide whether to grant a DCO.
- 2.5.1.7 The application for development consent for the Proposed Development supersedes a previous application that was being progressed by Lighthouse Green Fuels Limited centred on a site off Huntsman Drive in Seal Sands, TS2 1TT (PINS ref. EN010150). Statutory consultation on that application took place between 16 May 2024 and 20 June 2024. As shown on the PINS website¹, that application is discontinued.

¹ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010150>

3 The Purpose and Structure of this Document

- 3.1.1.1 This **Statement of Reasons (Application Document Ref 4.1)** relates to the powers of compulsory acquisition sought in the DCO by the Applicant as part of its application to the SoS. This **Statement of Reasons (Application Document Ref 4.1)** is submitted as part of the application for development consent.
- 3.1.1.2 The purpose of the DCO is to authorise the construction, operation and decommissioning of the Lighthouse Green Fuels project (the Proposed Development), consisting of a SAF production facility and a CHP generating station together with development associated with the SAF production facility and the CHP generating station.
- 3.1.1.3 In order for the Applicant to develop the Proposed Development, land and rights in land are required on a permanent and temporary basis.
- 3.1.1.4 Section 120 of the PA 2008 [Ref 1] allows for provisions on matters ancillary to the development consented to be included in the DCO. Such ancillary matters may include the acquisition of land and the creation, suspension and extinguishment of interests in or rights over land.
- 3.1.1.5 Section 122 of the PA 2008 [Ref 1] provides that powers of compulsory acquisition can only be granted where the SoS is satisfied that there is a compelling case in the public interest and the interests in land for which the powers are granted are:
- a) required for the development; or
 - b) are required to facilitate or are incidental to the development.
- 3.1.1.6 This **Statement of Reasons (Application Document Ref 4.1)** explains how the requirements of section 122 of the PA 2008 [Ref 1] have been met in relation to the compulsory acquisition powers sought by the Applicant to develop the Proposed Development. It also sets out the Applicant's justification for seeking powers of compulsory acquisition.
- 3.1.1.7 This Statement has been prepared in accordance with the requirements of Regulation 5(2)(h) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the "APFP Regulations") [Ref 2], The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the "CA Regulations") [Ref 3] and the Communities and Local Government Guidance 'PA 2008: Guidance related to procedures for compulsory acquisition' (DCLG, 2013) (the "Guidance") [Ref 4].
- 3.1.1.8 This **Statement of Reasons (Application Document Ref 4.1)** is structured as follows:

- Section 1: Executive Summary
- Section 2: Introduction
- Section 3: The Purpose and Structure of this Document
- Section 4: Project Description, Location and Key Parameters
- Section 5: Need for and Benefits of the Proposed Development
- Section 6: Powers of Compulsory Acquisition
- Section 7: Identification of Affected Persons
- Section 8: Case for Powers of Acquisition Sought
- Section 9: Special Considerations
- Section 10: Human Rights
- Section 11: Funding
- Section 12: Absence of Impediments
- Section 13: Conclusion
- Section 14: Further Information

4 Project Description, Location and Key Parameters

- 4.1.1.1 The following sections provide a narrative summary of the Proposed Development, starting with the works at the quay, and how feedstock will be transported across the Main Site for processing. This is followed by a description of the supporting infrastructure including pipeline works, electrical connections, laydown areas and access works. All areas of the Proposed Development are shown on the **Works Plans (Application Document Ref 2.3)** and described in detail in **Chapter 4: The Proposed Development (ES Volume I, Application Document Ref. 6.1.4)**.
- 4.1.1.2 The Proposed Development is a First-of-a-Kind SAF project and has not yet reached the detailed design stage. Therefore, the sizes of process plant and equipment may vary depending on the Engineering, Procurement and Construction Contractor(s) selected and their specific configuration and selection of plant and equipment. It is important therefore that the DCO provides sufficient flexibility to allow for changing economic conditions and the advancement of technology in the period between preparing the Application, granting of consent, construction and starting SAF production.
- 4.1.1.3 In order to provide sufficient flexibility and ensure a robust Environmental Impact Assessment (EIA) has been prepared in accordance with the relevant regulations, the Applicant has adopted the principles of the 'Rochdale Envelope' approach and assessed maximum (and where appropriate minimum) design parameters for the elements of the Proposed Development where flexibility needs to be retained at the consenting stage. These parameters include the limits within which the various elements of the Proposed Development can take place as defined by the **Works Plans (Application Document Ref. 2.3)** and by Part 3 of Schedule 2 to the **Draft Development Consent Order (Application Document Ref. 3.1)**. Further detail on the relationship between project design and flexibility is provided in the **Design Approach Document (Application Document Ref 5.3.1)**.
- 4.1.1.4 The Applicant has retained optionality in Work No. 9 and Work No. 11, as set out at 4.10.1.1 and 4.12.1.1 below, which is controlled through the use of 'or' language in Schedule 1 to the **Draft Development Consent Order (Application Document Ref. 3.1)**, through notice requirements imposed on the undertaker through sub-paragraphs (5) and (6) of article 22 (compulsory acquisition of rights) and through Requirement 3 of Schedule 2.
- 4.1.1.5 The table below (Table 4.1) sets out the aforementioned key parameters for the Proposed Development.

Table 4.1 Design parameters of the Proposed Development

Component of the Proposed Development	Maximum Length of component (m)	Maximum Width of component (m)	Maximum height above ground level of the tallest building/ structure (mAGL)	Indicative maximum height (mAOD as defined upper limit) based on development platform at 5.1mAOD and quay topside elevation at 6.0m AOD
Feedstock Pre-Treatment (Work No. 1A)	400	100	75 (buildings)	80.1
	6m outer diameter		100 (stack)	105.1
SAF Production (Work No.1B)	235	100	95 (column)	100.1
Flare structure(s) (Work No. 1C)	24 (at base)	24 (at base)	140 (flare structure)	145.1
CHP Plant (Work No. 2)	200	125	100 (buildings)	105.1.1
	6m outer diameter		140 (stack)	145.1
Feedstock Reception and Storage (multiple blocks) (Work No. 3)	500	335	90 (including conveyor)	95.1
Cooling Towers (Work No. 4)	180	60	40 (cooling towers)	45.1
Quay (Work No. 6B)	300	50	60 (ship unloaders)	66.0
			70 (cranes)	76.0
ASU (Work No. 9B)	245	130	65 (main plant)	70.1

4.2 Work No. 6 – Marine infrastructure

- 4.2.1.1 Work No.6 encompasses the Marine infrastructure, which includes Work Nos. 6A, 6B and 6C.
- 4.2.1.2 Work No. 6A includes the construction of a new permanent quay at the eastern end of the Main Site on the River Tees (plots 9-55, 9-56, 9-57, 10-9, 10-10, 10-11, 11-1, 11-2, 11-3, 11-4, 11-5, 11-6, 11-7, 11-8, 11-9, 11-10, 11-11, 11-12, 11-13, 11-14, 11-15, 11-16, 11-17, 11-18, 11-19, 11-20, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-27, 11-28, 11-29, 11-30, 11-31, 11-32, 11-33, 11-34, 11-35, 11-36, 11-37, 11-38, 11-39, 11-40, 11-41, 11-42, 11-43, 11-44, 11-45, 11-46, 11-47, 11-48, 11-49, 11-50, 11-51, 11-52, 11-53, 11-54, 11-55, 11-56, 11-57, 11-58, 11-59, 11-60, 11-61, 11-62, 11-63, 11-64, 11-65, 11-66, 11-67, 11-68, 11-69, 11-70, 11-71, 11-72, 11-73, 11-74, 11-75, 11-76, 11-77, 11-78, 11-79, 11-80, 11-81, 11-82, 11-83, 11-84, 11-85, 11-86, 11-87, 11-88, 11-89), for the import of modules and materials during construction, and used during operation for the import of feedstock.
- 4.2.1.3 Once the quay is constructed, waste wood fuel required for the powering of the CHP plant, and biomass for the powering of both the CHP plant and the SAF plant, will be delivered to the Main Site by ship and offloaded at the quay (Work No. 6B) (plots 11-9, 11-10, 11-15, 11-16, 11-19, 11-20, 11-21, 11-22, 11-23, 11-24, 11-25, 11-27, 11-28, 11-29, 11-30, 11-31, 11-32, 11-33, 11-34, 11-35, 11-36, 11-37, 11-38, 11-39, 11-40, 11-41, 11-42, 11-43, 11-44, 11-45, 11-46, 11-47, 11-48, 11-49, 11-50, 11-51, 11-52, 11-53, 11-54, 11-55, 11-56, 11-57, 11-58, 11-59, 11-60, 11-61, 11-62, 11-63, 11-64, 11-65, 11-66, 11-67, 11-68, 11-69, 11-70, 11-71, 11-72, 11-73, 11-74, 11-75, 11-76, 11-77, 11-79, 11-80, 11-88).
- 4.2.1.4 Work No. 6C includes capital and maintenance dredging works (plots 11-12, 11-13, 11-14, 11-18, 11-19, 11-20, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-28, 11-29, 11-31, 11-34, 11-36, 11-37, 11-38, 11-39, 11-40, 11-41, 11-42, 11-45, 11-46, 11-47, 11-48, 11-49, 11-51, 11-52, 11-54, 11-57, 11-58, 11-59, 11-60, 11-61, 11-62, 11-63, 11-64, 11-65, 11-66, 11-68, 11-70, 11-71, 11-72, 11-73, 11-74, 11-75, 11-76, 11-77, 11-82, 11-84, 11-85, 11-86, 11-87, 11-88, 11-89). Capital dredging will be used to excavate a berthing pocket adjacent to the quay and access channel. Maintenance dredging will be required to maintain operational depths.

4.3 Work No. 3 – Feedstock and product handling and storage

- 4.3.1.1 A variety of waste wood and biomass feedstocks are likely to be used by the Proposed Development, and these will be segregated and stored on the Main Site in a combination of silos and covered stores depending on the nature of the material and any permit obligations.

- 4.3.1.2 It is intended that these feedstocks will be delivered primarily by ship and offloaded at the quay facility (plots 7-28, 7-29, 7-30, 7-31, 7-32, 7-37, 7-38, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-18, 9-19, 9-20, 9-21, 9-30, 9-31, 9-32, 9-33, 9-34, 9-43, 9-44, 9-45, 9-46, 9-55, 9-56, 9-57, 10-11, 11-1, 11-2, 11-3, 11-4, 11-9, 11-10, 11-15, 11-16, 11-19, 11-20, 11-21, 11-22, 11-25, 11-26, 11-27, 11-28, 11-29, 11-30, 11-31, 11-32, 11-33, 11-34, 11-35, 11-36, 11-37, 11-38, 11-39, 11-40, 11-41, 11-42, 11-43, 11-44, 11-45, 11-46, 11-47, 11-48, 11-49, 11-50, 11-51, 11-52, 11-53, 11-54, 11-55, 11-56, 11-57, 11-58, 11-59, 11-60, 11-61, 11-62, 11-63, 11-64, 11-65, 11-66, 11-67, 11-68, 11-69, 11-70, 11-71, 11-72, 11-73, 11-74, 11-75, 11-76, 11-77, 11-79, 11-80, 11-86, 11-88) from which conveyor(s) will run to the SAF Production Facility and the CHP Plant (see **Work Nos. 1 and 2** below). The biomass feedstock will primarily be moved around the Site using covered conveyors and stored in storage silos and flat sheds.
- 4.3.1.3 SAF may also be stored within the Main Site in above ground bunded tanks of steel construction.

4.4 Work No. 5 – Bridge and culvert crossings of existing infrastructure

- 4.4.1.1 Work **No. 5** provides for a means to cross the Linkline corridor by linking the quay area with the area where the SAF and CHP Plants will be located within the Main Site (plots 9-31, 9-32, 9-46, 9-57, 11-1). This is necessary to enable the movement of large modules delivered via ship from the quay area to construct the Proposed Development and other large items which are too big to be transported through the existing crossings due to the presence of pipe bridges on the Site.
- 4.4.1.2 The Applicant has identified that a number of entities own and operate pipelines within the Sembcorp pipeline corridor which the Applicant needs to cross. The Applicant has commenced discussions with the relevant entities in respect of the potential options for facilitating this crossing with a view to agreeing the method and design details of the crossing with them at an early stage. As such, the **Draft Development Consent Order (Application Document Ref. 3.1)** provides in requirement 3 of Schedule 2 for **Work No. 5** to be constructed in accordance with the crossing design details. These are currently described in **Chapter 5: Construction Programme and Management (ES Volume I, Application Document Ref. 6.1)** and will be further developed as part of the ongoing discussions with the relevant operators. Further details of discussions and engagement with the relevant operators is set out in the appendix to the **Pre-Application Land and Rights Negotiations Tracker (Application Document Ref. 4.4)**.

4.5 Work No. 1 – SAF Production Facility

- 4.5.1.1 **Work No.1** encompasses the SAF production facility comprising of **Work Nos. 1A, 1B, and 1C**. The entirety of **Work No.1** is located on the Main Site.
- 4.5.1.2 **Work No.1A**, consisting of the feedstock pre-treatment facility will be located on the Main Site (plots 7-28, 7-29, 7-30, 7-31, 7-32, 7-37, 7-38, 9-5, 9-6, 9-7, 9-8, 9-14). The sustainably sourced biomass feedstock for the SAF Production Facility will need to be thermally pre-treated before use in SAF production.
- 4.5.1.3 Treated feedstock will be conveyed to silos for temporary buffer storage.
- 4.5.1.4 The thermally pre-treated feedstock will then be transferred from the silos to the SAF processing facility in **Work No. 1B** for feedstock preparation. Within this unit are the several processes which encompass the remaining preparation works in **Work No. 1B** including stack, flue gas treatment and thermal oxidiser works.
- 4.5.1.5 In an emergency, the electricity and steam to the process will be safely shut-off and the vent headers will be purged to a flare for safe combustion within the Main Site.

4.6 Work No. 2 – Combined heat and power generating station

- 4.6.1.1 **Work No. 2** encompasses the Combined heat and power generation station, comprising **Work Nos. 2A and 2B**.
- 4.6.1.2 The SAF production facility described in **Work No. 1B** will require up to 200MWe of electricity plus steam for its operation. This will be provided by the CHP plant.
- 4.6.1.3 **Work No. 2A** consists of boilers and steam turbine generators (plots 7-30, 7-31, 7-32, 7-33, 7-34, 7-37, 7-38, 7-39, 7-40, 7-41, 7-42, 9-2, 9-3, 9-4, 9-5, 9-6, 9-7, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16). Flue gas, a byproduct of the combustion of biomass, would be passed through the flue gas treatment plant and stack (**Work No. 2B**) (plots 7-34, 7-37, 7-38, 7-39, 7-40, 7-41, 9-3, 9-4, 9-5, 9-6, 9-9, 9-10).

4.7 Work No. 4 – Cooling infrastructure for SAF production facility and CHP plant

- 4.7.1.1 The steam exiting the steam turbine will be condensed by using cooling towers (plots 7-33, 7-34, 7-39, 7-40, 7-41, 7-42, 9-2, 9-3, 9-4, 9-9, 9-10, 9-11, 9-12, 9-13, 9-15, 9-16). The cooling towers will also provide some cooling for the SAF Production Facility at **Work No. 1**.

4.8 Work No. 7 – Electrical connection works

- 4.8.1.1 This section provides an overview of **Work No. 7** which encompasses electrical connection works. This includes **Work Nos. 7A and 7B**, but only one of those Work Nos. will be delivered.
- 4.8.1.2 An electrical connection is required to provide power for construction, startup and maintenance of the ancillary site supplies. The Applicant has had positive discussions with Northern Powergrid regarding this and is progressing through the connection process. The connection will be integrated into the site systems (**Work No. 7B**) (plot 9-30). A below ground 132kV electrical connection (**Work No. 7A**) is also being explored with the DNO which would be constructed northward to the Main Site from the existing North Bank supply point which is located approximately 500m to the south of the Main Site (plots 5-1, 5-2, 5-3, 5-4, 5-5, 6-14, 6-15, 6-16, 6-17, 6-18, 6-19, 6-20, 6-21, 6-22, 6-23, 6-26, 6-27, 6-28, 6-29, 6-30, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-18, 7-19, 7-20, 7-21, 7-22, 7-23, 7-24, 7-25, 7-26, 7-27, 7-28, 7-30). This connection may require a trenchless crossing beneath the link-line corridor. In the event the 132kV connection is able to be delivered, the 132kV would then be utilised instead of the 11kV connection.

4.9 Work No. 8 – Modified or new natural gas connection and above ground infrastructure

- 4.9.1.1 A small flow of natural gas is required for safety critical pilot systems including flare. Natural gas is also used during start-up and as an auxiliary fuel for the feedstock thermal pre-treatment, gasification and CHP plant. Either a new connection within or close to the Main Site, or re-using an existing connection is proposed to connect the natural gas supply network located on the Site boundary (plots 6-10 and 6-11).

4.10 Work No. 9 – Supply of industrial gases

- 4.10.1.1 The SAF Production facility at **Work No. 1** requires Oxygen and Nitrogen for its operation. This section provides an overview of **Work No. 9**, which encompasses the Oxygen and Nitrogen supply, including **Work Nos. 9A and 9B**. Only one of **Work No. 9A or 9B** would be developed.
- 4.10.1.2 This will be provided by **Work No. 9A**, which covers industrial gases connection works. **Work No. 9A** includes works comprising the upgrade of oxygen pipeline connections, new and repurposed nitrogen pipeline connection, and separate connection to existing low pressure nitrogen supply (plots 9-15, 9-16, 9-20, 9-21, 9-22, 9-23, 9-24, 9-25, 9-26, 9-27, 9-28, 9-29, 9-32, 9-33, 9-34, 9-38, 9-39, 9-40, 9-41, 9-42, 9-43, 9-44, 9-45, 9-46, 9-47, 9-48, 9-49, 9-50, 9-51, 9-52, 9-53, 9-54, 9-55, 9-56, 9-57, 9-58, 9-59, 9-60, 12-1, 12-2, 12-3, 12-4, 12-8, 12-9, 12-10, 12-13, 12-14, 12-15, 12-18, 12-19, 12-20, 12-21, 12-22, 12-23, 12-24, 12-25, 12-26, 12-27, 12-28,

12-29, 12-32, 12-33, 12-34, 12-35, 13-1, 13-2, 13-3, 13-4, 13-6, 13-7, 13-8, 13-9, 13-12, 13-13, 13-15, 13-16, 13-17, 13-18, 13-19, 13-20, 13-21, 13-24, 13-25, 13-26, 13-27, 13-28, 13-29, 13-30, 13-33, 13-34, 13-35, 13-36, 13-37, 13-38, 13-39, 13-40, 13-41, 13-42, 13-43, 13-44, 13-45, 13-46, 13-47, 13-49, 13-50, 13-51, 13-52, 13-53, 13-55, 13-56, 13-57, 13-58, 14-2, 14-3, 14-5, 14-6, 14-7, 14-26, 14-27, 14-28, 14-29, 14-30, 14-31, 14-35, 14-36, 14-37, 14-38, 14-39, 16-5, 16-6, 16-7, 17-5, 17-6, 17-7, 18-1, 18-2, 18-3, 18-4, 18-5, 18-6, 18-7, 18-8, 18-11, 18-12, 18-13, 18-14, 18-15, 18-16, 18-22, 18-23, 18-24, 18-25, 18-26, 18-27, 18-28, 18-29, 18-30, 18-31, 18-32, 18-33, 18-35, 18-36, 20-3, 20-4, 20-5, 20-6, 20-7, 20-8, 20-9, 20-10, 20-11, 20-12, 20-13).

4.10.1.3 Alternatively, these gases will be provided by the ASU (plots 7-34, 7-35, 7-36, 7-41, 8-4), which would be located in the Main Site north of Seal Sands Road.

4.11 Work No. 10 – Replacement and new wastewater pipeline connection works

4.11.1.1 This section provides an overview of **Work No. 10**, which encompasses the replacement and new wastewater pipeline connection works.

4.11.1.2 Industrial wastewater will be exported for any required treatment using a replacement for an existing disused pipeline. The pipeline to be replaced runs from the Main Site, through an existing tunnel under the River Tees and along the northern side of the Dabholm Gut in South Tees. It will be then necessary to construct a new connecting pipeline into NWL's Bran Sands Wastewater Treatment Works (WwTW).

4.11.1.3 Treated effluent from the Proposed Development will be sent to Tees Bay using NWL's proposed new long sea outfall which is planned to be operational before it would be required for use for the Proposed Development (plots 9-43, 9-44, 9-45, 9-46, 9-47, 9-48, 9-58, 9-59, 9-60, 12-8, 12-9, 12-10, 12-13, 12-14, 12-15, 12-18, 12-19, 12-20, 12-21, 12-22, 12-23, 12-24, 12-25, 12-26, 12-27, 12-28, 12-29, 12-32, 12-33, 12-34, 12-35, 13-12, 13-13, 13-15, 13-16, 13-17, 13-24, 13-28, 13-29, 13-30, 13-33, 13-34, 13-35, 13-36, 13-38, 13-40, 13-41, 13-42, 13-43, 13-44, 13-45, 13-46, 13-47, 13-49, 13-50, 13-51, 13-53, 13-54, 13-59, 14-1, 14-4, 14-8, 14-12, 14-13, 14-17, 14-18, 16-2, 16-3, 16-4, 18-17, 18-18, 18-19, 18-40, 18-41, 18-42, 18-43, 18-44, 18-45, 18-46, 18-47, 18-48, 18-49, 18-50).

4.12 Work No. 11 – Export connection works

4.12.1.1 This section provides an overview of **Work No. 11**, which encompasses export connection works. This includes **Work Nos. 11A, and 11B or 11C**.

4.12.1.2 **Work No. 11A** includes pipeline/pipelines for the export of SAF and renewable naphtha (plots 9-43, 9-44, 9-45, 9-46, 9-47, 9-48, 9-58, 9-59, 9-

60, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-12, 10-13, 10-14, 10-15, 12-8, 12-9, 12-10, 12-13, 12-14, 12-15, 12-18, 12-19, 12-20, 12-21, 12-22, 12-23, 12-24, 12-25, 12-26, 12-27, 12-28, 12-29, 12-32, 12-33, 12-34, 12-35, 13-12, 13-13, 13-15, 13-16, 13-17, 13-24, 13-28, 13-29, 13-30, 13-31, 13-32, 13-33, 13-34, 13-35, 13-36, 13-38, 13-40, 13-41, 13-42, 13-43, 13-44) to local marine loading facilities for export by ship.

- 4.12.1.3 The **Draft DCO (Application Document Ref. 3.1)** includes two potential alternative pipeline connection routes for CO₂ export to Northern Endurance Partnership infrastructure. These are **Work No. 11B** (plots 6-26, 6-27, 6-28, 6-29, 6-30, 6-31, 6-32, 6-33, 6-34, 6-35, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-18), and 11C (plots 9-43, 9-44, 9-45, 9-46, 9-47, 9-48, 9-58, 9-59, 9-60, 12-8, 12-9, 12-10, 12-13, 12-14, 12-15, 12-18, 12-19, 12-20, 12-21, 12-22, 12-23, 12-24, 12-25, 12-26, 12-27, 12-28, 12-29, 12-32, 12-33, 12-34, 12-35, 13-12, 13-13, 13-15, 13-16, 13-17, 13-24, 13-28, 13-29, 13-30, 13-33, 13-34, 13-35, 13-36, 13-38, 13-40, 13-41, 13-42, 13-43, 13-44), and only one of these would be developed. In the event access to the Northern Endurance Partnership infrastructure is not possible, then neither **Work Nos. 11B nor 11C** would be developed.

4.13 [Work No. 12 – Surface water attenuation, and drainage and discharge works](#)

- 4.13.1.1 Site drainage systems will collect surface water and direct it to a series of attenuation (balancing) ponds for attenuation and monitoring prior to it being pumped and discharged to the Tees via a relocated outfall located to the south of the new quay (plots 6-26, 6-27, 6-28, 6-29, 6-30, 7-6, 7-7, 7-8, 7-9, 7-10, 7-18, 7-22, 7-28, 7-29, 7-30, 7-31, 7-37, 9-6, 9-7, 9-8, 9-17, 9-34, 9-43, 9-44, 9-55, 10-1, 10-2, 10-9, 10-10, 10-11, 11-3, 11-4, 11-9, 11-15, 11-16, 11-19, 11-20, 11-21, 11-27, 11-28, 11-29, 11-31, 11-33, 11-34, 11-35, 11-36, 11-38, 11-40, 11-41, 11-42, 11-43, 11-44, 11-45, 11-46, 11-47, 11-48, 11-49, 11-50, 11-51, 11-52). In the event of contamination being identified, the water will be directed to the onsite treatment plant and managed as per the industrial wastewater stream. Further detail is provided in the **Framework Drainage Strategy (Application document Ref 5.7)**.
- 4.13.1.2 Existing or new potable mains water connections will supply potable water from the NWL water supply infrastructure located within the wider site to the Proposed Development within the Main Site. Raw water connections will also be developed by NWL. Raw water will be supplied from Northumbrian Water Limited water supply infrastructure located within the Wider Site to the Main Site via existing or new raw water connections within the Main Site.

4.14 Work No. 13 – Laydown areas

4.14.1.1 **Work No. 13** encompasses laydown areas. This includes **Work No. 13A and 13B**.

4.14.1.2 **Work No. 13A** includes temporary construction compounds and laydown areas on the Wider Site (plots 6-3, 6-5, 6-6, 6-7, 6-8, 6-13, 8-2, 13-48, 14-9, 14-10, 14-11, 14-14, 14-15, 14-16, 14-19, 14-20, 14-21, 14-22, 14-23, 14-24, 14-25, 16-1, 18-10, 18-20).

4.14.1.3 **Work No. 13B** includes permanent laydown and storage within the Main Site (plot 8-4).

4.15 Work No. 14 – Access works and private street improvements

4.15.1.1 **Work No. 14** encompasses access works and private street improvements.

4.15.1.2 **Work No. 14** includes access, use of and maintenance of private roads (plots 6-9, 7-13, 7-14, 7-35, 7-36, 7-43, 18-1, 18-3, 19-1, 9-22, 9-26, 9-27, 9-28, 9-29, 9-35, 9-36, 9-37, 9-38, 9-39, 9-40, 9-49, 9-50, 9-51, 9-52, 9-53, 9-54, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-11, 12-12, 12-16, 12-17, 12-30, 12-31, 13-4, 13-5, 13-7, 13-9, 13-10, 13-11, 13-14, 13-18, 13-19, 13-20, 13-21, 13-22, 13-23, 13-25, 13-26, 13-27, 13-37, 13-39, 14-32, 14-33, 14-34, 15-1, 15-2, 15-3, 16-8, 17-3, 17-4, 18-9) including improvement works and access points required for both construction and operation. The locations of these accesses are shown on the **Access and Rights of Way Plans (Application Document Ref 2.4)**.

5 Need for and Benefits of the Proposed Development

5.1 Overview

- 5.1.1.1 The **Planning and Energy Policy Chapter 7 (Application Document Ref. 6.1.7)** sets out in detail the need for the Proposed Development to deliver the SAF objectives set out in legislation and policy. The benefits of the Proposed Development have been established within the **Planning Statement (Application Document Ref. 5.2.1)**. That detail is not repeated in full here. This section summarises the need for the Proposed Development as well as the further benefits that the Proposed Development will deliver, primarily in producing SAF.

5.2 Need Established by Legislation

5.2.1.1 Sustainable Aviation Fuel Act 2026

- 5.2.1.2 The Sustainable Aviation Fuel Act 2026 [Ref 5] allows the SoS to offer revenue certainty contracts to SAF producers and provides a framework to make regulations to require a levy on suppliers of aviation fuel.

5.2.1.3 The Climate Change Act 2008 (2050 Target Amendment) Order 2019

- 5.2.1.4 The Climate Change Act 2008 (2050 Target Amendment) Order 2019 [Ref 6] enshrines in law the government's commitment to achieve 'net zero' in terms of greenhouse gas emissions by 2050. This is line with the recommendations of the Climate Change Committee (CCC).

5.3 Need Established in National Policy Statements and other policy

5.3.1.1 National Policy Statements

- 5.3.1.2 In determining this DCO application the SoS must, pursuant to section 104 of the PA 2008 [Ref 1], take into account any relevant National Policy Statement (NPS), any appropriate NPS, any local impact report, any matters prescribed in relation to the development and any matters the SoS considers important and relevant.
- 5.3.1.3 The Energy NPSs (EN-1 to EN-7) [Ref 7 to Ref 13] set out the UK Government's policy for the delivery of energy infrastructure and provide the legal framework for planning decisions for nationally significant infrastructure projects, four of which contain policy relevant to the Proposed Development, specifically:
- 5.3.1.4 NPS for Energy – Overarching National Policy Statement for Energy (EN-1) [Ref 7];
- 5.3.1.5 NPS for Renewable Energy Infrastructure (EN-3) [Ref 9];

5.3.1.6 NPS for Natural Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) [Ref 10]; and

5.3.1.7 [NPS for Electricity Networks Infrastructure \(EN-5\)](#)

5.3.1.8 Paragraph 1.3.10 of NPS EN-1 [Ref 7] confirms that in conjunction with any relevant technology specific NPS, it will be the primary policy for the determination of projects in the field of energy which are subject to a direction made by the SoS under section 35 of the PA 2008 [Ref 1]. As a result, EN-1 [Ref 7], together with EN-3[Ref 9], EN-4 [Ref 10] and EN-5 [Ref 11] are the primary policy for decision making in relation to the Proposed Development.

5.3.1.9 The **Policy and Compliance and Accordance Tables (Application Document Ref. 5.2.2)** provide a comprehensive assessment of compliance with EN-1 [Ref 7] and EN-3 [Ref 9] and accordance with EN-4 [Ref 10] and EN-5 [Ref 11].

5.3.1.10 [NPS EN-1: Overarching NPS for Energy](#)

5.3.1.11 NPS EN-1 [Ref 7] sets out the national policy for the delivery of nationally significant energy infrastructure and is the Overarching NPS for Energy. Paragraph 2.1.2 of EN-1 [Ref 7] states that:

“To produce the energy required for the UK and ensure it can be transported to where it is needed, a significant amount of infrastructure is needed at both local and national scale. High quality infrastructure is crucial for economic growth, boosting productivity and competitiveness.”

5.3.1.12 Part 2.2 of EN-1 [Ref 7] goes on to confirm that achieving Clean Power by 2030 paves the way for decarbonising the wider economy by 2050 as they pursue net zero Greenhouse Gas (GHG) emissions by 2050. Transport is considered a key industry for reduction of emissions.

5.3.1.13 Part 3 of EN-1 [Ref 7] explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers that the need for such infrastructure is urgent. It also acknowledges there will be some significant residual adverse impacts, which will be minimised by policy.

5.3.1.14 Notably, paragraph 3.2.8 stresses that the SoS should assess applications for DCOs for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure (with the scale and urgency of that need being described in the relevant part of EN-1 [Ref 7]). Paragraph 3.2.9 confirms that the SoS should give substantial weight to the contribution that all

projects would make toward satisfying this need when considering applications under the PA 2008 [Ref 1].

- 5.3.1.15 Paragraph 3.2.12 notes that other novel technologies or processes may emerge during the lifetime of EN-1 [Ref 7] can help deliver the UK energy objectives. Where these contribute towards the objectives set out in paragraph 3.2.1 of EN-1 [Ref 7], the SoS should determine that there is need for such technologies and substantial weight should be given to this need.
- 5.3.1.16 Paragraph 3.3.3 seeks to ensure that new electricity infrastructure will be built to replace retiring plants and meet increasing demand, while paragraph 3.3.58 emphasises the urgent need particularly for low carbon electricity to be brought forward as soon as possible as the economy decarbonises.
- 5.3.1.17 Paragraphs 3.3.36 to 3.3.41 cover energy from waste, acknowledging that it reduces the amount of residual waste going into landfill according to the waste hierarchy and is considered partially renewable. Paragraph 3.3.42 sets out that bioenergy could provide either baseload or dispatchable low carbon generation.
- 5.3.1.18 Section 3.5 sets out the urgent need for new carbon capture and storage infrastructure to support the transition to a net zero economy.
- 5.3.1.19 Section 3.6 sets out the need for new nationally significant oil and liquid fuels infrastructure which clearly encompasses SAF and renewable naphtha.
- 5.3.1.20 Section 4.2 of EN-1 [Ref 7] sets out that the Government has committed to the Clean Power 2030 Mission, subject to security of supply, to underpin its 2050 net zero ambitions.
- 5.3.1.21 Paragraph 4.2.2 explains that:
- “The UK’s strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS⁽²⁾. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.”*
- 5.3.1.22 Paragraph 4.2.3 adds that:
- “With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment*

⁽²⁾ Carbon Capture Utilisation and Storage

at the scale and pace needed to meet our energy security and net zero ambitions.”

5.3.1.23 Paragraph 4.2.16 explains that the:

“Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure to meet the Clean Power 2030 Mission and net zero.”

5.3.1.24 Paragraph 4.2.17 clarifies that:

“Low carbon infrastructure for the purposes of this policy means, for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion plants provided they meet existing definitions of low carbon; and nuclear energy generation), as well as natural gas fired generation which is carbon capture ready.”

5.3.1.25 Paragraph 4.2.28 confirms that where residual non-Habitats Regulations Assessment (HRA) or non-Marine Conservation Zone (MCZ) impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for CNP infrastructure.

5.3.1.26 Paragraph 4.8.4 says of Combined Heat and Power (CHP) specifically:

“Using less fuel to generate the same amount of heat and power, reduces emissions, particularly CO₂. The government has therefore committed to promoting Good Quality CHP, which denotes CHP that has been certified as highly efficient under the CHP Quality Assurance programme.”

5.3.1.27 NPS EN-3: National Policy Statement for Renewable Energy Infrastructure

5.3.1.28 NPS EN-3 [Ref 9] together with EN-1 [Ref 7], provides the primary basis for decisions on nationally significant energy infrastructure and is relevant to the Proposed Development as it has a direct effect upon the CHP element of the Proposed Development, within **Work No. 2**, as the CHP will have a generating capacity above 50 MW and will use biomass and wood waste feedstock.

5.3.1.29 Section 2.7 of EN-3 [Ref 9] covers energy from biomass and/or waste. Paragraph 2.7.1 states that:

“The combustion of biomass for electricity generation plays an important role in meeting the UK’s energy needs and supports the decarbonisation of the sector. It also has a potentially significant role in supporting delivery towards the UK’s net zero target when combined with carbon capture and storage.”

5.3.1.30 Section 2.7 identifies the assessment principles specific to biomass combustion and energy from waste plants. Paragraph 2.7.11 states that:

“Government policy encourages multi-modal transport, and it is expected that applicants will transport materials (fuel and residues) by water or rail routes where possible, with road transport expected where this is not feasible, or for shorter journeys.”

5.3.1.31 Paragraph 2.7.86 goes on to state that:

“The SoS should not grant consent to a proposed biomass or bioliquid-fuelled generating station unless they are satisfied that the operator will (so far as it can reasonably be expected to do so) ensure that the biomass or bioliquid fuel it burns meets applicable Renewables Obligation (RO), Contract for Difference (CfD) or any successor incentive regime sustainability criteria, whether or not support is being claimed.”

5.3.1.32 NPS for Natural Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)

5.3.1.33 NPS EN-4 [Ref 10] is relevant to the Proposed Development due to the specified elements of the Proposed Development including gas pipelines within **Work No. 8** and the product export pipelines within **Work No. 11**.

5.3.1.34 EN-4 [Ref 10] does not have direct effect on the Proposed Development, but has some relevance for gas and fuel pipelines that are below NSIP thresholds. Paragraph 1.1.1 sets out that the transmission of gas remains crucial to meeting our energy needs during the transition to a net zero economy, enabling secure, reliable and affordable supplies of energy as we develop the means to address pollution, including the development of low carbon alternatives.

5.3.1.35 NPS for Electricity Networks Infrastructure (EN-5)

5.3.1.36 NPS EN-5 [Ref 11] is relevant to the Proposed Development due to the specified elements of the Proposed Development including electrical connection elements within **Work No. 7**.

5.3.1.37 EN-5 [Ref 11] does not have direct effect on the Proposed Development but has some relevance for the substation and electrical connection elements that are below NSIP thresholds.

5.3.1.38 Paragraph 1.1.1 of EN-5 [Ref 11] recognises that:

“The security and reliability of the UK’s current and future energy supply is highly dependent on having an electricity network which will enable the new electricity generation, storage, and interconnection infrastructure that our country needs to meet the rapid increase in electricity demand required to

transition to Clean Power by 2030 and net zero, while maintaining energy security.”

5.3.1.39 Paragraph 1.1.5 goes on to state that:

5.3.1.40 *“As identified in EN-1, government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure.”*

5.3.1.41 The Proposed Development is anticipated to be the UK’s first commercial-scale second generation SAF production facility that will produce approximately 180 million litres of advanced SAF and approximately 30 million litres of renewable naphtha each year from the processing of over one and a half million tonnes of feedstock from sustainably sourced biomass, making it one of Europe’s largest SAF plants. The Proposed Development would make a significant contribution to meeting the UK Government’s SAF Mandate, which began in 2025 at 2% of total UK jet fuel demand, increasing linearly to 10% in 2030 and then to 22% in 2040. The UK Government estimates that 1.2 million tonnes of SAF will be required to meet the 2030 SAF Mandate. The Proposed Development is being designed to produce 180 million litres of advanced SAF each year and would therefore make a substantial contribution towards meeting this objective.

5.3.1.42 Therefore, the Proposed Development as a whole is considered capable of representing a CNP project.

5.3.1.43 Clean Growth Strategy

5.3.1.44 The Clean Growth Strategy (HM Government, 2017) [Ref 14] emphasised growing national income while cutting greenhouse gas emissions. It states that the aim to achieve clean growth, while ensuring an affordable energy supply for businesses and consumers, is at the heart of the UK’s Industrial Strategy. There is an ambition for a low carbon transport sector including the modernisation of the aviation sector. The Clean Growth Strategy confirms that the UK Government will establish targets to support the development of advanced fuels for aviation. The Proposed Development supports these targets through the production of SAF.

5.3.1.45 The Ten Point Plan for an Industrial Revolution

5.3.1.46 The UK’s Ten Point Plan (HM Government, 2020) [Ref 15] intends to set the foundations for a Green Industrial Revolution, creating jobs through harnessing British science and technology to create and use clean energy.

5.3.1.47 Point 6 of the Ten Point Plan [Ref 15] covers Jet Zero and Green Ships, setting out immediate steps to drive the uptake of sustainable aviation fuels.

A Jet Zero Council has been established as a sector-wide partnership to accelerate the development and adoption of new technologies to help develop a strategy to reach net zero aviation. In addition, £15 million is being invested into FlyZero which is a 12-month study into the strategic, technical and commercial issues in designing and developing zero emission aircraft that could enter service in 2030. Furthermore, the £15 million Green Fuels, Green Skies competition was held in 2021 to support the production of SAF in the UK, of which the Proposed Development was awarded £2,417,500. A consultation also ran from 30 March 2023 to 22 June 2023 on a SAF mandate to blend greener fuels into kerosene, which will create a market-led demand for these alternative fuels.

5.3.1.48 Point 10 of the Ten Point Plan [Ref 15] Green Finance and Innovation sets out the vision for the UK to be a global leader in the technologies needed to decarbonise our economies and transition to net zero. It states, “To accelerate the commercialisation of innovative low-carbon technologies, systems and processes in the power, buildings, and industrial sectors, we will launch the £1 billion Net Zero Innovation Portfolio. The portfolio will focus on ten priority areas that correspond with this Ten Point Plan, “including... energy storage and flexibility; bioenergy; industrial fuel switching...”. Point 10 also highlights that there will be £100 million provided for Energy Storage and Flexibility innovation challenges.

5.3.1.49 Sustainable Aviation Fuel Mandate

5.3.1.50 The Sustainable Aviation Fuel (SAF) Mandate (2024) [Ref 16] (SAF Mandate) emerged from the ambitions of the Jet Zero Strategy to increase the scale of SAF. It aims to secure demand for SAF by:

- a) obligating the supply of an increasing amount of SAF in the overall UK aviation fuel mix; and
- b) incentivising SAF supply through the award of tradeable certificates with a cash value.

5.3.1.51 The SAF Mandate [Ref 16] includes a cap on the proportion of SAF that can be supplied by HEFA (‘the HEFA cap’) to encourage investment and innovation in production of more advanced non-HEFA SAF types, including Biomass to Liquid and Power to Liquid (PtL). The HEFA cap is scheduled to come into effect in 2027 and will gradually decrease each year, restricted to 71% in 2030 and 35% in 2040.

5.3.1.52 The Proposed Development will produce 180 million litres of non-HEFA SAF each year, contributing to the DfT’s estimated need for SAF.

5.3.1.53 Jet Zero Strategy

5.3.1.54 The Jet Zero Strategy (2022) [Ref 17] includes a 5-year delivery plan, setting out how the Government will achieve net zero aviation by 2050. The Jet Zero Strategy [Ref 17] sets out the Government's vision for decarbonising aviation, focussing on the development of technologies in a way that maintains the benefits of air travel, especially post COVID 19, whilst maximising the opportunities that decarbonisation can bring for the UK.

5.3.1.55 The Jet Zero Strategy [Ref 17] points out that SAF is currently commercially available, but not at the scale that is required to decarbonise the aviation sector. Therefore, the Government is committed to having at least five UK SAF plants under construction by 2025 and a SAF mandate in place with a target of at least 10% of UK jet fuel demand from SAF by 2030.

5.3.1.56 The UK Government issued the "Jet Zero Strategy: One Year On" paper in August 2023 [Ref 18], this highlighted the key successes across the principles and policy measures in the Jet Zero Strategy [Ref 17] as well as the next steps. The report confirms that the Jet Zero Strategy [Ref 17] will continue to be reviewed every five years.

5.3.1.57 The Proposed Development supports the Jet Zero Strategy [Ref 17] with it projected to produce 180 million litres of SAF each year, contributing to the ambitions set out by the Jet Zero Strategy. The first five-year review of the Jet Zero Strategy [Ref 17] will be published in 2027. The review will take stock of how emerging technologies are developing, how the strategy is performing against its key performance indicators and adapt the strategy's approach if required.

5.3.1.58 Energy White Paper – Powering Our Net Zero Future

5.3.1.59 The Energy White Paper 'Powering our Net Zero Future' (EWP) [Ref 19] was presented to Parliament in December 2020 and builds on the Ten Point Plan [Ref 15]. At the core of the EWP [Ref 19] is the commitment to tackle climate change and achieve net zero. The EWP [Ref 19] seeks to put in place a strategy for the wider energy system that transforms energy, supports a green recovery and creates a fair deal for consumers (page 4). As with the Ten Point Plan [Ref 15], the EWP [Ref 19] confirms the Government's support for new hydrogen technologies and Carbon Capture Utilisation and Storage (CCUS) drawing upon the resources provided by the North Sea.

5.3.1.60 The Proposed Development supports the EWP [Ref 19] as it has the potential to export CO₂ to the NEP.

5.3.1.61 Industrial Decarbonisation Strategy

5.3.1.62 The Industrial Decarbonisation Strategy [Ref 20] is the first strategy published by a major economy, which sets out how industry can be decarbonised in line with net zero, while remaining competitive and without pushing emissions abroad. It builds on the Ten Point Plan [Ref 15] and sets out the Government's vision for a prosperous, low carbon UK industrial sector by 2050, and aims to provide industry with the long-term certainty it needs to invest in decarbonisation.

5.3.1.63 The Proposed Development supports the Industrial Decarbonisation Strategy as it combined the use of biomass or waste wood fired CHP plant with the potential to export CO₂ to the NEP.

5.3.1.64 Net Zero Strategy

5.3.1.65 The Net Zero Strategy: Build Back Greener [Ref 21] expanded on key commitments in the Ten Point Plan [Ref 15] and the EWP [Ref 19] and set out the next steps the Government proposes to take to cut emissions, seize green economic opportunities and leverage further private investment into net zero. While superseded by various more recent policy and legislation, it is notable for setting out an early vision for a SAF industry in the UK, stating:

“Aim to become a world-leader in zero emission flight and kick-starting the commercialisation of the UK sustainable aviation fuel (SAF) so people can fly, and connect without guilt. Our ambition is to enable delivery of 10% SAF by 2030 and will be supporting UK industry with £180 million funding for the development of SAF plants”.

5.3.1.66 The Proposed Development is supported by the Net Zero Strategy [Ref 21] as it comprises of biomass or waste wood fired CHP plant with the potential to export CO₂ to the NEP, facilitating the production of SAF which is a low carbon fuel for transport.

5.3.1.67 Biomass Policy Statement

5.3.1.68 The Biomass Policy Statement [Ref 22] was published in November 2021 identifies the priority sectors and applications of biomass across the economy to deliver net zero by 2050. Section 2.4 sets out biomass's role in a low carbon transport sector. This section states that SAF are one of the key levers available to government and industry to accelerate the transition to net zero aviation and can achieve lifecycle GHG emissions savings of over 70% compared with conventional jet fuel, when fully replacing kerosene. The Biomass Policy Statement [Ref 22] states that the Government has

“introduced a world-leading, comprehensive programme of interventions aiming to commercialise the domestic SAF industry and deliver carbon savings. On top of competition funding, we have recently consulted on a UK SAF blending mandate.”

5.3.1.69 The Proposed Development is supported by the Biomass Policy Statement [Ref 22] as it comprises of biomass or waste wood fired CHP plant with the potential to export CO₂ to the NEP.

5.3.1.70 British Energy Security Strategy

5.3.1.71 The British Energy Security Strategy was published in April 2022 [Ref 23] largely in response to soaring energy prices of the sudden surge in demand following the COVID-19 pandemic, compounded by the Russian invasion of Ukraine. Much of the focus of the British Energy Strategy [Ref 23] is upon providing financial assistance to families and businesses struggling with higher energy bills, but it also looks at improved energy efficiency, reducing the amount of energy we need and addressing the underlying vulnerability to international oil and gas prices by reducing the UK's dependence on imported oil and gas.

5.3.1.72 The British Energy Security Strategy [Ref 23] aims to expand the UK's renewable capacity by investing in the North Sea so that we are not wholly dependent on other countries for fuel, from industrial production to net zero aviation.

5.3.1.73 The Proposed Development can be considered to be supported by the British Energy Security Strategy [Ref 23] as using a biomass and waste wood fired CHP plant to supply energy and heat to the SAF production process is as a step towards reducing the UK's dependence on international oil and gas in the energy sector.

5.3.1.74 Powering Up Britain

5.3.1.75 The DESNZ published Powering up Britain [Ref 24] and constituent documents in March 2023 which include Powering up Britain: Energy Security Plan [Ref 25] and Powering Up Britain: Net Zero Growth Plan [Ref 26].

5.3.1.76 Powering up Britain [Ref 24] sets out the Government's priority to be energy independent in light of the invasion in Ukraine. It highlights the Government's mission to replace fossil fuels with renewable energy. It also confirms that the Government is making positive progress towards zero emission flights.

5.3.1.77 Powering Up Britain: Net Zero Growth Plan [Ref 26] further sets out the steps that DESNZ is taking to ensure that the UK is more energy

independent, secure and resilient. It recognises the targeted public investment that the Government has delivered for SAFs, for example, through the Advanced Fuels Fund. The Powering Up Britain: Net Zero Plan [Ref 26] sets out key commitments in the transport sector, which include welcoming the Independent Review of Net Zero's recognition of the important role for low carbon fuels in decarbonising sectors such as aviation and maritime. It states:

"We continue to make progress delivering on our ambitions for a thriving domestic sustainable aviation fuel (SAF) market, supported by a comprehensive policy package that includes a further consultation on our SAF mandate, responding to the Government-commissioned independent evaluation of developing a sustainable long-term UK SAF industry, and launching a second application window for the £165 million Advanced Fuels Fund".

- 5.3.1.78 The Proposed Development as a First-of-a-Kind assemblage of technologies represents and therefore represents the kind of innovative rollout of existing technologies to decarbonise the economy set out in 'Powering Up Britain' [Ref 24].

5.3.1.79 Clean Power 2030 Action Plan

- 5.3.1.80 On 13 December 2024 the Government published the Clean Power Action Plan [Ref 27] to meet its clean power target. The Clean Power Action Plan [Ref 27] recognises that a clean power system will include and require dispatchable technologies, with sustainably sourced biomass a low carbon fuel for renewable electricity generation and which, "could play an important role in Clean Power 2030 by providing flexible or firm generation". It also notes that large scale biomass plants:

"...have the potential to transition to power [Bioenergy with Carbon Capture and Storage (BECCS)] BECCS. This carbon capture technology can combine the conversion of sustainable biomass, biogas and biogenic wastes into electricity while capturing a high percentage of the CO₂ emissions contained in that biomass in long-term storage in geological sequestration. Large scale power BECCS has the potential to support low carbon electricity and deliver negative emissions, helping to balance residual emissions from hard-to-abate sectors."

- 5.3.1.81 The Proposed Development is supported by the Clean Power 2030 Action Plan [Ref 27] as it comprises a biomass or waste wood fired CHP plant with the potential to be export CO₂ to the NEP.

5.3.1.82 Local Planning Policy

5.3.1.83 Policy ENV 1 (Energy Efficiency) of the STBC Local Plan (adopted January 2019) [Ref 28] encourages all development to minimise the effects of climate change, including by promoting zero carbon development, energy reduction efficiency, renewable or low carbon. Policy ENV 3 (Decentralised Energy Generation and Supply) holds that STBC will promote and support decentralised energy such as District Heat and Power Networks through a number of methods. Policy ENV 6 (Green Infrastructure, Open Space, Green Wedges and Agricultural Land) holds that STBC will protect and support the enhancement, creation and management of all green infrastructure. Policy SD2 (Strategic Development Needs) identifies strategic growth needs for the period 2017/18 to 2031/32, which will be met through new sustainable development and infrastructure provision. Policy SD7 (Infrastructure Delivery and Viability) seeks to deliver infrastructure to address service deficiencies and meet demand from growth through planning obligation or Community Infrastructure Levy.

5.3.1.84 Policy SD6 (Renewable and Low Carbon Energy) of the Redcar and Cleveland Local Plan (adopted May 2018) [Ref 29] states that renewable and low carbon energy schemes will be supported and encouraged. Policy LS4 (South Tees Spatial Strategy) contains a number of aims, including with regards to the economy, to grow the environmental and recycling sector and encourage clean and more efficient industry in the South Tees area to help reduce CO₂ emissions and risk of environmental pollution. Policy SD1 (Sustainable Development) confirms RCBC will take a positive approach that reflects the presumption in favour of sustainable development.

5.4 Benefits of the Project

5.4.1.1 NPS EN-1 [Ref 7] paragraph 4.1.5 states explicitly that when considering any proposed development the SoS should take into account “its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long term or wider benefits.” Paragraph 4.1.6 adds that “These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports)”.

5.4.1.2 The Proposed Development will deliver significant benefits, which are summarised below.

5.4.1.3 Production of Sustainable Aviation Fuel

5.4.1.4 The Proposed Development is anticipated to be the UK’s first commercial-scale second generation SAF production facility that will produce approximately 180 million litres of advanced SAF and approximately 30

million litres of renewable naphtha each year from the processing of over one and a half million tonnes of feedstock from sustainably sourced biomass and waste wood, making it one of Europe's largest SAF plants. The Proposed Development would make a significant contribution to meeting the UK Government's SAF Mandate, which began in 2025 at 2% of total UK jet fuel demand, increasing linearly to 10% in 2030 and then to 22% in 2040. The UK Government estimates that 1.2 million tonnes of SAF will be required to meet the 2030 SAF Mandate.

- 5.4.1.5 The Proposed Development is being designed to produce 180 million litres of SAF annually and would therefore make a substantial contribution towards meeting this objective.

5.4.1.6 Low Carbon Economy and Climate Change Resilience

- 5.4.1.7 The facility is designed to produce 180 million litres of low-carbon SAF and 30 million litres of renewable naphtha each year, equivalent to the fuel required for 25,000 short haul flights to Europe or 4,500 transatlantic flights. The technology would help to avoid emissions of approximately 350,000 tonnes of CO₂ a year compared with use conventional aviation fuel.

- 5.4.1.8 Through the provision of SAF to the aviation industry, and embedded carbon capture elements within the Proposed Development, the Proposed Development will also support the overarching objective of the Government to continue transitioning the UK to a low carbon economy and meeting the legally binding target of net zero greenhouse gas emissions by 2050. Further detail is provided in the **Green House Gas Reduction Strategy (Application Document Ref 7.5)** and **Chapter 14, Greenhouse Gas Emissions (Application Document Ref 6.1.14)**.

- 5.4.1.9 In addition, in future, CO₂ from the CHP plant and thermal pre-treatment of feedstock may be sent to a Post-Combustion Carbon Capture Unit (PCCU) and directed via the selected CO₂ export pipeline route (either **Work No. 11B** or **11C**) to the NEP CO₂ Gathering Network pipeline for transport and permanent storage. This would result in the Proposed Development achieving even greater negative carbon emissions and further reducing the carbon intensity of the final SAF Product. Development of a PCCU does not form part of the Application and would be developed under separate consent.

5.4.1.10 Energy security

- 5.4.1.11 Through the aforementioned production of 180 million litres of low-carbon SAF and 30 million litres of renewable naphtha each year, the Proposed Development will make a significant contribution to the Government's goals of fuel security, as set out in the British Energy Security Plan [Ref 25].

Recent global events highlight the importance of fuel security and risk of the UK's continued over-reliance on internationally imported fuel.

5.4.1.12 Socio-economic benefits

5.4.1.13 The construction of the Proposed Development is anticipated to generate direct, indirect and induced opportunities for employment and Gross Value Added (GVA), which are likely to give rise to a significant beneficial effect. Temporary construction activities are considered likely to generate significant positive effects in the context of local and regional markets, benefiting residents and businesses in the local and regional study areas. Overall, the Proposed Development could support local businesses and a significant number of jobs, as well as significant GVA both directly and indirectly through construction-related spending. Production and implementation of an Employment and Skills Plan is secured as part of Schedule 2 (Requirements) to the **Draft DCO (Application Document Ref. 3.1)**.

6 Powers of Compulsory Acquisition

- 6.1.1.1 Section 120 of the PA 2008 [Ref 1] allows for provisions on matters ancillary to a development to be included in a DCO. Such ancillary matters may include the acquisition of land and the creation, suspension and extinguishment of interests in or rights over land. Further details are set out in the **Book of Reference (Application Document Ref 4.3)** and depicted in the **Land Plans (Application Document Ref 2.2)**.
- 6.1.1.2 The **Draft DCO (Application Document Ref. 3.1)** contains the following provisions:
- a) Article 20 authorises the compulsory acquisition of any interest in land;
 - b) Article 22 authorises the compulsory acquisition of rights over land, including by creation of rights;
 - c) Article 24 authorises the extinguishment of private rights or restrictive covenants in land that is compulsorily acquired; and
 - d) Article 27 allows the Applicant to compulsorily acquire the subsoil or airspace of land only.
- 6.1.1.3 LGF Projects Limited is the company named as the undertaker in the **Draft DCO (Application Document Ref. 3.1)** and the entity who will exercise the powers of compulsory acquisition for the purposes of constructing, maintaining and operating the Proposed Development and any related ancillary works.
- 6.1.1.4 Section 122 of the PA 2008 [Ref 1] sets out the purposes for which powers of compulsory acquisition may be granted along with the conditions which must be met. It provides that the SoS must be satisfied that the land:
- a) is required for the development to which the development consent relates, or
 - b) is required to facilitate or is incidental to that development, and
 - c) that there is a compelling case in the public interest for the land to be acquired compulsorily.
- 6.1.1.5 The use of compulsory powers is restricted by article 21, which provides that notices exercising such powers must be served within 5 years of the date of the DCO coming into force.
- 6.1.1.6 Other rights and powers in the **Draft DCO (Application Document Ref. 3.1)** which if exercised may interfere with property rights and private interests include:

- a) Article 11 (Power to alter layout etc. of streets);
 - b) Article 13 (Temporary closure, alteration or diversion of streets and of public rights of way);
 - c) Article 15 (Use of private roads);
 - d) Article 17 (Discharge of water);
 - e) Article 19 (Authority to survey and investigate the land);
 - f) Article 29 (Temporary use of land for carrying out the authorised development);
 - g) Article 30 (Temporary use of land for maintaining the authorised development); and
 - h) Article 31 (Statutory undertakers).
- 6.1.1.7 The plots of land subject to the powers for acquisition of new rights etc. are set out in **Schedule 7** to the **Draft DCO (Application Document Ref. 3.1)** - Land in which new rights etc. may be acquired.
- 6.1.1.8 Further, the plots of land subject to the powers of temporary possession only, are set out in **Schedule 9** to the **Draft DCO (Application Document Ref. 3.1)** - Land of which temporary possession may be taken.
- 6.1.1.9 In each case (for both the principal powers and other powers) the parties having an interest in the relevant land may be entitled to compensation as a result of the exercise of the DCO powers. Any dispute in respect of the compensation payable is to be determined by the Lands Chamber of the Upper Tribunal.
- 6.1.1.10 Together, these powers will allow the necessary works to take place for the development and operation of the Proposed Development. They have been drafted to be comprehensive, whilst allowing flexibility within the process to ensure as low an impact on those affected as possible.

6.2 Alternatives to Compulsory Acquisition

- 6.2.1.1 The Order land is the land needed for the construction, operation, maintenance and decommissioning of the Proposed Development.
- 6.2.1.2 The Order land comprises only land which is necessary for development or is required to facilitate that development, as set out throughout section 4 above.
- 6.2.1.3 The Order land is therefore in line with the requirements in Section 122 of the PA 2008 [Ref 1]. There is no requirement for the provision or replacement or exchange land.

- 6.2.1.4 Tees Industry, in which the Site is situated, covers most of the 2km landscape study area and is defined by large-scale, heavy industry within the Tees Estuary.
- 6.2.1.5 Land requiring special consideration is discussed in more detail below.
- 6.2.1.6 The following section summarises the approach the Applicant has taken to selecting and refining the extent of the Order land, including consideration of reasonable alternatives.

6.3 Site selection and alternatives

- 6.3.1.1 Two alternative sites had been considered as suitable locations for the Proposed Development, however the Site was identified as being able to meet the criteria set out in detail in **ES Chapter 6 (Alternatives) (Application Document Ref 6.1.6)**, with the added benefit of also being a location with a consented carbon capture and storage network. The site needed to be suitable for the development of heavy industry on a plot with sufficient size for the SAF and CHP plants, with reasonable access to utility connections and means of managing treated wastewater, with access to marine infrastructure to allow import of feedstock and a means of exporting SAF product. Good road access is required irrespective of marine provision, due to the potential for material movements during construction and operation, and to facilitate site access for construction and operational staff. Rail access is desirable for feedstock import, but is less critical for the Proposed Development than marine access due to the sourcing and nature of the feedstock required and to avoid double handling of that feedstock. Given the choice of biomass and/or waste as feedstocks, the Proposed Development site requires access to a deep water port either on-site or close by, capable of handling large vessels for delivery of the necessary quantities of feedstock for the scale of SAF production proposed. As a side benefit, the harbour facilities can also be used for the import of waste wood as a low carbon feedstock for the CHP plant. Brownfield land was desirable to avoid development on previously undisturbed land and the site needed to be located away from receptors sensitive to air and noise emissions and near to suitably skilled employment.
- 6.3.1.2 The former Air Products TV1/TV2 site in North Tees ("the Huntsman Drive site") was one of the alternative sites considered, however the Applicant's parent company had previously progressed an application for a similar development at Huntsman Drive and discontinued the application due to a necessary switch in principal feedstock from waste to sustainably sourced biomass. The site no longer accommodated the size of the project, and would not have been possible to carry out the full range of operations required for SAF production using biomass feedstock on the Huntsman

Drive site. For example, feedstock would have needed to be pre-treated off-site rather than on-site which would be inefficient. It also did not have the benefit of direct access to a deep-water quay for delivery of construction materials and feedstock.

- 6.3.1.3 The other former industrial site was originally considered large enough to accommodate all elements of the proposed SAF plant and had direct access to an existing quay on the Tees Estuary, however there were a number of constraints which made this site less favourable than the chosen site. Part of the site is subject to a recent and live planning permission for transportation, storage and export of mineral by ship using the existing quay. This use would overlap with the development and operation of the Proposed Development. There was therefore insufficient space known to be available for construction and operation of the Proposed Development at this site. Furthermore, the site has no access to third party liquids export infrastructure for export of finished products. Existing export facilities are located in north Tees and there is no viable route for developing a crossing under the Tees for such an export pipeline.
- 6.3.1.4 Following selection of the Site, the Applicant has sought to refine the Order Limits throughout the development process, informed by a combination of project design refinements, engagement with landowners and stakeholder feedback to consultations. Between the targeted consultation carried out by the Applicant in April 2026 and the current date, the Applicant has reduced the Order limits by approximately 100 acres, a reduction in area of over 17%. This has included the removal of an area of land to the southwest of the Quay that was originally included to be used as additional storage space and laydown area, but upon further consideration and at the request of the landowner was subsequently considered not essential to the development. An area to the south of the Main Site was deemed not essential to the development and removed following discussions with landowners and interested parties and further refinement of the project design and parameters. An area to the north of Seal Sands Road adjacent to the main Temporary Laydown Area was removed following engagement with the landowner and refinement of the project design, along with the northern verge of Seal Sands Road, following a plot-by-plot land parcel review by the Applicant's land team in order align the Order Limits with land parcel boundaries. A significant reduction in the Order Limits came from the project decision to remove product export by rail, resulting in a large area of land to the southwest of the Wider Site, which had originally been included to facilitate direct rail connections for the Development being removed from the Order Limits. This significantly reduced the impact of the Proposed Development on several of the key land interests and demonstrates the

Applicant's desire to reduce impacts on affected parties where possible. Throughout the development process, the Applicant has made numerous smaller refinements to the Order Limits where further information has been received through engagement with landowners, consultation feedback and the Applicant's own investigations. These refinements of the Order limits are shown in Figures 6.3 -6.5 respectively of the **Design Approach Document (Application Document Ref 5.3.1)**.

6.4 Consultation and Engagement

- 6.4.1.1 The Applicant has undertaken consultation with statutory and non-statutory consultees (including persons with an interest in the Order land), as well as engagement with the wider public. The outcome of this consultation has helped to refine the process, design and wider spatial constraints and considerations.
- 6.4.1.2 Consultation on refinements in the site selection, layout and configurations was undertaken through informal and formal pre-application stages.
- 6.4.1.3 Further information in relation to the Applicant's consultation process is presented in the **Consultation Report (Application Document Ref 5.1.1)**
- 6.4.1.4 The Applicant, through their agents Dalcour Maclaren, have also engaged, and continue to do so, with relevant landowners and occupiers in negotiations to secure the necessary interests in land required for the Proposed Development by voluntary agreement, in accordance with the requirement of paragraph 25 of the Guidance [Ref 4]. However, in order to give the Applicant and the SoS certainty that all of the necessary land will be secured within a reasonable timeframe, powers of compulsory acquisition are also sought. This approach is endorsed by paragraph 25 of the Guidance.
- 6.4.1.5 Negotiations have taken place through letters, emails, phone calls and online and face to face meetings. In addition, the Applicants have also been engaging with statutory undertakers and other third party operators with regards to securing appropriate protections for their apparatus and related land interests. Whilst engagement and negotiations with landowners, statutory undertakers and other third party operators continue, agreement for the acquisition of all rights have yet to be secured. Further details of the discussions that the Applicant has had with landowners and occupiers to acquire the Order land by agreement, as well as negotiations with statutory undertakers and other operators, are set out in the **Pre application Land and Rights Negotiations Tracker (Application Document Ref 4.4)**.
- 6.4.1.6 Feedback from landowners and occupiers during consultation and ongoing engagement has raised items such as:

- a) Impact of any works on existing assets and operations
 - b) management of traffic flows to not impact current operations
 - c) Impacts on future development plans.
- 6.4.1.7 As a result of this feedback, the red line boundary has been reviewed and refined as set out above. Through these revisions and reductions, the Applicant has sought to address the above concerns.
- 6.4.1.8 Through consultation and engagement, its site selection procedures and design refinement, the Applicant has sought to minimise the impact on those affected by the Proposed Development, including those who will be affected by the use of compulsory acquisition powers.
- 6.4.1.9 The consultation and ongoing engagement have also helped ensure that the Order land comprises the smallest area necessary to deliver the Proposed Development.
- 6.4.1.10 Further details of the influence consultation has had on the project design and Order limits are set out **in ES Chapter 3 Site and Surrounding Area (Application Document Ref 6.1.3), ES Chapter 6 Alternatives (Application Document Ref. 6.1.6) and the Consultation Report (Application Document Ref. 5.1.1).**

7 Identification of Affected Persons

7.1.1.1 In preparing the Application, the Applicant has carried out diligent inquiry through the land referencing process to identify all persons with an interest in the Order land. The land referencing process was initially undertaken when section 44 of the PA 2008 [Ref 1] was in force and on that basis diligent inquiry was undertaken to identify the categories of persons previously set out in section 44 as Categories 1, 2 and 3. Whilst section 44 is no longer in force, those categories are also set out in section 57 of the PA 2008 [Ref 1] and remain relevant for the purposes notifying relevant persons of an accepted application under section 56 of the PA 2008 [Ref 1]. Under section 59 of the PA 2008 [Ref 1], persons with an interest in land are treated as affected persons for the purposes of the examination of compulsory acquisition powers. The identified affected persons are therefore listed in the **Book of Reference (Application Document Ref 4.3)** and allocated to the relevant category. The **Book of Reference (Application Document Ref 4.3)** sets out those categories in more detail. In summary, these are:

- a) Category 1 comprises owners, lessees, tenants and occupiers of the land.
- b) Category 2 comprises persons who are interested in the land or have the power to sell and convey, or to release, the land.
- c) Category 3 persons, as prescribed by section 57(4) of the PA 2008 [Ref 1], comprises persons who the Applicant thinks would or might be entitled to make a "relevant claim" for compensation, if the Order sought by the Application were to be made and fully implemented. A "relevant claim" is defined in the PA 2008 as meaning a claim under section 10 of the Compulsory Purchase Act 1965, under Part 1 of the Land Compensation Act 1973 [Ref 30] or under section 152(3) of the PA 2008 [Ref 1]. Land referencing has been undertaken throughout the pre-application period and will continue periodically through the pre-examination and examination periods to ensure that any changes in ownership or new interests have been identified, consulted and are subject to engagement (as described in section 6.4 above).

7.1.1.2 Interests were identified through a land referencing methodology incorporating publicly available desktop sources (including Land Registry updates, checks of Companies House, checks of local authority information and other online data) and contact with land interests. This included correspondence using Land Interest Questionnaires to request information on land holdings and other legal interests in land, followed up with further inquiries and site visits. Where land was unregistered, or interests were

unknown, further investigations were undertaken on site and notices placed on the land requesting information.

8 Case for Powers of Acquisition Sought

- 8.1.1.1 This section sets out the Applicant's proposals and justification for each class of acquisition. This includes explaining where the Applicant is seeking necessary flexibility for the detailed design stage, and it may be that the final land take is less than identified. The full details of the powers sought by the Applicant are set out in **Schedules 7 and 9** of the **Draft DCO (Application Document Ref. 3.1)**.
- 8.1.1.2 The Applicant is in discussions with the landowners with the intention of reaching voluntary agreements for land rights required. Powers of compulsory acquisition are therefore sought on a precautionary basis to ensure that the Proposed Development can be delivered should voluntary agreement not be possible or where unknown interests in the land are identified.
- 8.1.1.3 The principal justification for the use of powers of compulsory acquisition arises from the following, that the Proposed Development:
- (i) Meets an urgent need for sustainable aviation fuel, contributing to local policy and government mandates;
 - (ii) Supports the overarching objective of the Government to continue transitioning the UK to a low carbon economy and meeting the legally binding target of net zero greenhouse gas emissions by 2050;
 - (iii) Is a form of economic development that is suitable in its local context;
 - (iv) Is compliant with the NPSs and in accordance with other decision-making factors specified in section 104 of the PA 2008 [Ref 1].
- 8.1.1.4 Further to the reasons set out above, it is therefore necessary and in the public interest for the Applicant to use powers of compulsory acquisition.

8.2 Freehold acquisition

- 8.2.1.1 The land shaded pink on the **Land Plans (Application Document Ref 2.2)** is the area of land referred to above as the 'INEOS Nitriles Site' or 'Main Site'. This extends across **Work Nos. 1 to 4, 8, 12** and parts of **Work Nos 5, 9 and 13**. Therefore, obtaining freehold of this area is essential to delivery of the Proposed Development. The Applicant is seeking freehold acquisition of this land and would rely on article 20 of the Order to acquire the freehold interest of the Main Site, should this be necessary. The Applicant has entered into an option agreement for the purchase of the Main Site, so does not envision needing to rely on the use of this article to acquire the freehold. However, until the option is exercised and the Applicant becomes the freehold owner it is necessary to retain the ability to acquire the freehold compulsorily as a last resort should it become

necessary. As this is the land over which the majority of the Proposed Development would be constructed, the acquisition of new rights or subsoil only would not be sufficient or appropriate to enable the construction, operation and maintenance of the Proposed Development. It is also necessary to retain the powers of compulsory acquisition over the Main Site in order to ensure other third party interests can be acquired as appropriate to enable and facilitate construction, operation and maintenance of the Proposed Development.

8.3 Temporary possession

- 8.3.1.1 The land shaded yellow on the **Land Plans (Application Document Ref 2.2)** concerns plots over which the Applicant only requires temporary possession of the land for construction of the Proposed Development (8-2, 13-48, 14-9, 14-10, 14-11, 14-14, 14-15, 14-16, 14-19, 14-20, 14-21, 14-22, 14-23, 14-24, 14-25, 16-1, 17-4, 18-9, 18-10, 18-20). The Applicant's use of temporary possession powers to facilitate construction under article 29 of the Order represents a proportionate approach by the Applicant, to minimise disruption to landowners and those benefitting from rights over land where possible. Article 29 provides that temporary possession may be taken over land as specified in **Schedule 9 (Land of which only temporary possession may be taken)** or any other land within the Order limits in respect of which no notice of entry has been served under section 11 of the Compulsory Purchase Act 1965 [Ref 31] and no declaration made under section 4 of the 1981 Act [Ref 32]. This allows article 29 to apply to land which may later be the subject of compulsory acquisition. This reflects a common approach to designing and building infrastructure projects, whereby temporary possession is taken of a wider area required for the purposes of construction, and once the location of new apparatus is known definitively, then the final area of land required permanently is refined and acquired. This allows a more proportionate approach to the extent of land acquisition and is in compliance with the tests at section 122 of the 2008 Act [Ref 1].
- 8.3.1.2 The undertaker must not remain in possession for longer than is necessary and in any case, not more than 1 year on from the earlier of:
- (i) where Schedule 9 specifies a purpose for which possession may be taken relating to particular Work Nos., the end of the period of one year beginning with the date of final completion of these Work Nos.; or
 - (ii) for any other Order land, the end of the period of one year beginning with the date of final commissioning of the part of the authorised development for which temporary possession was taken.

- 8.3.1.3 In addition to the powers under article 29, the Applicant has a power under article 30 to temporarily use the Order land for the purposes of maintenance during the maintenance period, which is five years from the date of final commissioning. This article provides that the undertaker may at any time during the maintenance period enter upon and take temporary possession of any land within the Order limits for the purpose of maintaining the authorised development, meaning that the undertaker can access land for necessary maintenance activities without having to acquire permanent rights over that land.

8.4 Acquisition of rights

- 8.4.1.1 The majority of the plots within the Order are shaded blue on the **Land Plans (Application Document Ref 2.2)**, and concern acquisition of rights only. These plots each fall within one or more of the categories of rights packages detailed below. A full description of the rights and restrictive covenants are detailed in Schedule 7 of the Order.
- 8.4.1.2 The Applicants have provided further information below setting out the purpose for which rights are required for the different elements of the Proposed Development. This is set out in the same order as the rights packages presented in Schedule 7 of the Order. With regards to the electrical and pipeline connections required for the Proposed Development, the Applicant has identified corridors for those works on the **Works Plans (Application Document Ref 2.3)** within which those connection works will be undertaken. These corridors allow for micro-siting of the relevant apparatus through detailed design and also allow for sufficient space for construction works. Permanent easements within those corridors will be taken as necessary. As the exact permanent easement area is at this stage subject to detailed design requirements, compulsory rights are sought over the full working width of the corridors. In the event the Applicant has to use compulsory acquisition powers to acquire the necessary rights for the permanent apparatus to be located in those corridors, it is the Applicant's intention to use temporary possession powers to carry out construction works and to then seek permanent rights, where required, for the permanent easement once the final position of the relevant apparatus is determined.

8.4.1.3 Quay works- rights and restrictive covenants

- 8.4.1.4 11-5, 11-6, 11-7, 11-8, 11-11, 11-12, 11-13 11-14, 11-16, 11-17, 11-18, 11-19, 11-20, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-27, 11-28, 11-29, 11-31, 11-32, 11-33, 11-34, 11-35, 11-36, 11-37, 11-38, 11-39, 11-40, 11-41, 11-44, 11-45, 11-46, 11-47, 11-48, 11-49, 11-51, 11-52, 11-54, 11-55, 11-56, 11-57, 11-59, 11-60, 11-61, 11-62, 11-63, 11-64, 11-65, 11-66, 11-67, 11-68,

11-69, 11-70, 11-71, 11-73, 11-74, 11-75, 11-77, 11-78, 11-79, 11-80, 11-81, 11-82, 11-83, 11-84, 11-85, 11-86, 11-87, 11-88, 11-89.

8.4.1.5 Rights are sought for carrying out **Work No. 6A** to enable the construction of the permanent quay and associated wing walls. The rights sought under this category are required for the construction, operation, maintenance and decommissioning of the quay works. The rights include those necessary to access the land (with or without vehicles, vessels, plant and machinery), to carry out investigations and surveys, and to construct, install, retain, operate, maintain, repair, replace, remove and decommission the quay works and all associated infrastructure including dolphins, berthing and mooring structures, revetments, wingwalls, scour protection, pipelines, cables, service media, lighting, signage and safety equipment. Rights are also sought to manage vegetation, drainage and water flows, to install and alter apparatus and service media, to store and stockpile materials, to excavate below ground level, and to carry out environmental and ecological mitigation works.

8.4.1.6 The imposition of restrictive covenants is also sought to protect the quay works once constructed. Save where reasonably required for the exercise of statutory harbour authority functions, the restrictive covenants would prevent building, hard surfacing, excavation, planting or other operations which may obstruct, interrupt or interfere with the exercise of the rights or damage the authorised development, in each case without the undertaker's prior written consent. A restrictive covenant is also sought to protect ecological mitigation and habitat creation areas.

8.4.1.7 Dredging works- rights

8.4.1.8 11-12, 11-13, 11-14, 11-18, 11-19, 11-20, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-28, 11-29, 11-31, 11-34, 11-36, 11-37, 11-38, 11-39, 11-40, 11-41, 11-45, 11-46, 11-47, 11-48, 11-49, 11-51, 11-52, 11-54, 11-57, 11-59, 11-60, 11-61, 11-62, 11-63, 11-64, 11-65, 11-66, 11-68, 11-70, 11-71, 11-73, 11-74, 11-75, 11-77, 11-82, 11-84, 11-85, 11-86, 11-87, 11-88, 11-89.

8.4.1.9 These rights are required for the carrying out of capital and maintenance dredging works under Work No. 6B. The rights sought allow the undertaker and authorised persons to access the land with or without vehicles, vessels, plant and machinery, to carry out investigations and surveys, and to undertake capital dredging to the berth pocket and approach channel and any improvements thereto. Rights are also sought to carry out maintenance dredging from time to time as necessary for the purpose of maintaining or restoring authorised depths.

8.4.1.10 Electrical connection works- rights and restrictive covenants

8.4.1.11 5-1, 5-2, 5-3, 5-4, 5-5, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-26, 7-27.

8.4.1.12 The rights sought under this package are required for the construction, installation, operation, maintenance and decommissioning of the electrical connection works forming part of the authorised development (**Work No. 7A**). The rights include those necessary to access the land, to lay, install, retain, operate, maintain, repair, replace, remove and decommission electricity cables and associated ducting, jointing bays, telemetry, fibre-optic lines and ancillary apparatus, and to use trenchless installation techniques including directional drilling. Rights are also sought to break open the surface, erect fencing and secure working areas, manage vegetation and drainage, install and alter apparatus and service media, store materials, excavate below ground level, erect temporary access structures, and carry out environmental and ecological mitigation works.

8.4.1.13 The imposition of restrictive covenants is also sought to protect the cables once installed. The restrictive covenants would prevent building, hard surfacing, excavation, planting, or other operations which may obstruct, interrupt or interfere with the exercise of the rights, damage the authorised development, or interfere with the free flow and passage of electricity or telecommunications through the cables, in each case without the undertaker's prior written consent. Save where works are reasonably required for the exercise of statutory functions in relation to any street on the land and will not damage, undermine or interfere with the cables, the consent of the undertaker is required. A restrictive covenant is also sought to protect any ecological mitigation and habitat creation areas.

8.4.1.14 Pipeline connection works – rights and restrictive covenants

8.4.1.15 6-31, 6-32, 6-33, 6-34, 6-35, 7-1, 7-2, 7-3, 7-4, 7-5, 7-35, 7-36, 9-22, 9-23, 9-24, 9-25, 9-26, 9-27, 9-28, 9-29, 9-38, 9-39, 9-40, 9-41, 9-42, 9-47, 9-48, 9-49, 9-50, 9-51, 9-52, 9-53, 9-54, 9-58, 9-59, 9-60, 10-7, 10-8, 10-15, 10-16, 12-1, 12-2, 12-3, 12-4, 12-8, 12-9, 12-10, 12-11, 12-13, 12-14, 12-15, 12-18, 12-19, 12-20, 12-21, 12-22, 12-23, 12-24, 12-25, 12-26, 12-27, 12-28, 12-29, 12-32, 12-33, 12-34, 12-35, 13-1, 13-2, 13-3, 13-4, 13-6, 13-7, 13-8, 13-9, 13-12, 13-13, 13-15, 13-16, 13-17, 13-18, 13-19, 13-20, 13-21, 13-24, , 13-27, 13-28, 13-29, 13-30, 13-31, 13-32, 13-33, 13-34, 13-35, 13-36, 13-37, 13-38, 13-39, 13-40, 13-41, 13-42, 13-43, 13-44, 13-45, 13-46, 13-47, 13-49, 13-50, 13-51, 13-52, 13-53, 13-54, 13-55, 13-56, 13-57, 13-58, 13-59

8.4.1.16 The rights sought under this category are required for the construction, installation, operation, maintenance and decommissioning of the pipeline connection works forming part of the authorised development (being **Work No. 8, Work No. 9, Work No. 10 and Work Nos.11A, 11B and 11C**). The

rights include those necessary to access the land, to lay, install, retain, operate, maintain, repair, replace, remove and decommission pipelines and associated cathodic protection, telemetry, fibre-optic lines and ancillary apparatus. Rights are also sought to break open the surface, erect fencing and secure working areas, carry out investigations and surveys, manage vegetation and drainage, install and alter apparatus and service media, store materials, excavate below ground level, erect temporary access structures, and carry out environmental and ecological mitigation works including noise alleviation measures and temporary barriers for the protection of fauna.

8.4.1.17 The imposition of restrictive covenants is also sought to protect the pipelines once installed. The restrictive covenants would prevent building, hard surfacing, excavation, planting, or other operations which may obstruct, interrupt or interfere with the exercise of the rights, damage the authorised development, or interfere with the free flow and passage of natural gas, wastewater or finished product through the pipelines, in each case without the undertaker's prior written consent. Save where works are reasonably required for the exercise of statutory functions or rights in relation to any street or railway on the land and will not damage, undermine or interfere with the pipelines, the consent of the undertaker is required. A restrictive covenant is also sought to protect any ecological mitigation and habitat creation areas.

8.4.1.18 Enhanced access and improvement works – rights

8.4.1.19 6-9, 7-13, 7-14, 7-35, 7-36, 7-43, 8-1, 8-3, 9-1, 9-22, 9-26, 9-27, 9-28, 9-29, 9-35, 9-36, 9-37, 9-38, 9-39, 9-40, 9-49, 9-50, 9-51, 9-52, 9-53, 9-54, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-12, 12-16, 12-17, 12-30, 12-3, 13-4, 13-5, 13-7, 13-9, 13-10, 13-11, 13-14, 13-18, 13-19, 13-20, 13-21, 13-22, 13-23, 13-25, 13-26, 13-27, 14-32, 14-33, 14-34, 15-1, 15-2, 15-3, 16-8, 17-3.

8.4.1.20 These rights are required to secure access to and across the Order land for the purposes of the authorised development. The rights include those necessary to pass and re-pass with or without vehicles, plant, machinery and materials, and to construct, use, maintain and improve a permanent means of access including visibility splays. Rights are also sought to straighten, widen, repair, alter, upgrade and use existing access routes, to construct and use temporary access roads and hard standing, to erect temporary bridges and supporting structures, to manage vegetation, and to erect and remove temporary fencing and other means of enclosure. These rights are distinguished from access rights (rights package 6) in that they additionally permit construction and improvement works to existing and new accesses.

8.4.1.21 Access works – rights

8.4.1.22 1-1 to 1-18, 2-1 to 2-4, 3-1, 4-1 to 4-10, 5-6, 6-1, 6-2, 6-4, 6-12, 6-25, 15-4 to 15-6, 17-1, 17-2, 18-21, 18-34, 18-37 to 18-39, 18-51 to 18-63, 19-1 to 19-7, 20-1, 20-2, 21-1 to 21-3.

8.4.1.23 These access rights are required for the operation and maintenance of the authorised development and allow the undertaker to retain, maintain, straighten, widen, repair, alter, upgrade and use existing access routes for the purposes of accessing the land, adjoining land, streets and highway. Rights are also sought to pass and re-pass with or without vehicles, plant, machinery, equipment and materials. The rights sought are accordingly the minimum necessary to ensure that the authorised development can be accessed.

9 Special considerations

9.1 Crown land

- 9.1.1.1 The Applicant through their agents Dalcour Maclaren have engaged with the Crown Estate and their appointed agents Carter Jonas. Discussions are ongoing with regards to the rights the Applicant requires to facilitate the project and the Applicant will work to conclude negotiations during the examination period.
- 9.1.1.2 Section 135 of the PA 2008 [Ref 1] allows for the DCO, if made, to authorise the compulsory acquisition of Crown land (excluding any Crown interests in that land) or other provisions relating to rights benefitting the Crown where the appropriate Crown authority consents to the acquisition.
- 9.1.1.3 The marine infrastructure to be constructed and rights in that land will be situated within the river bed of the River Tees, which is owned by The Crown Estate.
- 9.1.1.4 The Applicant will liaise with the Crown's advisors to secure the necessary s135 consent for the following plots: 11-6, 11-7, 11-11, 11-12, 11-13, 11-14, 11-16, 11-17, 11-18, 11-19, 11-20, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-27, 11-28, 11-29, 11-31, 11-32, 11-33, 11-34, 11-35, 11-36, 11-37, 11-38, 11-39, 11-40, 11-41, 11-44, 11-45, 11-46, 11-47, 11-48, 11-49, 11-51, 11-52, 11-54, 11-55, 11-56, 11-57, 11-59, 11-60, 11-61, 11-62, 11-63, 11-64, 11-65, 11-66, 11-67, 11-68, 11-69, 11-70, 11-71, 11-73, 11-74, 11-75, 11-80, 11-83, 11-84, 11-85, 11-86, 11-87, 11-88, 11-89, 13-55, 13-56, 13-57, 13-58, 13-59, 14-1, 14-2, 14-3.
- 9.1.1.5 The application document **Other Consents and Licences Statement (Application Document Ref 5.4)** confirms that section 135 consent will be obtained.
- 9.1.1.6 Article 42 of the **Draft DCO (Application Document Ref. 3.1)** provides that nothing in the DCO, including the use of compulsory acquisition powers, can prejudice any interest of the Crown without the consent of the Crown.

9.2 Statutory Undertakers and Other Pipeline Operators

- 9.2.1.1 The Applicant has identified that the following entities operate apparatus within the Order limits or are a statutory undertaker who owns land or apparatus within the same, save for Anglo American Woodsmith Limited and Northern Endurance Partnership, who are each promoters of a consented DCO, whereby protective provisions are included in the DCO in anticipation of the presence of apparatus (that does not currently exist) or access arrangements, which will interact with the Proposed Development at the time of construction and operation:

- (i) Anglian Water Services Limited;
- (ii) Anglo American Woodsmith Limited (as undertaker further to the York Potash Harbour Facilities Order 2016);
- (iii) Air Products plc;
- (iv) BOC Limited;
- (v) Exolum Riverside Limited and Exolum Seal Sands Limited;
- (vi) CATS North Sea Limited;
- (vii) CF Fertilisers UK Limited;
- (viii) Conocophillips Limited
- (ix) Ensus UK Limited;
- (x) Huntsman Polyurethanes (UK) Limited;
- (xi) ICI Chemicals & Polymers Limited;
- (xii) INEOS E&P (UK) Limited (also known as the Breagh Pipeline Owners);
- (xiii) Inovyn and Mitsubishi Chemical UK Limited;
- (xiv) Johnson Matthey PLC;
- (xv) Navigator Terminals North Tees Limited and Navigator Seal Sands Limited;
- (xvi) National Gas Transmission PLC;
- (xvii) National Grid Electricity Transmission PLC;
- (xviii) Net Zero North Sea Storage Limited;
- (xix) Northern Gas Networks Limited and Northern Gas Processing Limited;
- (xx) Northern Powergrid (Northeast) PLC;
- (xxi) Northumbrian Water Limited;
- (xxii) North Sea Midstream Partners (NSMP) as owners of the Teesside Gas Processing Plant (comprising the following companies: Northern Gas Processing Limited, NSMP Operations Limited and Teesside Gas and Liquids Processing)
- (xxiii) Openreach Limited;
- (xxiv) Sabic UK Petrochemicals Limited;
- (xxv) Seal Sands Gas Transportation Limited;
- (xxvi) Sembcorp Utilities (UK) Limited;

- (xxvii) Storelectric Limited;
- (xxviii) Virgin Media Limited; and
- (xxix) Vodafone Limited.

9.2.1.2 The **Pre Application Land and Rights Negotiations Tracker**

(**Application Document 4.4**) sets out in further detail the relevant interactions and status of each entity listed above. This is supplemented by the Annex to this document, which details the status of negotiations with Statutory undertakers and operators. It is intended that this annex will be updated throughout the examination process of the Application to reflect that engagement and negotiations continue and will continue to progress through examination, with the aim of agreeing all protective provisions currently under negotiation.

9.2.1.3 The **Draft DCO (Application Document Ref. 3.1)** includes standard protective provisions for the protection of:

- (i) Electricity, gas, water and sewerage undertakers (at Part 1 to Schedule 11); and
- (ii) Electronic communications code networks.

9.2.1.4 Given the heavily industrialised nature of the Site, there is the potential for interactions with other privately owned or operated apparatus (that is, apparatus not owned or operated by an entity which is already protected by a set of bespoke protective provisions in Schedule 11). Part 3 of Schedule 11 to the **Draft DCO (Application Document Ref. 3.1)** therefore includes provisions for the protection of these 'third parties'. This approach follows that taken by the applicant for the H2Teesside **Draft DCO (Application Document Ref. 3.1)**.

9.2.1.5 Bespoke protective provisions for some of the operators and statutory undertakers listed above are provided at Schedule 11 and the Applicant is seeking to agree the form of protective provisions with the relevant parties. The remaining parties listed above benefit from the generic protections at Parts 1-3 of Schedule 11 as applicable.

9.2.1.6 Article 31 of the **Draft DCO (Application Document Ref. 3.1)** gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order land. That article is subject to the protective provisions included at Schedule 11 of the Order, which provide adequate protection for statutory undertakers' assets. Accordingly, the Applicant considers that the statutory undertakers will not suffer serious detriment to the carrying on of their undertaking. The tests set

out in sections 127(3) and 127(6) of the PA 2008 [Ref 1] are therefore satisfied.

- 9.2.1.7 Various statutory undertakers and owners of apparatus have a right to keep equipment (in connection with their undertaking) on, in or over the Order Land. Statutory undertakers and other apparatus owners that are known to have equipment on, in or over the Order Land are included in the **Book of Reference (Application Document Ref 4.3)**.
- 9.2.1.8 Section 138 of the PA 2008 [Ref 1] applies if a development consent order authorises the acquisition of land (compulsorily or by agreement) and there subsists over the land a 'relevant right', or there is 'relevant apparatus' on, under or over the land. Section 138(4) "The order may include provision for the extinguishment of the relevant right, or the removal of the relevant apparatus, only if the SoS is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates."
- 9.2.1.9 The Order includes provision (article 33) to authorise the extinguishment of a relevant right, or the removal of relevant apparatus belonging to statutory undertakers, in connection with the delivery of the Proposed Development.
- 9.2.1.10 The exercise of such powers will be carried out in accordance with the protective provisions contained in Schedule 11 to the Order. The protective provisions will, where relevant, set out constraints on the exercise of the powers in the Order, with a view to safeguarding the statutory undertakers' and electronic communications apparatus owners' interests, whilst enabling the Proposed Development to proceed. The Applicant therefore considers that the test set out in section 138 of the PA 2008 [Ref 1] is satisfied.

9.3 Other special category land

- 9.3.1.1 There is no other special category land included in the Order limits.

10 Human Rights

- 10.1.1.1 The Human Rights Act 1998 ('the HRA 1998') [Ref 33] incorporated into domestic law the European Convention on Human Rights [Ref 34] (the Convention). The Convention [Ref 34] includes provisions in the form of Articles which aim to protect the rights of the individual. Of particular relevance when considering matters of compulsory acquisition are Articles 1, 6 and 8.
- 10.1.1.2 Article 1 of the First Protocol to the Convention [Ref 34] protects the right to peaceful enjoyment of possessions. No one shall be deprived of those possessions except where it is in the public interest and where relevant provisions of law allow for it.
- 10.1.1.3 Article 6 of the Convention [Ref 34] protects the right to a fair and public hearing.
- 10.1.1.4 Article 8 of the Convention [Ref 34] protects the right to respect for private and family life, home and correspondence. No one shall be deprived of that except in cases where it is in accordance with the relevant laws and necessary in the interests of, amongst other things, national security, public safety or the economic wellbeing of the country.
- 10.1.1.5 Section 6 of the HRA 1998 [Ref 33] prohibits public authorities from acting in a way which is incompatible with rights protected by the Convention [Ref 34] and the SoS is therefore under a duty to have due regard to the HRA 1998 [Ref 33] and the Convention [Ref 34].
- 10.1.1.6 Given the inclusion of the compulsory acquisition powers in the **Draft DCO (Application Document Ref. 3.1)** there is a possibility that the Articles 1 and 8 of persons who hold interests in the Order land will be infringed.
- 10.1.1.7 In cases of development consent orders, Section 122 of the PA 2008 [Ref 1] allows for the provision of compulsory acquisition powers and as such, there is provision in law which allows these powers to be granted.
- 10.1.1.8 The need for the Proposed Development is set out in the **Planning Statement and Chapter 7: Planning and Energy Policy (Application Document Ref 6.1.7)** and is summarised in this document above. This demonstrates that the development is within the public interest given the significant benefits it will bring.
- 10.1.1.9 Furthermore, the Applicant has sought to limit the extent of the land to be acquired by compulsory acquisition by seeking to agree the acquisition of land and rights with landowners and only seeking compulsory acquisition powers in relation to land which is necessary for the development. In

addition, the land and rights sought are the minimum necessary to deliver the Proposed Development.

- 10.1.1.10 If the land needed to bring forward the development cannot all be acquired through voluntary agreement, then without the ability to use compulsory acquisition powers it may not be possible for the Proposed Development to be developed. In such cases the significant public benefits would not be realised.
- 10.1.1.11 In relation to Article 6 rights, those who are affected have the ability to engage with the Application, either through formal consultation at the pre-application stage (as detailed in the **Consultation Report (Application Document Ref 5.1.1)**) or by making representations during the examination. Representations can be made in response to any notice given under Section 56 of the PA 2008 [Ref 1]. Additional opportunities to make representations may also arise at the direction of the Examining Authority.
- 10.1.1.12 Those who are affected also have the right to claim compensation in accordance with the statutory compensation code. Compensation has been factored into consideration of funding for the Proposed Development (see the **Funding Statement (Application Document Ref 4.2)**).
- 10.1.1.13 In the event the DCO is granted, a person affected has the right to challenge the decision via a claim for judicial review if there are grounds for claim made out pursuant to Section 118 of the PA 2008 [Ref 1]. This could include grounds relating to the decision to include compulsory acquisition powers within the DCO.
- 10.1.1.14 The approach taken is therefore proportionate and legitimate. Inclusion of these powers in the DCO would not amount to unlawful infringement of the HRA 1998 or the Convention.
- 10.1.1.15 For the reasons given above, it would be appropriate and proportionate for the SoS to include the proposed compulsory acquisition powers in the DCO.

11 Funding

- 11.1.1.1 The **Funding Statement (Application Document Ref 4.2)** sets out information regarding the funding available for the Proposed Development, including protection factored in pursuant to article 36 of the DCO as regards guarantees or alternative forms of security, to be approved by the SoS.
- 11.1.1.2 The Applicant is satisfied, having taken professional advice, that there is sufficient funding available to develop and construct the Proposed Development, including all liabilities in relation to the acquisition of interests in land.

12 Absence of Impediments

- 12.1.1.1 The Applicant is submitting with the DCO application a document setting out details of consents and licences required under other legislation (Application Document Ref 5.4). This document provides details of the additional consents and licences that may be required for the Proposed Development beyond the consents permitted under the **Draft DCO (Application Document Ref. 3.1)** and Deemed Marine Licence and how the Applicant proposes to deal with each of these.
- 12.1.1.2 None of these other consents or licences represent an impediment to the delivery of the Proposed Development.

13 Conclusion

- 13.1.1.1 The Order land, and other interests required to be subject to compulsory acquisition, are the minimum amount necessary to bring forward the Proposed Development. The purpose of the powers of compulsory acquisition is to enable the delivery of sustainable aviation fuel, which has strong support from policy and national benefits. These benefits to the public justify the interference with the rights of those persons with an interest in the land proposed to be acquired.
- 13.1.1.2 The Order land to be subject to compulsory acquisition is no more than is reasonably necessary for that purpose and is therefore proportionate.
- 13.1.1.3 The need for the Proposed Development, suitability of the Order land and the legislative and policy support for the projects, including from the NPS, demonstrate that there is a compelling case in the public interest for the land to be acquired compulsorily if necessary. All reasonable alternatives to compulsory acquisition have been explored. The Applicant has clearly set out what each plot of the Order land will be used for and why it is required.
- 13.1.1.4 The funding needed to meet any costs of land acquisition and compensation payable as a result of the use of powers of compulsory acquisition is available to the Applicant.
- 13.1.1.5 The Applicant therefore respectfully submits, for the reasons explained in this Statement, that the inclusion of powers of compulsory acquisition in the DCO for the purposes of the Proposed Development meets the conditions of section 122 of the PA 2008.
- 13.1.1.6 For the reasons summarised in this Statement, the Applicant considers the DCO to be within the necessary statutory powers and that a compelling case exists in the public interest, which justifies the making of the DCO and the granting of the powers sought.

14 Further Information

14.1 Inspection of Documents

- 14.1.1.1 Electronic copies may be inspected at The National Infrastructure Planning website: www.infrastructure.planninginspectorate.gov.uk

14.2 Negotiation of Sale

- 14.2.1.1 The Applicant believes they are in contact with all relevant owners and occupiers. Owners and occupiers of property affected by the DCO who believe they are affected and wish to negotiate a sale should contact the Applicant:

By email: info@lgf.co.uk

By telephone: 0800 157 7346

14.3 Compensation

- 14.3.1.1 Compensation of the compulsory acquisition of land is governed by statute. The Department for Levelling Up, Housing and Communities has a series of booklets (updated in December 2021) on compensation which may be of interest to affected persons:

- a) Booklet No. 1 - Compulsory Purchase Procedure; and
- b) Booklet No. 2 – Compensation to Business Owners and Occupiers.

- 14.3.1.2 Copies of these booklets are obtainable, free of charge, from www.gov.uk/collections/compulsory-purchase-systems-guidance

References

- Ref 1 UK Government (2008) Planning Act 2008. Available online: <https://www.legislation.gov.uk/ukpga/2008/29/contents> [Accessed 16 September 2026]
- Ref 2 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Available online: <https://www.legislation.gov.uk/uksi/2009/2264/contents> [Accessed 16 September 2026]
- Ref 3 The Infrastructure Planning (Compulsory Acquisition) Regulations 2010. Available online: <https://www.legislation.gov.uk/uksi/2010/104/contents/made> [Accessed 16 September 2026]
- Ref 4 Planning Act 2008: procedures for the compulsory acquisition of land. Available online: <https://www.gov.uk/government/publications/planning-act-2008-procedures-for-the-compulsory-acquisition-of-land> [Accessed 16 September 2026]
- Ref 5 The Sustainable Aviation Fuel Act 2026. Available online: <https://www.legislation.gov.uk/ukpga/2026/9> [Accessed 16 September 2026]
- Ref 6 The Climate Change Act 2008 (2050 Target Amendment) Order 2019. Available Online: <https://www.legislation.gov.uk/ukdsi/2019/9780111187654> [Accessed 16 September 2026]
- Ref 7 Overarching National Policy Statement for energy (EN-1), 2025. Available online: [Overarching National Policy Statement for energy \(EN-1\), 2025 \(accessible webpage\) - GOV.UK](#) [Accessed 16 September 2026]
- Ref 8 National Policy Statement for Natural Gas Electricity Generating Infrastructure (EN-2), 2024. Available online: [Fossil Fuel Electricity Generating Infrastructure National Policy Statement - EN-2](#) [Accessed 16 September 2026]
- Ref 9 National Policy Statement for renewable energy infrastructure (EN-3), 2025. Available online: [National Policy Statement for Renewable Energy Infrastructure \(EN-3\)](#) [Accessed 16 September 2026]
- Ref 10 National Policy Statement for natural gas supply infrastructure and gas and oil pipelines (EN-4), 2025. Available online: [National Policy Statement for Natural Gas Supply Infrastructure and Gas and Oil Pipelines \(EN-4\)](#) [Accessed 16 September 2026]
- Ref 11 National Policy Statement for electricity networks infrastructure (EN-5), 2025. Available online: [National Policy Statement for Electricity Networks Infrastructure \(EN-5\) – December 2025](#) [Accessed 16 September 2026]
- Ref 12 National Policy Statement for nuclear power generation (EN-6), 2011. Available online: [National Policy Statement for Nuclear Power Generation \(EN-6\): Volume I of II](#) [Accessed 16 September 2026]

- Ref 13 National Policy Statement for nuclear energy generation (EN-7), 2024. Available online: [EN-7 National Policy Statement for Nuclear Energy Generation](#) [Accessed 16 September 2026]
- Ref 14 Clean Growth Strategy, 2017. Available Online: <https://www.gov.uk/government/publications/clean-growth-strategy> [Accessed 16 September 2026]
- Ref 15 The ten point plan for a green industrial revolution, 2020. Available Online: <https://www.gov.uk/government/publications/the-ten-point-plan-for-a-green-industrial-revolution> [Accessed 16 September 2026]
- Ref 16 Sustainable Aviation Fuel (SAF) Mandate, 2024. Available Online: <https://www.gov.uk/government/collections/sustainable-aviation-fuel-saf-mandate>
- Ref 17 Jet Zero strategy: delivering net zero aviation by 2050, 2022. Available Online: <https://www.gov.uk/government/publications/jet-zero-strategy-delivering-net-zero-aviation-by-2050> [Accessed 16 September 2026]
- Ref 18 Jet Zero strategy: one year on, 2023. Available Online: <https://www.gov.uk/government/publications/jet-zero-strategy-one-year-on> [Accessed 16 September 2026]
- Ref 19 Energy white paper: Powering our net zero future, 2020. Available Online: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future> [Accessed 16 September 2026]
- Ref 20 Industrial decarbonisation strategy, 2021. Available Online: <https://www.gov.uk/government/publications/industrial-decarbonisation-strategy> [Accessed 16 September 2026]
- Ref 21 Net Zero Strategy: Build Back Greener, 2021. Available Online: <https://www.gov.uk/government/publications/net-zero-strategy> [Accessed 16 September 2026]
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