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Mr G Leigh
Secretary of State for Business, Energy &
Industrial Strategy
c/o Gareth Leigh
Department of Business, Energy & Industrial
Strategy
Energy Infrastructure Planning
BY EMAIL ONLY



Dear Mr G Leigh

**HyNet North West Hydrogen Pipeline (the Project)
Request for Section 35 Direction (Request)
Planning Act 2008 (the Act)**

Cadent is writing to request that the Secretary of State for Business, Energy & Industrial Strategy (**BEIS**) grants a direction under Section 35 of the Act that the Project is of national significance and is to be treated as an infrastructure proposal for which development consent is required.

This Request constitutes a qualifying request for the purposes of the Act and compliance with the requirements of the Act are demonstrated below. The Project forms part of a priority Track 1 cluster project within the Government's industrial decarbonisation strategy.

Introduction

Cadent is promoting the Project, which includes the construction, operation and maintenance of up to 125km of new pipeline to distribute hydrogen to industry and to locations for potential hydrogen/natural gas blending into the wider gas network in the NorthWest. Along the pipeline route, and as part of the Project, there will be a number of Hydrogen Above Ground Installations (**HAGIs**) required to control the flow and pressure of hydrogen at key points along the proposed pipeline.

The Project will be the UK's first 100 per cent hydrogen pipeline at scale. It will deliver hydrogen – a clean energy source – to multiple industrial customers and power generators whilst also taking hydrogen to injection points on the existing gas network for potential introduction for blending or for 100% hydrogen re-purposing.

The Project is part of the wider 'HyNet North West' scheme that will produce, store and distribute hydrogen as well as capture and store carbon in the North West of England and North Wales. The wider HyNet North West scheme has been selected by the Government to progress within Track 1 of the Government's industrial decarbonisation Cluster Sequencing process.

Other elements of the wider project include the:

1. Hydrogen production facility, which is not considered a Nationally Significant Infrastructure Project (NSIP) and is being promoted by Vertex Hydrogen through the Town and Country Planning Act process;
2. HyNet North West Carbon Dioxide Pipeline; an NSIP promoted by Liverpool Bay CCS Limited, through a DCO application; and
3. Hydrogen storage facility, an NSIP and which will be promoted by Inovyn through an amendment to The Keuper Underground Gas Storage Facility Order 2017.



Therefore, the Project is one part of a chain, with each part required to deliver the wider HyNet North West scheme, a priority Track 1 cluster project within the Government's industrial decarbonisation strategy.

The Project will be the first hydrogen pipeline to be consented pursuant to the Act.

The Applicant

Cadent Gas Limited is the largest gas distribution company in the UK. Cadent delivers gas to 11 million homes and businesses throughout the North West, West Midlands, East Midlands, South Yorkshire, East of England and North London. As a licensed gas transporter Cadent has a statutory duty to maintain its network, ensuring that it operates safely and reliably. Cadent also helps homes, businesses and renewable gas suppliers connect to its network.

Cadent actively supports the delivery of net zero emissions by 2050. Cadent is committed to ensuring low carbon gases, such as hydrogen, are playing a major role in the net zero energy system of the future.

Cadent is a member of the HyNet North West consortium, along with a number of other consortium partners promoting HyNet North West with the aim to transform the North West into the country's first low carbon industrial cluster.

The Project

The main objective of the Project is to convey low carbon hydrogen from the Stanlow production site or the Inovyn storage site to identified industrial customers and power generators, and to potential future blending points at existing natural gas distribution points at Partington and Warburton.

Once constructed the pipeline system can also accommodate additional demand connections and new sources of hydrogen production to enable the growth of a healthy local hydrogen market.

The Project is made up of four corridors linked by a Central Hub and other infrastructure, as shown in Figure 1, summarised as follows:

1. **Hydrogen Production Facility – Western Corridor:** the pipeline from the hydrogen production facility at the Stanlow Refinery. This forms the Western Corridor on Figure 1;
2. **Storage Facility – Southern Corridor** - pipeline from the Inovyn hydrogen storage facility. This forms the Southern Corridor on Figure 1. *It should be noted that either the blue or pink route, as illustrated in Figure 1, will be selected but not both routes;*
3. **Eastern Corridor** - pipeline to industrial end-customers including the Carrington Power Station and the potential future blending points with the wider gas distribution network at Partington and Warburton. This forms the Eastern Corridor on Figure 1. This leg brings hydrogen closer to Manchester with the potential for further extension to decarbonise the area;
4. **Pilkington leg A – Northern Corridor** - pipeline to the Clock Face HAGI (either side of the M62). This forms part of the Northern Corridor on Figure 1;
5. **Pilkington leg B – Northern Corridor** - pipeline leg beyond the Clock Face HAGI. This forms part of the Northern Corridor on Figure 1 (together the **Pipeline**);
6. **HAGIs** - There will be up to 12 HAGIs at various points along the Pipeline within each corridor shown on Figure 1. As discussed, HAGIs are above ground installations which are required to control the flow and pressure of hydrogen at key points along the Pipeline; and
7. **Pipeline Spurs** - The Spurs will be connections from the Pipeline to an identified point at the boundary of customer 's premises usually located partially outside of and partially within a "street" as defined in the New Roads and Street Works Act 1991. The Spurs are shown hatched in black on Figure 1 within each corridor shown on Figure 1.

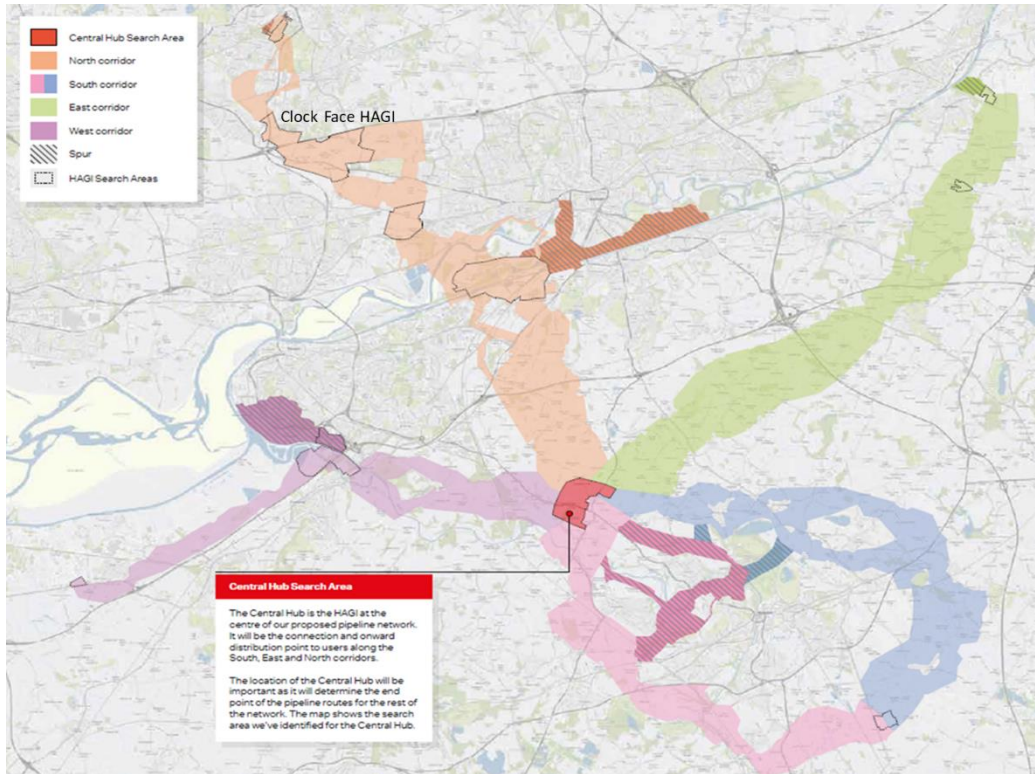


Figure 1: Project Corridors (Note: the South corridor will follow the blue or pink route)

The Project - Routeing

A number of routes and corridors are currently being considered for the Project. These routes and corridors are subject to consultation and on-going environmental and technical studies.

The Project - Scoping

The Project has been through Environmental Impact Assessment (EIA) scoping with PINs, and a Scoping Opinion was issued by PINs on 8 March 2022, pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

The Project - Timeline

It is critical that the Project is delivered in the 2020s to meet the Government's objectives. The key timelines for the delivery of the Project are as follows:

1. Statutory Consultation: September 2022;
2. DCO Submission: March 2023;
3. DCO Determination: July 2024;
4. Construction: 2025 to 2027; and
5. Commissioning: 2027.

Reason for the Request

This project delivers a critical component of the Government's hydrogen and decarbonisation strategy. It is vital that the Project, which forms part of a priority Track 1 cluster, is delivered in the 2020s to meet the Government's objectives. Without the Project, the wider HyNet scheme will not be deliverable and the produced hydrogen will not have a route to the organisations seeking to decarbonise their energy use. The hydrogen produced at Stanlow would also play an important role in the planned Hydrogen Village domestic conversion trial in the North West.

Given the linear nature of the Project, it is likely that Cadent would require compulsory purchase powers to ensure that it would be able to compulsorily acquire the land, and rights over land, required to deliver the Project. The Project would also benefit from a well-defined and clear consenting process so that it can be delivered in the 2020s and meet the Government's objectives in respect of the delivery of hydrogen (set out below).



If the Project included the minimal infrastructure required to blend hydrogen gas into the wider gas network then it would be an NSIP by virtue of Section 20 of the Act, and if the Project were promoted by an entity other than Cadent (i.e. an entity that is not a gas transporter) then it would be an NSIP by virtue of Section 21 of the Act. The purpose of the NSIP regime is to capture infrastructure of this nature. Cadent does not consider it appropriate to circumvent the Act by virtue of technicalities.

Issuing a Section 35 direction pursuant to the Request is required to provide certainty as to the relevant consenting regime for the Project, given its national significance. Without the Section 35 direction, it is likely that the Project and the wider HyNet project will be subject to significant delay, which could not be absorbed in an already challenging construction programme.

The Request

We request that the Secretary of State provides a direction for the Project to be treated as development, for which development consent is required pursuant to Section 35(1) of the Act.

We request that the direction issued by the Secretary of State confirms, pursuant to Sections 35ZA(3)(b) and 35ZA(5) of the Act, that:

1. the provisions of or made under the Act apply in their entirety to the Project;
2. the energy National Policy Statements apply to the development, and that any application should be determined in accordance with Section 104 of the Act; and
3. to the extent that any consultation carried out by the applicant prior to the date of a Section 35 direction complies with the requirements of Part 5 of the Act (or any legislation made under that Part), those consultation requirements shall be treated as having been complied with notwithstanding that the consultation was carried out prior to the date of the direction.

The Project is of national significance and the reasoning for this is set out below.

NSIP Status of the Project

Under Section 31 of the Act, development consent is required where infrastructure proposals are, or form part of a NSIP. Under Section 14(f) of the Act, a project which consists of the construction of a pipeline by a gas transporter (where the requirements of Section 20 of the Act are met) is an NSIP. Cadent as the holder of a gas transporter licence, is a gas transporter for the purposes of the Act.

Section 21 of the Act does not apply to the Project, as it only applies to development other than by a gas transporter.

Section 20 of the Act states that the construction of a pipeline by a gas transporter is a NSIP within section 14(1)(f) of the Act if (when constructed) each of the following conditions are expected to be met:

1. The pipeline must be wholly or partly in England (**Criteria 1**);
2. Either— (i) the pipeline must be more than 800 millimetres in diameter and more than 40 kilometres in length, or (ii) the construction of the pipeline must be likely to have a significant effect on the environment (**Criteria 2**);
3. The pipeline must have a design operating pressure of more than a 7 bar gauge (**Criteria 3**);
4. The pipeline must convey gas for supply (directly or indirectly) to at least 50,000 customers, or potential customers, of one or more gas suppliers (**Criteria 4**).

The first three criteria are met in respect of the Project, as set out below. However, the Project does not meet Criteria 4 for the reasons set out below.

Criteria 1

The Project will be in England, so this criteria is met in respect of the whole Project.

Criteria 2

The individual legs of the Pipeline comprise the following:



1. Hydrogen Production Facility – Western Corridor;
2. Storage Facility – Southern Corridor;
3. Eastern Corridor;
4. Pilkington leg A – Northern Corridor;
5. Pilkington leg B – Northern Corridor;
6. Spurs: no individual spurs will be more than 40km in length.

At this stage, the individual distance of each Corridor is to be confirmed (and is subject to routing and consultation) but the Pipeline will have a combined length of well over 40km. It is not considered appropriate to use the notional sub-division of the Pipeline into corridors as a means to suggest that the Project comprises a series of shorter pipelines and so avoid engaging section 20 of the Act.

Regardless of the length of the Pipeline, it is expected that the construction of the Pipeline will be likely to have a significant effect on the environment. Therefore, this criteria is met in respect of the whole the Project.

Criteria 3

The corridors of the Pipeline which will have a pressure of more than a 7 bar gauge make up approximately 70% of the Project and are: the Hydrogen Production Facility – Western Corridor; the Storage Facility – Southern Corridor; the Eastern Corridor; and the Pilkington leg A – Northern Corridor. The Pilkington leg B Northern Corridor and the Spurs will not have a pressure of more than 7 bar gauge. Therefore, this criteria is met in respect of some, but not all, of the Project.

Criteria 4

Potential gas blending points exist at Partington and Warburton. However, due to the current Government policy position, which is yet to determine blended hydrogen's role for domestic heating, the Project cannot guarantee the blending of gas into the wider gas network at this time. Cadent is anticipating policy clarity by the end of 2023, as set out in the Government's British Energy Security Strategy 2022, and we believe blending from excess production is likely to be supported by Government. However, this is likely to be after Cadent has submitted its DCO application for the Project.

The Project does include the HAGIs adjacent to these blending points to facilitate connections for future blending of hydrogen into the wider gas network.

If hydrogen was injected into the gas system at blending points at Partington and Warburton then it would be expected to reach approximately 916,500 customers within the wider gas network. Each of these would be the customer of a gas supplier. The identified industrial end-customers (including those served by the Pilkington leg B – Northern Corridor and the Spurs) are or will also be customers of a gas supplier. There is no basis in the Act to distinguish between different classes of customers to whom gas is supplied. Therefore, this criteria would be met if the Project, when built, blended hydrogen into the existing gas network.

In addition to the potential for blending, by conveying gas to the current methane system offtakes from the National Transmission System onto the Gas Distribution System, the hydrogen has the potential to be supplied to all the customers connected in that section of network, should the existing gas grid be repurposed for hydrogen. Furthermore, the pipelines can also be used with future extensions to bring hydrogen to a wider area for shorter term blending or for hydrogen gas grid repurposing. However, the Project does not include such repurposing.

On the basis that: 1) the Project may not blend the hydrogen transported through the Pipeline into the existing gas network; and 2) the number of industrial customers is less than 50,000, this criteria is not met in respect of the Project.

Conclusion

As the Project may not meet the criteria identified in Section 20 of the Act, Cadent requests a direction pursuant to Section 35 of the Act, in order to be consented pursuant to the Act.

Associated Development Status



Certain works may be consented as associated development pursuant to Section 115 of the Act. There is detailed Government guidance on what may constitute associated development for the purpose of the Act in the Ministry of Housing, Communities and Local Government Guidance “Planning Act 2008: associated development applications for major infrastructure projects” (26 April 2013) (the **AD Guidance**).

The AD Guidance states at paragraph 8 that “it is for applicants to decide whether to include something that could be considered as associated development in an application for development consent or whether to apply for consent for it via other routes”, thereby leaving it open to applicants whether to consent associated development through the DCO or not.

Paragraph 5 of the AD Guidance sets out four core principles of “associated development”, which include that the associated development should have a “direct relationship” with the principal development, be “subordinate” to the principal development, be necessary for reasons other than as a source of additional revenue and be proportionate to the nature and scale of the principal development.

The HAGIs associated with the Pipeline:

1. have a direct relationship with NSIP because they are necessary either to convey the hydrogen and support the operation of the NSIP;
2. are subordinate to the NSIP;
3. are necessary to allow the purpose of the Project to be achieved and so are not included for additional review or to provide cross-subsidy; and
4. are considered to be proportionate to the scale to the NSIP itself.

The AD Guidance includes as an example of associated development specific to gas transporter pipelines (in Annex B): “Above ground installations such as pumping/booster stations, compressor and/or regulator stations” – these cover the two types of associated development being proposed.

Therefore, it is considered that the HAGIs associated with the Pipeline are all properly capable of being consented as associated development. However, for the purposes of this Request Cadent is requesting that the entirety of the Project is directed to be of national significance.

Qualifying Request

The Request is a qualifying request for the purposes of Section 35ZA(11) of the Act.

For the purposes of Section 35 of the Act, we confirm that the development:

1. forms part of a project (or proposed project) in the field of energy and so satisfies the condition in Section 35(2)(a);
2. will (when completed) be wholly in England and so satisfies the condition in Section 35(2)(b)

For the purposes of Section 35ZA(1) of the Act, we confirm that no application for a consent or authorisation mentioned in section 33(1) or (2) has been made in relation to the development to which the Request relates.

By virtue of Section 35(2)(c), the Secretary of State must think that the project (or proposed project) is of national significance, either by itself or when considered with one or more other projects (or proposed projects) in the energy field. The following section sets out the national significance of the project and the other projects in the energy field to which it relates.

National Significance

The Government has identified the deployment of hydrogen and the delivery of a low carbon hydrogen economy as a key objective for decarbonisation, and has identified the need for new green growth clusters in traditional industrial areas. The Government’s policy objectives are set out below.

The Project will be the UK’s first hydrogen pipeline network of scale, and it forms part of the wider HyNet scheme, which has been identified as a priority Track 1 cluster. The Project will be an important first step in allowing the Government to meet its policy objectives and legal requirements of transitioning to a low carbon economy and achieving Net Zero by 2050.



Policy Objectives and Legal Requirements

The Climate Change Act 2008 introduced a legally binding climate change mitigation target for the UK to reduce its greenhouse gas emissions by 80% by 2050, compared to 1990 levels. This was amended to a legally binding target of 100% by 2050 through The Climate Change Act 2008 (2050 Target Amendment) Order 2019. The Committee on Climate Change's (the **CCC**) sixth carbon budget (running from 2033-2037), which will require a 78% reduction in emissions from 1990 to 2035, was introduced in April 2021.

The Project will provide an important first step in ensuring that a hydrogen economy can be developed that will meet these legislative requirements.

The Clean Growth Strategy leading the way to a low carbon future dated October 2017 (the **Clean Growth Strategy**) identified a hydrogen pathway as a pathway to Net Zero, recognising that hydrogen could be used: *“for transport, industry, and to heat our homes and businesses. We need to test how they work in the existing gas network, whether they can fire industrial processes, and how they could be used in domestic appliances. These options need to work as well and as cheaply as current technologies”*.

The Government's Ten Point Plan for a Green Industrial Revolution dated November 2020 (the **Ten Point Plan**) identifies the national significance of hydrogen infrastructure. Point 2 of the Ten Point Plan is entitled *“Point 2: Driving the growth of low carbon hydrogen”*. It sets out the national significance of delivering low carbon hydrogen infrastructure, and identifies a UK target of 5GW of low carbon hydrogen production capacity by 2030. The Project will deliver the pipeline infrastructure required to connect hydrogen production to industrial customers, and potentially the gas network in the future, and so meets this objective.

The Government's National Infrastructure Strategy dated November 2020 (the **NIS**) identified that hydrogen would play a role in levelling up, with the Government: *“backing new green growth clusters in traditional industrial areas, with carbon capture and storage, offshore wind, port infrastructure and low carbon hydrogen”*, and reiterated the importance of hydrogen in achieving the objectives in the Ten Point Plan. The Project will help drive a green growth cluster in a traditionally industrial area through low carbon hydrogen infrastructure.

The Energy White Paper dated December 2020 (the **White Paper**) also identifies the national significance of hydrogen infrastructure, and identifies that the production and use of clean hydrogen will be important in achieving net zero emissions by 2050. The Project will be an important first step in connecting clean hydrogen to industrial customers, and potentially the gas network in the future, and so meets this objective.

The Government's Industrial Decarbonisation Strategy dated March 2021 (the **Industrial Decarbonisation Strategy**) reiterates that the: *“Government is committed to developing a low carbon hydrogen economy in the UK”*, contains an expectation is that to meet decarbonisation needs there will be a move towards low carbon fuels such as hydrogen, electricity and bioenergy replacing fossil fuels and identifies that the Government will *“support increasing amounts of fuel switching to low carbon hydrogen during the 2020s”*. The Project will help achieve the objectives of the Industrial Decarbonisation Strategy.

The UK Hydrogen Strategy dated August 2021 (the **Hydrogen Strategy**) identifies that the development of network infrastructure to allow low carbon hydrogen to be transported to storage points and end customers is central to the expansion of the hydrogen economy and that networks will be crucial to reaching end customers. The Hydrogen Strategy further notes that hydrogen networks will have to grow and diversify considerably over the 2020s and that by the late 2020s/early 2030s the hydrogen pipeline network may span tens of kilometres in length, supplying end-customers either within cluster regions or more broadly. The Project comprises the network infrastructure to allow low carbon hydrogen to be transported to storage points and end customers, and so is central to the hydrogen economy.

Within the Hydrogen Strategy, the Government recognises the need to put in place clear policies and supportive regulatory regimes and to build consumer acceptance to rapidly develop and deploy hydrogen networks. HyNet is identified as a project which will assist with the delivery of the Government's ambition within the Hydrogen Strategy. Issuing a direction pursuant to the Request and applying the national policy statements to the Project will aid the provision of clear policy and supportive regulatory regimes envisaged by the Hydrogen Strategy.



The Net Zero Strategy: Build Back Greener October 2021 (the **Net Zero Strategy**) reiterates the Government's commitment to deliver 5 GW of hydrogen production capacity by 2030, whilst halving emissions from oil and gas. HyNet is identified as a key commitment within the Net Zero Strategy in its role as a Track 1 cluster, and the Project will assist in the delivery of this key commitment. Without the Project, the wider HyNet project will not be deliverable.

The current suite of energy National Policy Statements (**NPS**) does not specifically address low carbon hydrogen infrastructure, on the basis that they were designated in 2011 and before the Government had identified the strategic importance of the delivery of low carbon hydrogen infrastructure. However, the Project will contribute to the overarching policy objectives of delivering new nationally significant gas infrastructure and supporting the transition towards Net Zero.

The Draft Overarching NPS for Energy (EN-1) dated September 2021 (the **Draft NPS**) will apply to nationally significant low carbon hydrogen infrastructure once adopted. It is currently a material consideration in respect of the Project.

Paragraph 3.4.11 of the Draft NPS states that: *"The government is committed to developing low carbon hydrogen, which will be critical for meeting the UK's legally binding commitment to achieve net zero by 2050, with the potential to help decarbonise vital UK industry sectors and provide flexible deployment across heat, power and transport. The Impact Assessment for CB6 shows an illustrative range for low carbon hydrogen of 85-125TWh in 2035 and 250-460TWh in 2050"*. The Project comprises low carbon hydrogen infrastructure and is aimed at decarbonising vital UK industry sectors such as energy generation. The Project will help the Government meet this commitment.

Paragraph 3.4.12 of the Draft NPS states that: *"The government's view is that a twin track approach of developing both green and blue hydrogen production will be needed to achieve the scale of low carbon hydrogen production required for net zero."* The Project will assist in the delivery of this policy objective.

Paragraph 3.16 of the Draft NPS states that: *"There is an urgent need for all types of low carbon hydrogen infrastructure to allow hydrogen to play its role in the transition to net zero."* Paragraph 3.16 goes on to state that: *"New hydrogen pipelines and underground storage for hydrogen (in both cases whether or not blended with natural gas) will require consent from the Secretary of State where they meet the definitions in sections 15-21 of the Planning Act 2008."* The Project forms part of the form of infrastructure which it is envisaged requires consent under the Act, and will help meet the urgent need for all types of low carbon hydrogen infrastructure.

The Government has recently launched a process to determine the sequence in which it would support the decarbonisation of regional industry clusters across the UK. This process placed the clusters in two tracks, with Track 1 aimed at decarbonising industry from 2025. The wider HyNet project has been selected for Track 1. In the statement made by Greg Hands MP on 19 October 2021, it was stated that: *"these are new major infrastructure projects for a new sector of the economy and carry with them significant risks to deliver by the mid-2020s."* Providing consenting certainty to the Project will assist the Government in the delivery of a Track 1 project. Without the Project, the wider HyNet project will not be deliverable and the Government objective of delivering Track 1 projects in the 2020s may not be achievable.

The Government's UK Offshore Energy Strategic Environmental Assessment Future Leasing/Licensing for Offshore Renewable Energy, Offshore Oil & Gas and Gas Storage and Associated Infrastructure OESEA4 Environmental Report dated March 2022 (the **2022 SEA**) includes provision for future offshore leasing in respect of hydrogen. The 2022 SEA identifies HyNet, and recognises that HyNet: *"was successful in being selected under Track 1 of the UK Government's cluster sequencing programme, such that it should receive support, subject to final decisions"*. Granting the Request will provide the support envisaged.

The Government's British Energy Security Strategy dated 7 April 2022 confirms that the Government will provide immediate support to the transition to a low carbon hydrogen economy by *"doubling our ambition to up to 10GW of low carbon hydrogen production capacity by 2030"*. The Project forms a crucial part of the Government's ambition. This increases the need for the delivery of the Project, to ensure that the wider HyNet scheme can be delivered and operational by 2030.

The document review above demonstrates national energy and planning policy support for the delivery of low carbon hydrogen infrastructure, with recognition that there is an urgent need for



this infrastructure. There is also policy support for the Project to be delivered in the 2020s, and one of the key policy drivers for the delivery of low carbon hydrogen infrastructure is industrial decarbonisation.

The Project is required to connect low carbon hydrogen infrastructure to end-customers to help decarbonise industry, supporting the realisation of the primary objective of the Project. Such works support the transportation of low carbon hydrogen to end customers to achieve the central objectives of national energy and planning policy set out above.

Local Planning Authorities

Cadent has consulted the local planning authorities on the status of the Project and the proposal to consent the Project through the NSIP process. Two of the six local planning authorities have confirmed their support, and the remaining local planning authorities have raised no objection.

Project meetings have been held with each of the local planning authorities regarding the timeframe for the consenting and delivery of the Project and Cadent is progressing Planning Performance Agreements with the local planning authorities. Cadent will continue to engage with the local planning authorities.

Conclusion

The Project forms a crucial part of the wider HyNet scheme; it forms part of a priority Track 1 cluster project within the Government's industrial decarbonisation strategy. As set out, the Project is of national significance and will play a crucial role in achieving the Government's objectives of transitioning to a low carbon hydrogen economy.

By progressing the entirety of the Project through the Act, it would provide the certainty of a single, unified consenting process with a fixed timescale for determination. It will reduce the need to apply for separate consents from the six different local planning authorities and the MMO, and it will also remove the potential requirement to make one (or more) separate compulsory purchase order.

In addition, the Project will benefit from being assessed comprehensively at the same time, through the same clear process and in a consistent manner by the same decision maker, avoiding duplication of work and reducing the burden on the various local planning authorities. The EIA process would also be streamlined and more robust, and it will also simplify the consideration of any likely significant environmental effects for the Project, by ensuring the Project is considered comprehensively by a single decision maker.

In respect of some infrastructure which is not currently within the definition of an NSIP, Cadent has the benefit of permitted development rights pursuant to The Town and Country Planning (General Permitted Development) (England) Order 2015 (the **GPDO**) and statutory powers pursuant to the Gas Act 1986 (the **Gas Act**). As is standard practice, Cadent will preserve its permitted development rights within any DCO in due course.

Yours sincerely,

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