

# IMMINGHAM EASTERN RO-RO TERMINAL



Consultation Report – Appendices

Document Reference 6.2

**APPENDIX K - EIA REGULATION CONSULTATION**

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K.1

EIA REGULATION 34 TRANSBOUNDARY SCREENING



<b>Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)</b>	
<b>Project name:</b>	Immingham Eastern Ro-Ro Terminal (IERT)
<b>Address/Location:</b>	The Proposed Development is located within the eastern sector of the existing Port of Immingham estate which lies adjacent to the main deep-water shipping channel on the south bank of the Humber Estuary.
<b>Planning Inspectorate Ref:</b>	TR030007
<b>Date(s) screening undertaken:</b>	First screening – January 2022 following the Applicant’s request for a scoping opinion.

<b>FIRST TRANSBOUNDARY SCREENING</b>	
<b>Document(s) used for transboundary Screening:</b>	Immingham Eastern Ro-Ro Terminal, Scoping Report – Request for Scoping Opinion (‘the Scoping Report’) dated September 2021.
<b>Screening Criteria:</b>	<b>The Inspectorate’s Comments:</b>
<b>Characteristics of the Development</b>	<p>The Scoping Report states that the Proposed Development would provide additional port infrastructure at the Port of Immingham and will deliver four berths and associated infrastructure to increase the embarkation and disembarkation capacity of roll-on/roll-off (Ro-Ro) commercial and automotive traffic. Throughput is expected to be 800,000 units per year.</p> <p><b>Operation</b></p> <p>The structures associated with the marine works comprise an approach jetty from the shore, a linkspan (link bridge), two floating pontoons and two separate finger piers with two berths each (one on each side of the piers to create four berths). The stern ramps of the ships using the facility would rest on the two floating pontoons.</p> <p>A capital dredge would be required for the new berthing area with a maximum area of 90,000m<sup>2</sup>. The berthing area would be dredged to a maximum depth of 9m below chart datum (CD) and the area below the floating pontoon would be dredged to 5m below CD. An estimated 330,000m<sup>3</sup> of material would be removed, made up of boulder clay, sand and silt.</p> <p>The landside area of the Proposed Development would be used to provide trailer and container parking and storage. A number of</p>

	<p>small terminal buildings will provide facilities for lorry drivers and passengers (the Scoping Report does specify the precise figure for the proposed number of buildings). The Scoping Report states that a small office, workshop and gatehouse may also be required. A bridge would be constructed within the port estate to cross an adjacent access road and rail track within the boundary of the Proposed Development.</p> <p><b>Construction</b></p> <p>The Scoping Report states that the construction works are anticipated to commence in summer 2023 and will be completed by mid-2025. The Scoping Report notes that the exact methodology for the construction phase for both the marine and landside works is still being developed.</p> <p>The Scoping Report however anticipates that the marine works will involve vibro- and percussive piling techniques and that the floating pontoons and linkspan structures will be fabricated off site and floated and/or craned into position respectively. Dredging is also expected to occur as part of the marine works. The dredging methodology is still under consideration; the Scoping Report anticipates that some material would be removed via a backhoe and/or by trailer suction hopper dredger where possible.</p> <p>For landside works, the Scoping Report expects that the existing port infrastructure would be moved elsewhere to clear the area for parking and storage. A new terminal surface will be required which is likely to consist of upgrading the existing surface, with potential for ground works in some areas. The new terminal buildings would either have piled or ring-beam foundations and be constructed from steel portal frames with steel cladding.</p> <p>They would be no more than two storeys in height, but additional high masts would be required in some areas of the development.</p>
<p><b>Location of Development (including existing use) and Geographical area</b></p>	<p>The Proposed Development is located within the existing Port of Immingham estate which lies fully within the UK on the south bank of the Humber Estuary north west of Grimsby. Its terrestrial areas lie within the administrative boundary of North East Lincolnshire Council and the marine elements lie on the bed of the Humber Estuary which is owned by the Crown Estate.</p> <p>The terrestrial areas of the IERT fall within the administrative boundary of North East Lincolnshire Council. The location of the landside works comprise of two land parcels. The larger land parcel is bound by the Humber Estuary to the north and the various existing land uses within the Port. The smaller land parcel lies to the east of the larger parcel and is bound by the Associated Petrolia Terminals to the north, Laporte Road to the south, an unnamed track to the west and a line of trees to the east.</p> <p>No information is provided in the Scoping Report about any areas which could be affected which are under the jurisdiction of a specific EEA State, however it does refer to the North Sea Ro-Ro trade. The Scoping Report states that the Humber Estuary,</p>

	<p>including the marine elements of the IERT project, are located within the East Inshore Marine Plan Area and the ports within this area rely heavily on the trade with Europe. According to the Applicant’s website, the Port of Immingham has Ro-Ro and Lo-Lo freight capabilities which regularly service Northern Europe, Scandinavia, and the Baltic. These trade routes, combined with the overlap of the Proposed Development and designated sites, could lead to potential impacts on bird populations associated with EEA States.</p>
<p><b>Environmental Importance</b></p>	<p><b>Designated sites/biodiversity</b></p> <p>The Scoping Report states that the Proposed Development’s boundary overlaps with the Humber Estuary Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI), all of which fall within the UK boundary. The sites are designated for the following features:</p> <p><i>Humber Estuary SAC:</i></p> <ul style="list-style-type: none"> <li>• estuarine habitats including sandbanks, mudflats and sandflats;</li> <li>• sea and river lamprey; and</li> <li>• grey seal.</li> </ul> <p><i>Humber Estuary SPA:</i></p> <ul style="list-style-type: none"> <li>• internationally important populations of breeding and non-breeding bird species, including migratory species associated with EEA states; and</li> <li>• internationally important water bird assemblages in any season.</li> </ul> <p><i>Humber Estuary Ramsar site:</i></p> <ul style="list-style-type: none"> <li>• estuarine habitats including dune systems, mudflats, sandflats, salt marshes and coastal lagoons;</li> <li>• breeding colony of grey seal (<i>Halichoerus grypus</i>);</li> <li>• breeding site for natterjack toad (<i>Epidalea calamita</i>);</li> <li>• internationally important populations of various bird species in the non-breeding season;</li> <li>• internationally important waterbird assemblage during the non-breeding season; and</li> <li>• importance as a migration route for river lamprey (<i>Lampetra fluviatilis</i>) and sea lamprey (<i>Petromyzon marinus</i>) between coastal waters and their spawning areas.</li> </ul> <p><i>Humber Estuary SSSI</i></p> <ul style="list-style-type: none"> <li>• estuarine habitats;</li> <li>• geological and geomorphological interest;</li> <li>• non-breeding and breeding bird populations;</li> <li>• grey seal colony;</li> <li>• river lamprey and sea lamprey; and</li> <li>• vascular plant and invertebrate assemblages.</li> </ul>

	<p>Other designated sites in the vicinity of the Proposed Development are:</p> <ul style="list-style-type: none"> <li>• the Holderness Inshore Marine Conservation Zone (MCZ) located approximately 20km from the Proposed Development;</li> <li>• the Cleethorpes Sands Local Nature Reserve (LNR) located approximately 13km south east of the Proposed Development;</li> <li>• Laporte Road Brownfield Site Local Wildlife Site (LWS) located approximately 480m south-east of the Proposed Development; and</li> <li>• Homestead Park Pond LNR located approximately 1km west of the Proposed Development.</li> </ul> <p>The Scoping Report also identifies the presence of a number of legally protected species within the Humber Estuary including the tentacled lagoon worm (<i>Alkmaria romijni</i>), the lagoon sand shrimp (<i>Gammarus insensibilis</i>), twaite shad (<i>Alosa fallax</i>), allis shad (<i>Alosa alosa</i>), European eel (<i>Anguilla anguilla</i>) and marine mammal species.</p> <p>Marine mammal species regularly present within the Humber Estuary include, in addition to the seal species, harbour porpoise (<i>Phocoena phocoena</i>), white-beaked dolphin (<i>Lagenorhynchus albirostris</i>) and minke whale (<i>Balaenoptera acutorostrata</i>).</p> <p>The Scoping Report also states that over 80 species of fish are present in the Humber Estuary. It provides a nursery ground for commercially important species including cod (<i>Gadus morhua</i>), herring (<i>Clupea harengus</i>), plaice (<i>Pleuronectes platessa</i>) and whiting (<i>Merlangius merlangus</i>) and a spawning ground for sole (<i>Solea solea</i>). The Humber Estuary also provides a migration route for diadromous species such as salmonids, shads, lampreys and eel.</p> <p><b>Navigation</b></p> <p>The Scoping Report notes that both commercial and recreational navigation occurs in the Humber Estuary. The Humber Estuary is stated to be one of the busiest waterways in the UK, with approximately 40,000 commercial shipping movements per year accessing multiple locations. Two principal routes are available to vessels. The Sunk Dredged Channel is used by deep draught vessels. A route using the centre of the estuary between the anchorage areas of Hawke, Haile and Bull along the Bull Channel is available to shallower draught vessels. Access to the Humber Estuary is via one main channel approach which passes close to Spurn Head.</p> <p>The Humber Estuary according to the Scoping Report has approximately 1,000 permanent berths for recreational craft, which are used predominantly on a weekend during summer months.</p>
<p><b>Potential impacts and Carrier</b></p>	<p>The Scoping Report identifies potential impacts on ecological receptors from:</p>



	<ul style="list-style-type: none"> <li>• Changes to water quality as a result of increases in suspended sediment concentration (SSC), potential sedimentation and re-distribution of sediment-bound contaminants during piling, capital dredging and maintenance dredging. This could affect benthic habitats/species and fish populations. Direct loss of intertidal and subtidal habitat which could affect benthic habitat/species, fish populations and coastal waterbirds.</li> <li>• Underwater noise and vibration disturbance during construction which could affect benthic habitat/species, fish populations and marine mammals.</li> <li>• Airborne noise and vibration during construction which could affect coastal waterbirds.</li> <li>• Introduction and spread of invasive non-native species which could affect benthic habitats/species.</li> </ul> <p>The Scoping Report identifies the following potential impacts on other receptors:</p> <p><i>Offshore</i></p> <ul style="list-style-type: none"> <li>• Increased risk of vessel collisions with port infrastructure and other vessels.</li> <li>• Increased risk of incidents as freight is lifted from vessels.</li> <li>• Increased risk of a vessel breaking its moorings and leaving the berth.</li> <li>• Changes to flood risk.</li> </ul> <p>Sections 6.7 to 6.16 identify effects on non-ecological receptors mainly associated with the onshore elements of the Proposed Development. It is considered that transboundary impacts are not likely to arise from these elements of the Proposed Development and therefore, onshore elements are not discussed further in this transboundary screening.</p>
<b>Extent</b>	<p>The Scoping Report does not identify any impacts that are likely to lead to significant effects on the environment in EEA States. However, the Inspectorate notes that the features of the Humber Estuary SPA, as cited in the Scoping Report, include the following species associated with populations in EEA states:</p> <ul style="list-style-type: none"> <li>• Red knot (<i>Calidris canutus</i>) comprising 6.3% of the North-eastern Canada/Greenland/Iceland/North western Europe populations.</li> <li>• Black-tailed godwit (<i>Limosa limosa</i>) comprising 2.6 - 3.2% of the Icelandic breeding population.</li> </ul> <p>The qualifying features of the Humber Estuary Ramsar site include the following species associated with populations in EEA states:</p> <ul style="list-style-type: none"> <li>• Golden plover representing 2.2% of the Iceland and Faroes/East Atlantic population.</li> <li>• Black-tailed godwit comprising 2.6 to 3.2% of the Iceland/West Europe populations.</li> </ul>
<b>Magnitude</b>	



<b>Probability</b>	The Scoping Report does not include information on this point; further assessments are being undertaken as part of the environmental impact assessment and the information will be provided in the ES.
<b>Duration</b>	
<b>Frequency</b>	
<b>Reversibility</b>	
<b>Cumulative impacts</b>	<p>The Scoping Report identifies other developments which may result in cumulative effects with the Proposed Development. The following projects are listed in paragraph 5.2.22 of the Scoping Report:</p> <ul style="list-style-type: none"> <li>• Able Marine Energy Park;</li> <li>• Adaptation to Humber International Berth 2 to accommodate car carriers;</li> <li>• Existing maintenance dredge and disposal practices;</li> <li>• Cherry Cobbs Sands Regulated Tidal Exchange Project;</li> <li>• Skeffling Managed Realignment Site;</li> <li>• Keadby 3 – Low Carbon Gas Power Station Project; and</li> <li>• The North Lincolnshire Green Energy Park Scheme at Flixborough Wharf.</li> </ul> <p>Paragraph 5.2.23 of the Scoping Report states that the Applicant will undertake further consultation to ensure whether any additional plans, projects and/or programmes need to be considered within the cumulative assessment.</p>

**Transboundary screening undertaken by the Inspectorate on behalf of the SoS**

Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development **is likely** to have a significant effect on the environment in an EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts), and taken into account the information currently supplied by the Applicant.

**Action:**

Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.

States to be notified: Iceland and Denmark.

The reasons for notification relate to potential impacts on bird populations of conservation importance.

**Date:** 31 January 2022

**Note:** The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

**Note:**

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

K.2

EIA REGULATION 34 GAZETTE NOTICE

## Notice details

**Type:**

Environment  
> Clean Air

**Publication date:**

18 February 2022, 12:02

**Edition:**

The London Gazette

**Notice ID:**

3996699

**Notice code:**

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3075

## Clean Air

### Associated British Ports

#### PLANNING ACT 2008

#### REGULATION 32 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 NOTIFICATION OF INFORMATION ABOUT DEVELOPMENT LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE ENVIRONMENT IN AN EEA STATE

#### PROPOSED IMMINGHAM EASTERN RO-RO TERMINAL

Associated British Ports has formally notified the Secretary of State, of its intention to submit an Environmental Statement.

The Proposed Development is located within the eastern sector of the existing Port of Immingham estate which lies adjacent to the main deep-water shipping channel on the south bank of the Humber Estuary. The Proposed Development would provide additional port infrastructure at the Port of Immingham and will deliver four berths and associated infrastructure to increase the embarkation and disembarkation capacity of rollon/roll-off (RoRo) commercial and automotive traffic. Throughput is expected to be 800,000 units per year.

Information about the Proposed Development and about its likely significant effects is available in the scoping report and the Secretary of State's scoping opinion which are available electronically on the Planning Inspectorate's website: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-thehumber/immingham-eastern-ro-ro-terminal/?ipcsection=overview>

Based on the current information provided by the Applicant to the Secretary of State, and applying a precautionary approach, the Secretary of State is of the view that the Proposed Development is likely to have significant effects on the environment in Iceland and Denmark. In accordance with Regulation 32 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) the Secretary of State has provided information to the above mentioned EEA States about the Proposed Development and its likely significant effects, and these States have been asked to indicate by 16 March 2022 whether or not they wish to participate in the procedure for examining and determining the application under the Planning Act 2008 (PA 2008) and Regulation 32 of the EIA Regulations.

The Proposed Development is currently at the pre-application stage of the process. The Applicant has not yet submitted an application to the Secretary of State. If the application is accepted for examination, the application will be examined in public and, subject to the provisions of the PA 2008, the examination must be completed within a period of six months. Further information about how to participate in the examination procedure under the PA 2008 and the way in which the Secretary of State will notify and consult EEA States in accordance with Regulation 32 of the EIA Regulations is available on the Planning Inspectorate's website: [www.planningportal.gov.uk/infrastructure](http://www.planningportal.gov.uk/infrastructure).

Following examination of the application and having taken the environmental information into consideration, the decision maker may refuse or grant development consent. If development consent is granted, this may be subject to requirements which, if necessary, will secure measures to avoid, reduce or offset the major adverse effects of the Proposed Development.

Date: 2 February 2022

Signed by the Planning Inspectorate for and on behalf of the Secretary of State for Levelling Up, Housing and Communities



K.3

RESPONSE FROM DENMARK TO EIA REGULATION 34  
NOTIFICATION

**From:** [REDACTED]  
**To:** [Immingham Eastern Ro-Ro Terminal](#)  
**Cc:** [REDACTED]  
**Subject:** Sv: TR030007 IERT - transboundary notification procedure (MST Id nr.: 4716494)  
**Date:** 04 March 2022 09:10:27  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image008.png](#)  
[image010.png](#)  
[image011.png](#)

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Dear Ms. Norris

Thank you for notifying us about this plan. We would very much like to participate in the procedure going forward.

I apologise for the late response and will endeavour to meet the deadline 16 March 2022.

Venlig hilsen

**Jonas Fardrup Hennecke**

Biolog | Landskab og Skov  
[REDACTED]  
[REDACTED]  
[REDACTED]

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**Til:** Sif Zimmermann [REDACTED]  
**Fra:** Immingham Eastern Ro-Ro Terminal ([ImminghamEasternRoRoTerminal@planninginspectorate.gov.uk](mailto:ImminghamEasternRoRoTerminal@planninginspectorate.gov.uk))  
**Titel:** TR030007 IERT - transboundary notification procedure  
**Sendt:** 02-02-2022 10:41

Dear Ms. Zimmermann

Please see attached correspondence on the proposed Immingham Eastern RoRo Terminal.

Please note the deadline for any response is on 16 March 2022.

With kind regards  
Katie

Katie Norris  
*She/her*



The Planning  
Inspectorate

**Katie Norris | EIA Advisor**  
The Planning Inspectorate  
T 0303 444 8843



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