

For the attention of:  
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Chemicals, Explosives and  
Microbiological Hazards  
Division – Unit 4

NSIP Consultations  
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**Date:** 19<sup>th</sup> April 2023  
**References:** CM9 Ref: 4.2.1.6886.  
NSIP Ref: TR030007

[NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)  
<http://www.hse.gov.uk/>

Dear Sir/Madam,

**Section 56 Planning Act 2008: Statutory Consultation – Immingham Eastern Ro-Ro Terminal Development (“IERRT”)**

Thank you for your email of 9<sup>th</sup> March 2023 regarding the above proposal.

**HSE’s land use planning advice**

**Will the proposed development fall within any of HSE’s consultation distances?**

According to HSE’s records, the proposed site boundary for this Nationally Significant Infrastructure Project is within multiple consultation zones of major accident hazard sites and major accident hazard pipelines. This is based on the site boundary found in Annex A of the Environment Statement: Volume 3 – Appendix 17/1: Transport Assessment (TR030007-000427-8.4.17(a)\_IERRT ES\_Vol3\_Appendix 17.1 Transport Assessment\_Redacted.pdf).

The site is situated in four types of consultation zones from various surrounding major accident hazard sites: development proximity zone (DPZ), inner zone, middle zone, and outer zone. HSE’s Land Use Planning advice would be dependent on the location of areas where people may be present and the type of people. This is outlined in the HSE Land Use Planning advice methodology at the HSE website [HSE: Land use planning - HSE's land use planning methodology](#). Where a Development Proximity Zone is given then the following HSE policy applies [SPC/tech/general/43 - Land use planning advice around large scale petrol storage sites \(hse.gov.uk\)](#). In this consultation, there are indications of the use of the site including buildings (such as an office building), parking facilities, freight vehicles, and automotive use.

Based on the current consultation documents, without further details on the populations using the different areas of the site, it is not possible for HSE to provide accurate advice. Given the context of the site within Development Proximity Zones and Inner Zones, HSE may advise against the use of the land within those zones for occupied vehicles or the presence of members of the public respectively. HSE has previously provided advice based on HSE’s understanding from pre-application discussion with the applicant of the facilities. In particular HSE had understood:

- In the development proximity zone, parking and storage areas for unaccompanied freight (RO/RO trailers left by their drivers at the port and moved onto and off the ship using specialised tractor units). This would enable a Sensitivity Level 0 to be claimed.
- In the middle zone, waiting areas for occupied passenger vehicles for up to a maximum of 100 passengers. This would enable a Sensitivity Level 2 to be claimed.
- Waiting areas for accompanied freight (cabs and trailers driven onto and off the ship by lorry drivers who will remain on board during the passage)

- Terminal building with basic facilities for lorry drivers and passengers.
- Office, workshop and gatehouse
- Marine infrastructure (approach jetty, linkspan bridge, floating pontoons, finger piers)
- Internal bridge over railway/road and access roads

At the time of writing, HSE can only use information presented in the application. The set of application documents as part of this consultation does not contain information to confirm that understanding. If the application were to include specific information on the population against the areas of the site (above) to include the advice previously given, then HSE would not advise against the application.

HSE has recently been consulted on another NSIP, the Immingham Green Energy Terminal, at adjacent land – Planning Inspectorate Ref.: TR030008. That NSIP recognises that hazardous substances consent would be required. This would mean further consultation zones at the location of the Immingham Eastern Ro-Ro Terminal which would significantly impact HSE’s advice.

**Would Hazardous Substance Consent be needed?**

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations. It is noted that in the Preliminary Environmental Information Report (PEIR) (January 2022) it is stated that dangerous substances will not be stored or handled in relation to this project. However, should this change then further information on HSC should be sought from the relevant Hazardous Substances Authority.

**Consideration of Risk Assessments**

[Regulation 5\(4\)](#) of the [Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017](#) requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development’s vulnerability to major accidents. HSE’s role in NSIPs is summarised in Advice Note 11 ‘working with public bodies in the infrastructure planning process’ Annex G on the Planning Inspectorate’s website [[Advice notes | National Infrastructure Planning \(planninginspectorate.gov.uk\)](#)] - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments under the heading “Risk assessments”.

**Explosives sites**

No comment to make provided that the proposed development does not constitute as a ‘vulnerable’ building.

**Electrical safety**

No comment from a planning perspective

At this time, please send any further communication on this project directly to the HSE’s designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk). We are currently unable to accept hard copies, as our offices have limited access.

Yours faithfully,

**CEMHD4  
NSIP Consultation Team**