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PLANNING ACT 2008 (as amended)

INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010

LOCAL IMPACT REPORT

SUBJECT: Immingham Eastern RORO Terminal

APPLICANT: Associated British Ports

INTERESTED PARTY:

**NORTH EAST LINCOLNSHIRE
COUNCIL**

YOUR REF: TR030007

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1.0 Introduction

1.1 Following the Rule 6 Letter of the 20th June 2023, sent on behalf of the Examining Authority and setting out the examination timetable and procedure, North East Lincolnshire Council (NELC) has given further consideration to the scheme and its implications. As the unitary Local Planning Authority, NELC is host local authority for the terrestrial element of the proposed development.

1.2 The development is detailed as; Associated British Ports (ABP), the owner and operator of the Port of Immingham, is proposing to construct a new Role on role off (Ro-Ro) facility within the Port. This facility is designed to service the embarkation and disembarkation of principally commercial cargo carried either by accompanied trailer or by lorry or on unaccompanied trailers which will be collected at the port of disembarkation. In addition to this wheeled cargo, the new facility will be designed to accommodate an element of passenger use, albeit only during those periods when the demands of the Ro-Ro cargo operation allow. The proposed development will involve marine works within the Humber Estuary and landside works on the existing port estate.

1.3 The documentation relating to this application can be found on the National Infrastructure Planning website via the Immingham Eastern Ro-Ro Terminal (IERRT) project webpage.

1.4 There have been on-going discussions with ABP (the applicant) as to possible implications of this development for North East Lincolnshire.

1.5 It is important to note that NELC's considerations of the proposed development, in regard to physical presence, lie with the terrestrial elements and the intertidal areas. The marine elements of the development reside with the Marine Management Organisation (MMO). In the intertidal area the ecological impacts are focused around the Humber Estuary designations under SSSI, SPA and RAMSAR. It is considered that the issues surrounding these matters are best considered by Natural England and the MMO. NELC will therefore not offer comment on these matters.

1.6 In writing this Local Impact Report regard has been had to the submitted information, in particular the various chapters of the Environmental Statement and the extensive on-going discussions with the applicant through the application process.

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2.0 Policy Framework

2.1 North East Lincolnshire Local Plan 2013-2032 (NELLP) adopted March 2018 is the development plan for the area.

The relevant policies of the NELLP are:

Policy 1 - Employment land supply

Policy 5 - Development boundaries

Policy 6 – Infrastructure

Policy 7 – Proposed employment areas

Policy 8 - Existing employment areas

Policy 22 - Good design in new developments

Policy 31 - Renewable and low carbon infrastructure

Policy 32 - Energy and low carbon living

Policy 33 - Flood risk

Policy 34 - Water management

Policy 36 - Promoting sustainable transport

Policy 38 - Parking

Policy 39 – Conserving and enhancing the historic environment

Policy 41 - Biodiversity and geodiversity

Policy 42 – Landscape

2.2 Appendix 3 of the Planning Statement (March 2023) provided with the DCO application goes into detail of how the proposed development accords with the various strategic and specific Policies of the NELLP.

3.0 Site Description and Surroundings

3.1 The site of the proposed Immingham Eastern Role on Role off Terminal (IERRT) is located within the Port of Immingham. The Port lies immediately adjacent to the Humber Estuary's main deep-water shipping channel which means that it is able to accommodate and service some of the largest vessels afloat today.

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3.2 The Port benefits from two entry points – the east and west gates – both of which are accessible from the A180 (via the A160 for the West Gate, and via A1173 and Queens Road for the East Gate). The Port also has the added benefit of its own rail terminal.

3.3 The Port consists of a number of discrete operational areas. Bulk commodities such as liquid fuels, solid fuels and ores, as well as roll-on/roll-off (Ro-Ro) freight, are handled from in-river jetties. These include the Eastern and Western Jetties, the Immingham Oil Terminal (IOT), the Immingham Gas Terminal, the Immingham Outer Harbour (IOH), the Humber International Terminal (HIT) and the Immingham Bulk Terminal (IBT).

3.4 The landside areas of the proposed development site – which will be used as waiting areas for embarking cargo or storage areas for disembarked cargo – all fall within the eastern and south eastern part of the statutory port estate. These areas are all effectively ‘brownfield’ land in that they are already in, or have been in, port operational use. At the date of this application, the two parts of the development site that comprise the North and the Central Storage Areas are currently largely used for the open-air storage and handling of bulk cargoes. The South and West Storage Areas are used to store trade cars and break-bulk cargo (timber and steel, for example).

3.5 The marine elements of the proposed IERRT Project are situated to the east of the existing Eastern Jetty and to the west of the Immingham Oil Terminal (IOT).

4.0 Relevant Planning History

4.1 There is not considered to be any relevant planning history on the site.

5.0 Relevant Issues

5.1 **Issue 1** – Principle of Development

5.2 The Local Plan recognises the importance that the Port of Immingham plays as a nationally important port but also the importance of the surrounding infrastructure and industry that supports the port.

5.2 NELLP through Policies 1, 7 and 8 and the plan allocations seek to promote sustainable economic growth with investment within NE Lincolnshire having a particular focus on certain key areas of activity. The NELLP Policies 7 and 8 recognise the important role of the port and logistics sector in the local economy.

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5.3 The proposal represents a significant investment in the port and logistics sector which will support the wider economic growth of the South Humber Bank, linking with growth aspirations for NELC. This is especially the case during the construction period and then for the future supporting services, such as vehicle maintenance and support.

5.4 It is therefore considered that the proposed development accords with the principles of the NELLP and would represent a significant investment into the local economy and assist in sustaining the vitality of the port and logistics sector for years to come.

5.5 **Issue 2** - Character, Visual Amenity, Landscape and Heritage

5.6 The NELLP policies adopted to assess the visual impacts of development on the surrounding areas are Policies 5, 22, 39 and 42.

5.7 The proposed development consists of various built elements including a new jetty out into the Humber and substantial storage areas on the port estate. The total site area being some 78ha (40ha marine side and 38ha terrestrial).

5.8 The site as a whole falls within the industrial landscape of the South Humber bank. This is an extensive area and includes the ports of Immingham, Grimsby and Killingholme as well as several large industrial and petrochemical installations in between the port estates.

5.9 Views to the proposed development from the public domain would be limited. The port estate is not considered to be a public area and so any views that would be offered would be from a distance. It is also noted that Landscape and Visual Impacts were scoped out of the Environmental Impact Assessment. It is acknowledged that there would be a visual impact resulting from the proposed development, however, given the limited views available and the context of the site being within the industrial landscape, it is considered that any impact would be low and not unduly harmful to the wider area.

5.10 There are limited heritage assets within the context of the site. It is noted that the Heritage Officer has not raised any concerns over the proposed development through the internal consultation process. This includes above and below ground heritage.

5.11 It is therefore considered that the proposed development would accord with Policies 5, 22, 39 and 42 of the NELLP.

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5.12 **Issue 3** - Impact on Neighbouring Land Uses

5.13 Policy 5 of the NELLP requires an assessment be made on the impact on neighbouring land uses by virtue of noise, air quality, disturbance and visual intrusion.

5.14 The terrestrial element of the development proposed is positioned within the existing port estate and on operational port land. The land has been used as such for many years. The site benefits from no immediate residential neighbours, the closest being located on Queens Road over 100m from the southern edge of the Operational Port Area and approximately 200m from the closest part of the development which would be cargo storage. Incidentally this is what that particular area has been used for historically. In regard to the physical presence of the proposed development it is considered that it would not harm these properties amenities due to the distance to the development. There is also extensive industry between these properties and the proposed development indeed there is a range of industries adjacent to the residential properties. The town of Immingham is further to the west of the site but there are residential properties on Kings Road that face towards the development. However, there is heavy industry between these properties and the site, including the Knauf plaster board factory.

5.15 The site is well separated from nearby residential properties, and it is considered that they would not suffer undue impact from the proposed development in accordance with Policy 5 of the NELLP.

5.16 Neighbouring land uses directly adjacent to the site and within the port estate are all of an industrial or commercial nature. These are considered to be compatible uses with the proposed development and undue harm would not be caused to their operations as a result of the development. The proposal therefore accords with Policy 5 of the NELLP.

5.17 **Issue 4** – Impact on the Highway Network.

5.18 Policy 5 of the NELLP requires that the suitability of the proposal with regards to access and traffic generation levels is considered. Similarly, Policy 36 promotes sustainable transport use whilst Policy 38 sets out the requirements for parking.

5.19 The West gate of the dock and the A160 lies under the jurisdiction of North Lincolnshire Council and as such NELC does not wish to formally comment on that aspect of the highway network. Similarly, the A180 and Stallingborough Interchange junction is an asset of National Highways and so NELC does not wish to formally comment on that aspect of the highway network. However, the Highways team have reviewed those elements as part of their assessment and have not raised concerns about the assessment or its conclusions in regard to non NELC highways matters. It is recommended that an assessment is carried out as to how the additional HGV traffic will affect the surface condition of the A180.

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5.20 The Transport Assessment (TA) explores ways of reducing traffic movements to and from the port, in particular the use of rail. Unfortunately, this option is not practical for RORO traffic. However, this development does not compromise the rail link into the docks and remains a future option.

5.21 The proposal would see an increase in HGV traffic along Queens Rd/Kings Road A1173 to the A180 accessing and egressing the East Gate of the docks. The Transport Assessment of the ES details the traffic generation at full operation would result in an additional 1800 HGV movements per day split between the East and West Gates of the docks, distributed throughout the day.

5.22 The Highways team have considered the TA and have utilised a consultant, LTP, to assist in robustly assessing the impacts on the local highway network. The TA concludes that the proposed development would not have a severe impact on the highway network as a whole and in regard to the affected junctions would not take them above reasonable capacity. However, during Issue Specific Hearing 2 evidence was heard from other Interested Parties, in regard to highway data and the potential for impact on the local highway network, the Highways team welcome this further analysis and will provide further comment in due course on this matter to ensure that there is not an unacceptable impact on the local highway network.

5.23 The changes to the East Gate access to the docks are welcomed, it is noted that the works are proposed to create additional capacity with the junction layout and those works fall partly within the adopted highway and partly within the applicant's land. The Highways team also consider that the detailed Travel Plan, on-site parking and stacking provision and appropriate communication systems for delayed or cancelled sailings are appropriate.

5.24 The proposal for a separate s.278 agreement with the Highways team for an updated signage strategy across the port and wider highway network is also welcomed. Given the extended assessment work being undertaken, as detailed in para.5.22 it is considered that this should be reviewed by the Highways team before a final view on the matter is given.

5.25 **Issue 5** - Ecology

5.26 Policy 41 of the NELLP seeks development to have regard to biodiversity and geodiversity. The scale and nature of the proposed development means that there is the potential for terrestrial, intertidal and marine ecological impact. It is considered that Natural England and the MMO are the most appropriate bodies to consider the intertidal and marine impacts.

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5.27 The Council's Ecologist has reviewed the Environmental Statement (ES) in regard to the terrestrial impacts of the proposed development and has raised no concerns over the survey information or the proposed measures through construction. Particular regard should be had to the existing site characteristics i.e that the site is part of the operational port and used as such. No concerns are raised over the impact on protected species or special habitat within the terrestrial area of the site or as a result of the development. It is therefore considered to accord with the Policy 41 of the NELLP.

5.28 **Issue 6** - Pollution, Air Quality and Contamination

5.29 Pollution, air quality and contamination are factors which need consideration under Policy 5 of the NELLP, which requires any necessary measures to mitigate impacts to be provided.

5.30 Regard has been had to the chapters of the ES that cover pollution, air quality and contamination. The Environmental Health Team have considered these matters in detail and have raised no concerns over the potential impacts or the control measures proposed. As such the proposal is deemed to accord with Policy 5 of the NELLP.

5.31 **Issue 7** - Drainage and Flood Risk

5.32 Policy 33 of the NELLP seeks to mitigate flood risk impacts and requires development to be supported by a site-specific flood risk assessment with Policy 34 requiring adequate arrangements for foul and surface water drainage.

5.33 The site is located within Environment Agency Flood Zone 3. Sequentially, given the nature of the proposed development being directly port related and as an allocated site within the NELLP the development is deemed to be acceptable in terms of the sequential requirements of policy 33.

5.34 The development is supported by a site-specific flood risk assessment and detailed drainage strategy. This has been reviewed by the NELC Drainage Team as lead local flood authority and no concerns have been raised. It is understood that further consultations have been on-going with the Environment Agency and the Drainage Board to ensure the development is acceptable to them as well. The proposal is therefore deemed to accord with Policies 33 and 34 of the NELLP.

6.0 Conclusion

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6.1 NELC recognise the economic benefits that the proposed development would bring and this is well aligned with the core aims of the NELLP economic strategy. The proposal would be acceptable in regard to impact on neighbouring land uses, visual impact, heritage, ecology and drainage and flood risk. The impact on the highway network is a matter that is subject to further integration through the Development Consent Order process, which is welcomed to ensure any severe impacts on the local highway network are appropriately identified and mitigated.