

# IMMINGHAM EASTERN RO-RO TERMINAL



Applicant's Comments on the North East Lincolnshire Council Local Impact Report

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# 1 Comments on the North East Lincolnshire Council Local Impact Report

- 1.1 The following note sets out the comments of the Applicant on the Local Impact Report (LIR) **[REP1-023]** submitted by North East Lincolnshire Council (NELC).

## LIR Section 1.0: Introduction

- 1.2 The Applicant has no comments to make on this section of the LIR.

## LIR Section 2.0: Policy Framework

- 1.3 Within this section NELC provide a list of the policies of the adopted North East Lincolnshire Local Plan 2013-2032 (NELLP) which it considers to be relevant to the IERRT proposal.
- 1.4 The Applicant notes that the NELLP policies identified by NELC as relevant are largely the same policies it identifies as relevant within Appendix 3 of the Planning Statement **[APP-019]**. The exceptions being that NELC:
- (i) do not reference policy 3 (relating to settlement hierarchy matters), but
  - (ii) do identify policies 31 and 32 as being of some relevance to the IERRT development, albeit that these two policies are not then specifically referred to in the analysis that follows within the LIR.
- 1.5 Policy 31 of the NELLP deals with 'Renewable and low carbon infrastructure' and it is clear from the policy and the supporting text that the policy provides a series of criteria which such forms of development will need to have regard to. The IERRT project is not a 'Renewable and low carbon infrastructure' project, so it is not immediately clear to the Applicant which aspects of this policy and supporting text are of relevance to the IERRT project.
- 1.6 Policy 32 of the NELLP deals with 'Energy and low carbon living'. Part 1 of the policy indicates that, where appropriate, the principles of the energy hierarchy should be followed in order to achieve energy efficiency and low carbon development. Part 2 of the policy indicates that information should be provided to demonstrate how appropriate design and construction practices have been considered and incorporated, specifically in relation to certain matters which are then specified.
- 1.7 Information on the matters referred to in the policy are provided as appropriate within the IERRT DCO application documentation. For example, ES Chapter 19 (Climate Change) **[APP-055]** provides an assessment of the IERRT project on climate matters. In addition, it is noted that the matters detailed in part 2 of NELLP Policy 32 are not dissimilar to matters which the National Policy Statement for Ports (NPSfP) requires to be taken into consideration, and which have been detailed within Appendix 1 of the Planning Statement **[APP-019]**.

- 1.8 The Applicant, therefore, for the reasons summarised above, considers that the IERRT development is in accordance with NELLP Policy 32.
- 1.9 The Applicant notes that NELC, at paragraph 2.2 of the LIR, cross refer to the Applicant's detailed Local Plan policy analysis contained within Appendix 3 of its Planning Statement [APP-019]. No indication is given by NELC in the LIR that they disagree with the Applicant's analysis provided in the Planning Statement.

### **LIR Section 3.0: Site Description and Surroundings**

- 1.10 The Applicant has no comments to make on this section of the LIR.

### **LIR Section 4.0: Relevant Planning History**

- 1.11 The Applicant has no comments to make on this section of the LIR.

### **LIR Section 5.0: Relevant Issues**

#### ***Issue 1 – Principle of Development***

- 1.12 The Applicant notes NELC's analysis of this issue, and the NELC conclusion reached at paragraph 5.4 of the LIR that - *'It is .... 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.'*
- 1.13 The Applicant agrees with the conclusion reached by NELC.

#### ***Issue 2 – Character, Visual Amenity, Landscape and Heritage***

- 1.14 NELC's analysis of these matters considers the relevant aspects of policies 5, 22, 39 and 42 of the NELLP. The Applicant notes that, in terms of character, visual amenity and landscape matters, NELC consider that any impact *'would be low and not unduly harmful to the wider area'* (LIR paragraph 5.9). In respect of heritage matters the Applicant notes that no concerns have been raised by the relevant NELC specialist officer (LIR paragraph 5.10)
- 1.15 The Applicant notes the overall conclusion of NELC at paragraph 5.11 of the LIR that *'the proposed development would accord with Policies 5, 22, 39 and 42 of the NELLP'*. The Applicant does not disagree with the conclusions reached by NELC on these matters.

#### ***Issue 3 – Impact on Neighbouring Land Uses***

- 1.16 Having regard to the analysis of the site of the proposed IERRT development and the surroundings which it undertakes and records, NELC conclude (at paragraph 5.15 of the LIR) that the *'site is well separated from nearby residential properties'* and (at paragraph 5.16 of the LIR) that:

*'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 cause to their operations as a result of the development’.*

- 1.17 The Applicant agrees with these conclusions, and also as a result, the overall conclusion of NELC that the proposal accords with Policy 5 of the NELLP on these matters (LIR paragraph 5.16).

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

- 1.18 The Applicant notes NELC’s analysis of this issue and that a final view is still to be provided by NELC. It is noted that the NELC LIR makes reference to ongoing discussions with various Interested Parties (IP) on transport assessment matters. In responding to the relevant submissions made by these IPs the Applicant considers that none of the transport related issues raised, including in respect of base line flows committed developments, unaccompanied / accompanied unit splits, empty tractor ratios, or the split between use of East and West Gate raise any material issue in respect of the outcomes of the assessment undertaken.

***Issue 5 – Ecology***

- 1.19 The Applicant notes the conclusion reached by NELC that it has *‘No concerns ... over the impact on protected species or special habitat within the terrestrial area of the site or as a result of the development’* (LIR paragraph 5.27).

- 1.20 The Applicant agrees with the overall conclusion of NELC (at paragraph 5.27 of the LIR) that the development is considered to accord with Policy 41 of the NELLP in respect of these matters.

***Issue 6 – Pollution, Air Quality and Contamination***

- 1.21 The Applicant notes that NELC’s Environmental Health Team have no concerns in respect of these matters and the overall conclusion reached that the proposal accords with Policy 5 of the NELLP in respect of these matters (LIR paragraph 5.30). The Applicant does not disagree with this overall conclusion.

***Issue 7 – Drainage and Flood Risk***

- 1.22 The Applicant notes NELC’s view (in paragraph 5.33 of the LIR) that the IERRT project is acceptable in terms of the sequential requirements of NELLP policy 33. The Applicant also notes the further view of NELC that it has no concerns in respect of the project specific flood risk assessment or drainage strategy (LIR paragraph 5.34).

- 1.23 The Applicant notes and agrees with the NELC conclusion (in paragraph 5.34 of the LIR) that the IERRT proposal accords with policies 33 and 34 of the NELLP.

**LIR Section 6.0: Conclusion**

- 1.24 The Applicant notes the overall conclusions reached by NELC at paragraph 6.1 of the LIR.

## 2 Conclusions

- 2.1 The Applicant considers that the content of the NELC LIR supports the overall planning conclusions reached in section 9 of its Planning Statement 'Conclusions and Overall Planning Balance' **[APP-019]**. In particular, in terms of the requirements of Section 104(7) of the Planning Act 2008, the NELC LIR demonstrates that the benefits of the proposed IERRT development very clearly outweigh its adverse impacts.

**Glossary and List of Acronyms**

<b>ABP</b>	Associated British Ports
<b>DCO</b>	Development Consent Order
<b>IP</b>	Interested Parties
<b>IERRT</b>	Immingham Eastern Ro-Ro Terminal (proposed development)
<b>LIR</b>	Local Impact Report
<b>NELC</b>	North East Lincolnshire Council
<b>NELLP</b>	North East Lincolnshire Local Plan 2013 - 2032