



Immingham Green Energy Terminal

TR030008

Volume 1

1.2 Introduction to the Application

Planning Act 2008

Regulation 5(2)(q)

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009 (as
amended)

September 2023

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009 (as amended)

Immingham Green Energy Terminal Development Consent Order 2023

1.2 Introduction to the Application

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1 Purpose of this document

- 1.1.1 The 'Introduction to the Application' ("this document") accompanies an application submitted by Associated British Ports ("ABP", or "the Applicant") to the Secretary of State for Transport for development consent to construct and facilitate the operation of a multi-user liquid bulk green energy terminal, the Immingham Green Energy Terminal ("IGET") and an associated hydrogen production facility on the eastern side of the Port of Immingham (collectively, the "Project"), under the provisions of section 37 of the Planning Act 2008 ("PA 2008") for a Development Consent Order ("DCO").
- 1.1.2 The Project is classified as a Nationally Significant Infrastructure Project (NSIP) under sections 14(1)(j), 24(2) and 24(3)(c) of the PA 2008 and the associated hydrogen production facility and landside works are classed as associated development under section 115 of the PA 2008,
- 1.1.3 This document aims to help the Examining Authority ("ExA") and Interested Parties understand the Application by signposting to the documents that comprise this DCO Application.
- 1.1.4 Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) ("APFP Regulations") sets out the documents that all DCO applications must include. It also provides in Regulation 5(2)(q) for the submission of 'any other documents considered necessary to support the application' as well as at Regulation 5(2)(o) for 'any other plans, drawings and sections necessary to describe the proposals'. Regulation 6 of the APFP Regulations sets out the specific documentation required in support of DCO applications for particular types of development, including the construction or alteration of harbour facilities. This document sets out and explains the documents prepared to meet the requirements of Regulations 5 and 6 of the APFP Regulations.
- 1.1.5 The Project constitutes Environmental Impact Assessment ("EIA") development and therefore the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) ("the EIA Regulations") and requirements contained therein apply.
- 1.1.6 This document comprises 11 chapters as set out below:
- a. Chapter 1 – introduces the document and explains its purpose.
 - b. Chapter 2 – provides an overview of the Applicant and Air Products (BR) Limited as the developer of the hydrogen production facility.
 - c. Chapter 3 – provides an overview of the Project context and includes a description of the key components of the Project.
 - d. Chapter 4 – incorporates a table which provides a high-level summary of the application documentation.
 - e. Chapter 5 – provides a description of the documents that comprise Section 1 of the DCO application (application information).

- f. Chapter 6 - provides a description of the documents that comprise Section 2 of the DCO application (the draft DCO and related documents).
- g. Chapter 7 - provides a description of the documents that comprise Section 3 of the DCO application (land and compulsory acquisition information).
- h. Chapter 8 - provides a description of the documents that comprise Section 4 of the DCO application (plans, drawing and sections).
- i. Chapter 9 - provides a description of the documents that comprise Section 5 of the DCO application (consultation and engagement).
- j. Chapter 10 - provides a description of the documents that comprise Section 6 of the DCO application (Environmental Statement and Environment Management Plans).
- k. Chapter 11 - provides a description of documents that comprise Section 7 of the DCO application (other documents).

2 The Applicant and Air Products (BR) Limited

- 2.1.1 The Applicant is ABP, who were established in 1981 following the privatisation of the British Transport Docks Board. It is the largest ports group in the UK, owning and operating 21 ports and other transport-related businesses across England, Wales and Scotland.
- 2.1.2 On the Humber, ABP owns and operates four ports, the Port of Immingham (“the Port”) and the ports of Hull, Grimsby and Goole, which together constitute the largest ports complex in the UK. The Port is the largest and busiest of ABP’s four Humber ports.
- 2.1.3 The terminal would be operated by ABP as a common user terminal facility, providing port capacity for multiple customers. Air Products, as the first user of the new terminal, would import and export green ammonia (as a liquid bulk product) through the terminal. The Project would initially be used by Air Products as a conduit for the import of green ammonia, initially from the Middle East, but potentially also from Rotterdam, to be converted in a hydrogen production facility to create green hydrogen.
- 2.1.4 Other customers with other proposed developments or uses, that are compatible with green ammonia from a health and safety perspective, are expected to come forward in due course and these are likely to include customers in the carbon capture and storage sector. It is also anticipated that customers are likely to import or export a range of other different liquid bulk products.
- 2.1.5 AP is a world-leading industrial gases company in operation for nearly 80 years, and more than 60 years in the UK and Ireland. Focused on serving energy, environment and emerging markets, the company provides essential industrial gases, related equipment and applications expertise to customers in dozens of industries. AP is also the global leader in the supply of liquified natural gas process technology and equipment.
- 2.1.6 ABP have entered into an agreement with Air Products (BR) Limited (“Air Products”) for the alteration of the existing harbour facility at the Port by ABP to provide the new terminal and the construction and operation of the associated hydrogen production facility by Air Products.

3 The Project

3.1 Site Location and Wider Context

- 3.1.1 ABP's statutory undertaking at Immingham, the 'statutory port estate', covers some 480 hectares (ha). The majority of the port estate falls within the administrative boundary of North East Lincolnshire Council ("NELC"), although the western part of the Port falls within the administrative boundary of North Lincolnshire Council.
- 3.1.2 The land within the Order Limits is defined as the 'Site', as portrayed on the **Location Plan [TR030008/APP/4.1]** and comprises all the land required for the construction and operation of the Project. The Site falls partly within the operational Port of Immingham and immediately adjacent to its south eastern boundary.
- 3.1.3 The landside components of the Project lie wholly within the administrative boundaries of NELC, to the east of the Port on the south bank of the Humber Estuary whilst the part of the Project that extends seaward and falls beyond the local authority's boundary, is located in the Humber Estuary which is owned by the Crown Estate. The surrounding area is characterised by industrial uses, alongside agricultural land, with the nearest settlement being Immingham, approximately 460m away from the Project.
- 3.1.4 The Port lies immediately adjacent to the main deep-water shipping channel which serves the Humber Estuary, thereby enabling access to the Port by some of the largest vessels afloat. The Port is also well located to the road network with access to the M180 and to the M1 via the M18.
- 3.1.5 **Chapter 2: The Project** of the **Environmental Statement [TR030008/APP/6.2]** contains a detailed overview of the Site and its surrounding area and context.

3.2 Project Description

- 3.2.1 The principal components of the Project are summarised below (please refer to **Chapter 2: The Project** of the **ES [TR030008/APP/6.2]** for a detailed description of the Project). References to 'Work No.' are to the corresponding Work Numbers in Schedule 1 of the **draft DCO [TR030008/APP/2.1]** whilst the location of each Work No. within the Site is shown on the **Works Plans [TR030008/APP/4.2]**:
- a. The Nationally Significant Infrastructure project ("NSIP"), **Work No. 1**, comprising:
 - i. On the marine side, a terminal for liquid bulks: comprising:
 - A. a jetty (defined by **Work No. 1a**) including a loading platform, associated dolphins, fenders and walkways, topside infrastructure but not limited to control rooms, marine loading arms, pipe-racks, pipelines and other infrastructure.
 - B. a single berth, with a berthing pocket with a depth of up to 14.5m below chart datum.

- ii. Related landside infrastructure including, but not limited to, a jetty access ramp, a flood defence access ramp and works to raise the seawall locally under the jetty access ramp.
- b. Associated Development on the landside, comprising:
 - i. A corridor between the new jetty and Laporte Road which would support a private road (the 'jetty access road'), pipe-racks, pipelines to enable the ammonia import to the East Site, as well as security gates, a security building, a power distribution building and associated utilities – (**Work No. 2**).
 - ii. 'East Site - Ammonia Storage' (**Work No. 3**) on which an ammonia storage tank and related plant including an ammonia tank flare would be constructed (**Work No. 3a**) as well as additional buildings (including welfare building, power distribution building and a process instrumentation building), pipe-racks, pipelines, pipes, cable-racks, utilities and other infrastructure.
 - iii. Construction of a culvert (**Work No. 4**) under Laporte Road for pipelines, pipes and cables and other conducting media linking the two parts of the East Site.
 - iv. 'East Site – Hydrogen Production Facility' (**Work No. 5**) on which up to three hydrogen production units and associated plant including flue gas stacks and flare stacks would be constructed (**Work No. 5a**) together with additional buildings (including process control building, power distribution buildings, process instrumentation buildings, analyser shelters), pipe-racks, pipelines, pipes, utilities and other infrastructure.
 - v. Underground pipelines, pipes, cables and other conducting media (**Work No. 6**), between the East and West Sites, for the transfer of ammonia, hydrogen, nitrogen and utilities, with cathodic protection against saline corrosion.
 - vi. 'West Site' (**Work No. 7**) involving the construction of up to three hydrogen production units with associated flue gas stacks and flare stacks and up to four liquefier units (**Work No. 7a** and **Work No. 7b** combined); hydrogen storage tanks, hydrogen trailer filling stations, a hydrogen vent stack and associated process equipment (**Work No. 7c**); and hydrogen vehicle and trailer filling stations, hydrogen compressors and associated process equipment (**Work No. 7d**). Also additional buildings (including but not limited to control room and workshop building, security and visitor building, contractor building, warehouse, driver administration building, safe haven building, electrical substation and metering station, power distribution buildings, process instrumentation buildings, analyser buildings and additional temporary buildings during construction), process and utility plant including cooling towers and pumps, fire water tank, pipe-racks, pipelines, pipes, cable-racks, utilities and other infrastructure.
 - vii. Formation of temporary construction and laydown areas on Queens Road (**Work No. 8**) and off Laporte Road (**Work No. 9**).

viii. Temporary removal of street furniture and modification of overhead cables on Kings Road (**Work No. 10**) associated with the transport of large construction components from the Port to the Site,

- 3.2.2 In addition to Work No. 1 to 10 which are each spatially defined within the **Works Plans [TR030008/APP/4.2]**, Schedule 1: Authorised Project of the **draft DCO [TR030008/APP/2.1]** includes 'Further associated development' and 'Ancillary Works' which both extend across the full extent of the Site.
- 3.2.3 In broad terms, 'Further associated development' would be the undertaking, as required, of works such as site clearance, creation of additional construction compounds, utility works, landscaping works and street works on a site wide basis.
- 3.2.4 'Ancillary works' constitute works that would not necessarily constitute development, such as vegetation removal, the installation of fencing and the demobilisation of construction works,
- 3.2.5 The areas associated with each component are defined by a Works Plan number and shown on the **Works Plans [TR030008/APP/4.2]**, Work No. 3 and Work No. 5 are referred to below as the East Site and Work No, 7 as the West Site.
- 3.2.6 A detailed technical description of the Project is included within **Chapter 2: The Project** of the **Environmental Statement (ES) [TR030008/APP/6.2]**. An easily accessible overview of the Project and its likely significant environmental effects is provided in the **ES Non-Technical Summary [TR030008/APP/6.1]**.

4 Overview of Application Documents

4.1 Summary

4.1.1 The documents submitted as part of the Application have been grouped into seven sections as detailed below. A summary of the documents is provided in **Table 4-1**, with a full list of documents provided in each section set out in later chapters of this document. The documents provided meet the requirements of the APFP Regulations.

Table 4-1 – Summary of Documents

Section	Description
Section 1: Application Information	Provides details of the application information required by the Planning Inspectorate. Includes the Application Form, Application Index, Cover Letter and a draft Section 55 Checklist.
Section 2: Draft DCO and Related Documents	The DCO contains the legal powers sought by the Applicant to construct, operate, and maintain the Project. A DCO Validation report has also been submitted. The Explanatory Memorandum explains the purpose and effect of the DCO.
Section 3: Land and Compulsory Acquisition Information	Provides details of, and justification for, the powers of acquisition that are sought by the Applicant in order to construct and operate the Project. Includes details of land interests and funding for the Project. The documents within this Section include the Statement of Reasons, Book of Reference and the Funding Statement.
Section 4: Plans, Drawings and Sections	Contains the plans which show the location of the Project and the works proposed. Includes those which are for approval, namely the Works Plans, Land Plans, Street Works and Accesses Plan, Stopping Up and Restriction of Use of Streets and Public Rights of Way Plan, Traffic Regulation Measures Plan, Potentially Affected Hedgerows and Trees Subject to TPOs and those which have been prepared for illustrative purposes, namely, the Location Plan, Illustrative Layouts and Illustrative Sections and Elevations.
Section 5: Consultation and Engagement	Provides details of the consultation undertaken by the Applicant and how the Applicant has had regard to consultation responses. Includes the Consultation Report and its appendices.

Section	Description
<p>Section 6: Environmental Statement and Environmental Management Plans</p>	<p>Sets out the assessments undertaken by the Applicant to assess the likely significant effects of the Project on the environment, and details of mitigation measures proposed to reduce any adverse effects. In addition to the Environmental Statement itself, other documents included in this Section include the Outline Construction Environmental Management Plan, Flood Risk Assessment and Water Framework Directive Assessment.</p>
<p>Section 7: Other Documents</p>	<p>Additional documents produced in support of the application in order to aid understanding, including the Consents and Agreements Statement, Planning Statement, Shadow Habitats Regulations Assessment, Without Prejudice Shadow Habitats Regulations Assessment (HRA) Derogation Report, Utilities Statement, Statutory Nuisance Statement, Schedule of Mitigation and Monitoring and Equalities Impact Assessment.</p>

5 Section 1 - Application Information

- 5.1.1 The **Application Form [TR030008/APP/1.1]** is required by Section 37(3)(b) of the PA 2008 to be submitted with the Application and provides a high-level summary of the Project and the documents that have been submitted with the Application. A copy of the notices that have been published in national and local newspapers setting out information in relation to two rounds of statutory consultation are also provided alongside the application form.
- 5.1.2 The **Introduction to the Application [TR030008/APP/1.2]** is this document, which provides a summary of all the documents submitted in the Application.
- 5.1.3 The **Application Guide [TR030008/APP/1.3]** provides an application document schedule to help the ExA and interested parties understand the Application as it evolves through examination by identifying the latest version of any application document, as well as providing a record of all new documents prepared. The **Application Guide [TR030008/APP/1.3]** will be updated and submitted at each deadline throughout the examination if requested by the ExA.
- 5.1.4 The **Application Cover Letter** and **Section 55 Checklist [TR030008/APP/1.4]** provides an overview of the Application. The Section 55 Checklist has been completed by the Applicant to demonstrate how the Application fulfils the conditions for acceptance by the Planning Inspectorate under section 55(3) of the PA 2008.
- 5.1.5 The **Application Index [TR030008/APP/1.5]** lists the electronic file names for all of the Application documentation.

6 Section 2 - Draft Development Consent Order and Related Documents

- 6.1.1 The **draft Development Consent Order [TR030008/APP/2.1]** sets out the powers that the Applicant is seeking to enable it to construct, operate and maintain the Project, including powers for compulsory acquisition and temporary possession of land. It consists of 5 parts and is accompanied by 17 schedules as outlined below:
- a. **Schedule 1 Authorised Project**
 - b. **Schedule 2 Requirements**
 - c. **Schedule 3 Deemed Marine Licence**
 - d. **Schedule 4 Streets subject to street works**
 - e. **Schedule 5 Alteration of streets**
 - f. **Schedule 6 Permanent stopping up of highways**
 - g. **Schedule 7 Public Rights of Way to be permanently stopped up**
 - h. **Schedule 8 Temporary restriction or alteration etc. of the use of streets or public rights of way**
 - i. **Schedule 9 Access to works**
 - j. **Schedule 10 Traffic Regulation Measures**
 - k. **Schedule 11 Modification of compensation and compulsory purchase enactments for the creation of new rights and imposition of new restrictive covenants**
 - l. **Schedule 12 Land in which only new rights and restrictive covenants etc. may be acquired**
 - m. **Schedule 13 Land of which only temporary possession may be taken**
 - n. **Schedule 14 Protective provisions**
 - o. **Schedule 15 Documents and plans to be certified**
 - p. **Schedule 16 Arbitration rules**
 - q. **Schedule 17 Procedure regarding certain approvals, etc.**
- 6.1.2 Schedule 15 of the draft DCO sets out the documents to be certified in the DCO which will be confirmed by the SoS. These documents are as follows:
- a. **Book of Reference [TR030008/APP/3.1]**
 - b. **Environmental Statement Non-Technical Summary [TR030008/APP/6.1]**
 - c. **Environmental Statement Main Report [TR030008/APP/6.2]**
 - d. **Environmental Statement Figures [TR030008/APP/6.3]**
 - e. **Environmental Statement Appendices [TR030008/APP/6.4]**
 - f. **Land Plans [TR030008/APP/4.5]**

- g. **Outline Construction Environmental Management Plan [TR030008/APP/6.5]**
 - h. **Outline Construction Traffic Management Plan [TR030008/APP/6.7]**
 - i. **Outline Decommissioning Environmental Management Plan [TR030008/APP/6.6]**
 - j. **Outline Landscape and Ecology Management Plan [TR030008/APP/6.9]**
 - k. **Outline Woodland Compensation Strategy [TR030008/APP/6.8]**
 - l. **Plan of Potentially Affected Hedgerows and Trees Subject to Tree Preservation Orders [TR030008/APP/6.9]**
 - m. **Sampling Plan [TR030008/APP/7.10]**
 - n. **Stopping Up and Restriction of Use of Streets and Public Rights of Way Plan [TR030008/APP/4.7]**
 - o. **Street Works and Accesses Plan [TR030008/APP/4.6]**
 - p. **Traffic Regulation Measures Plan [TR030008/APP/4.8]**
 - q. **Works Plans [TR030008/APP/4.2]**
- 6.1.3 The **Explanatory Memorandum [TR030008/APP/2.2]** explains the purpose and effect of each provision in the draft DCO including why it is considered necessary.
- 6.1.4 A DCO Validation Report **[TR030008/APP/2.3]** is also provided. Please note that there are unexplained flagged errors suggesting underlying Arabic proofing in the document as opposed to proofing in English. We have investigated the cause of this and it appears to be an underlying IT issue that we are trying to resolve. The underlying problem appears to be within the SI template to which we do not have access. We will continue to investigate and resolve this issue post submission of the application and update the Inspectorate accordingly. In meantime we can confirm that the draft DCO is in the correct format. An email confirming the success of the DCO validation can be provided if that is of assistance.

7 Section 3 – Land and Compulsory Acquisition Information

7.1.1 In order to construct the Project, the Applicant is seeking statutory powers to acquire land and rights in land (and impose restrictive covenants), to possess and use land temporarily and to interfere with and suspend easements and private rights.

7.1.2 The **Book of Reference [TR030008/APP/3.1]** identifies (by reference to numbered plots) all parties who own or occupy land to be subject to the above powers and/or have an interest in or right over the land affected by the Project, and/or who may be entitled to make a 'relevant claim' as defined in Section 57 of the PA 2008. It is structured in five parts in accordance with relevant regulatory requirements. The five parts are:

- a. Part 1 of the Book of Reference contains the names and addresses for service for every person who is known, after making diligent inquiry, to be an owner, lessee, tenant or occupier of the each relevant plot (known as Category 1 persons) or, is interested in or, has the power to sell, convey or release the land (known as Category 2 persons). Part 2 of this Book of Reference contains the names and addresses (if known by the Applicant after making diligent inquiry) of each person within Category 3, as defined by Section 57 of the 2008 Act.
- b. Part 3 of the Book of Reference contains the names of all those with easements or other private rights over land which it is proposed shall be extinguished, suspended or interfered with as part of the DCO.
- c. Part 4 specifies the owner of any Crown interest in the land which is proposed to be used for the purposes of the order for which application is being made. Crown land has been identified within the Order Limits which is proposed to be used for the purposes of the Scheme, however, no powers of acquisition are being sought over the Crown Land identified.
- d. Part 5 specifies land -
 - i. The acquisition of which is subject to special parliamentary procedure
 - ii. Which is special category land
 - iii. Which is replacement land

However, it is not proposed to acquire land which is subject to special parliamentary procedure and no special category land or replacement land is affected by the use of compulsory acquisition powers. The Book of Reference should be read in conjunction with the **Land Plans [TR030008/APP/4.2]** as these identify each numbered plot.

7.1.3 The **Statement of Reasons [TR030008/APP/3.2]** explains that there is a compelling case in the public interest which would justify the Applicant's exercise of powers of compulsory acquisition in order to acquire land and rights permanently, to interfere with or suspend easements or private rights and to use land temporarily to enable it to construct, operate and maintain the Project.

7.1.4 The **Funding Statement [TR030008/APP/3.3]** explains how the Project, including any compulsory acquisition, would be funded.

8 Section 4 – Plans, Drawings and Sections

- 8.1.1 There are 11 sets of plans that form the DCO Application, which are described below.
- 8.1.2 The **Location Plan [TR030008/APP/4.1]** identifies the location of the Project.
- 8.1.3 The **Works Plans [TR030008/APP/4.2]** identify the location of the works that comprise the Project. The areas on the Works Plans are numbered, and these correspond to the numbered works set out in Schedule 1 of the **Draft DCO [TR030008/APP/2.2]** that are proposed to be authorised by the DCO.
- 8.1.4 **Illustrative layouts [TR030008/APP/4.3]** and **Illustrative Sections and Elevations [TR030008/APP/4.4]** have been prepared to provide illustrative details of the Project. These drawings are not for approval as the detailed design is not yet finalised. The **Illustrative layouts [TR030008/APP/4.3]** provide the provisional project design overlaid with the works areas to provide context to the equipment and plant required during operation across the Project. The **Illustrative Sections and Elevations [TR030008/APP/4.4]** show general arrangement plans alongside cross sections for the jetty and jetty head and also elevations of the terrestrial elements of the Project at the East Site and West Site,
- 8.1.5 The **Land Plans [TR030008/APP/4.5]** identify the location of the plots set out in the **Book of Reference [TR030008/APP/3.1]**. The relationship between the Book of Reference, the DCO and the Land Plans is explained in Chapter [3] of the Book of Reference. The plans identify by reference to the key:
- Land over which it is proposed to exercise powers of compulsory acquisition of any interest in land or any right (including subsoil rights) and to impose restrictive covenants).
 - Land in relation which it is proposed to extinguish, interfere with or suspend easements and other private rights;
 - Land over which temporary possession is sought.
- 8.1.6 The Land Plans identify the remainder of the land within the Order limits in respect of which the above powers do not apply, being either Crown land, areas of public highway or areas of land in the ownership of ABP land.
- 8.1.7 **Street Works and Accesses Plan [TR030008/APP/4.6]** show any new or altered means of access or layout and other works to streets including:
- Placing and connecting of apparatus and associated works.
 - Provision of permanent and temporary means of access and altered layout including revised signage and markings.
 - Works to provide an altered layout and revised signage and markings to enable the provision of the permanent speed limit change.
 - Works to enable the passage of abnormal indivisible loads including the removal of signage and street furniture.
 - Works to enable the amendment of existing overhead lines.

- 8.1.8 The **Street Works and Accesses Plans [TR030008/APP/4.6]** should be read in conjunction with Schedules 4, 5, and 9 of the **draft DCO [TR030008/APP/2.1]**.
- 8.1.9 The **Stopping Up and Restriction of Use of Streets and Public Rights of Way Plan [TR030008/APP/4.7]** shows the location of temporary and permanent highway and public right of way closures and restrictions or alteration to the use of streets or public rights of way and diversions to a public right of way, including the temporary use of motor vehicles under the direction of the undertaker to cross Bridleway number 36. The **Stopping Up and Restriction of Use of Streets and Public Rights of Way Plan [TR030008/APP/4.7]** should be read in conjunction with Schedules 6, 7, and 8 of the draft Development Consent Order **[TR030008/APP/2.1]**.
- 8.1.10 The **Traffic Regulations Measures Plan [TR030008/APP/4.8]** shows aspects of the Application that will be the subject of traffic regulations such as speed limit changes, provision of temporary traffic lights, temporary parking suspension and temporary road closures. The **Traffic Regulations Measures Plan [TR030008/APP/4.8]** should be read in conjunction with Schedules 5 and 10 of the **draft Development Consent Order [TR030008/APP/2.1]**.
- 8.1.11 The **Plan of Potentially Affected Hedgerows and Trees Subject to Preservation Orders [TR030008/APP/4.9]** sets out the impact of the Project on trees, protected by a Tree Preservation Order, and hedgerows.
- 8.1.12 The **Statutory and Non-Statutory Nature Conservation Plans [TR030008/APP/4.11]** and the **Historic Environment Plans [TR030008/APP/4.12]** are signposting documents to the statutory and non-statutory nature conservation plans and statutory and non-statutory historic site plans contained elsewhere within the Application.

9 Section 5 – Consultation and Engagement

9.1.1 The **Consultation Report [TR030008/APP/5.1]** provides an account of the pre-application consultation undertaken for the Project. The report includes details of the two rounds of statutory consultation carried out by the Applicant in accordance with the PA 2008, the informal engagement that has taken place, and how the Project has been amended to reflect comments received. The chapters of the Consultation Report are as follows:

- a. **Chapter 1:** Executive summary
- b. **Chapter 2:** Introduction
- c. **Chapter 3:** Consultation Process
- d. **Chapter 4:** First Statutory Consultation
- e. **Chapter 5:** Second Statutory Consultation
- f. **Chapter 6:** Ongoing Engagement
- g. **Chapter 7:** Consultation under EIA Regulations
- h. **Chapter 8:** Conclusions and Next Steps

9.1.2 A range of appendices that support the report are described below:

- a. **Appendix A:** First Statement of Community Consultation (SoCC)
 - i. A.1: First SoCC Consultation Cover Letters
 - ii. A.2: Draft first SoCC
 - iii. A.3: Correspondence with Responsible local authorities re. first SoCC
 - iv. A.4: Final published first SoCC
 - v. A.5: Consultation compliance checklist for first SoCC
- b. **Appendix B:** Second Statement of Community Consultation (SoCC)
 - i. B.1: Second SoCC Consultation Cover Letters
 - ii. B.2: Draft second SoCC
 - iii. B.3: Correspondence with responsible local authorities re. second SoCC
 - iv. B.4: Final published second SoCC
 - v. B.5: Consultation compliance checklist for second SoCC
- c. **Appendix C:** Section 47 Consultation supporting documents – first Statutory Consultation
 - i. C.1: Combined section 47 and 48 notice for first SoCC & Statutory Consultation
 - ii. C.2: Combined section 47 and 48 notice for first SoCC & Statutory Consultation – As published
- d. **Appendix D:** Section 47 Consultation supporting documents – second Statutory Consultation

- i. D.1: Combined section 47 and 48 notice for second SoCC & Statutory Consultation
 - ii. D.2: Combined section 47 and 48 notice for second SoCC & Statutory Consultation – As published
 - iii. D.3: Second combined section 47 and 48 notice for second SoCC & Statutory Consultation
 - iv. D.4: Second combined section 47 and 48 notice for second SoCC & Statutory Consultation – As published
- e. **Appendix E:** List of consultees: first Statutory Consultation
 - i. E.1: List of Consultees
- f. **Appendix F:** List of consultees: second Statutory Consultation
 - i. F.1: List of Consultees
- g. **Appendix G:** Preliminary Environmental Impact Statement (PEIR)
 - i. G.1: PEIR
 - ii. G.2: PEIR Non-Technical Summary
- h. **Appendix H:** First Statutory Consultation
 - i. H.1: Section 42 Consultee Letters (Statutory Consultee & Land Interest)
 - ii. H.2: Correspondence with consultees
 - iii. H.3: Correspondence with non-statutory consultees
 - iv. H.4: Copy & locations of unregistered land posters
 - v. H.5: Project brochure
 - vi. H.6: Consultation events exhibition boards
 - vii. H.7: Consultation feedback form
 - viii. H.8: Feedback form responses
 - ix. H.9: Phone log during first Statutory Consultation
 - x. H.10: Project Consultation website
 - xi. H.11: Virtual Consultation Room
- i. **Appendix I:** Section 46 Notification: first Statutory Consultation
 - i. I.1: Section 46 letter & acknowledgement for first Statutory Consultation
 - ii. I.2: Acknowledgement for first Statutory Consultation
- j. **Appendix J:** PEIR Addendum
 - i. J.1: PEIR Addendum
 - ii. J.2: PEIR Addendum Non-Technical Summary
- k. **Appendix K:** Second Statutory Consultation
 - i. K.1: Section 42 Consultee Letters (Statutory Consultee & Land Interest)

- ii. K.2: Correspondence with consultees
- iii. K.3: Correspondence with non-statutory consultees
- iv. K.4: Copy & locations of unregistered land posters
- v. K.5: Project brochure
- vi. K.6: Consultation events exhibition boards
- vii. K.7: Consultation feedback form
- viii. K.8: Feedback Form responses during first Statutory Consultation
- ix. K.9: Phone log during second Statutory Consultation
- x. K.10: Project consultation website
- I. **Appendix L: Section 46 Notification: second Statutory Consultation**
 - i. L.1: Section 46 letter & acknowledgement for second Statutory Consultation
 - ii. L.2: Acknowledgement for second Statutory Consultation
- m. **Appendix M: Ongoing Engagement**
 - i. M.1: Project Launch Letters
 - ii. M.2: Project Launch Information Leaflet
 - iii. M.3: Project Launch Website
 - iv. M.4: Hazardous Substances Consent Notice
 - v. M.5: Examples of general press coverage
- n. **Appendix N: EIA Regulations Notification**
 - i. N.1: Regulations 8 & 10 Notification Letter
 - ii. N.2: Email submitting Scoping Report
- o. **Appendix O: EIA Regulation Notification Consultation**
 - i. O.1: EIA Regulation 34 Transboundary Screening
 - ii. O.2: EIA Regulation 34 Gazette Notice
 - iii. O.3: EIA Transboundary Screening response from Denmark
- p. **Appendix P: Response tables: First Statutory Consultation**
 - i. P.1: Responses relating to matters not addressed in the ES
 - ii. P.2: Responses relating to matters addressed in the ES
 - iii. P.3: Additional relevant correspondence
- q. **Appendix Q: Response table: Second Statutory Consultation**
 - i. Q.1: Responses relating to matters not addressed in the ES
 - ii. Q.2: Responses relating to matters addressed in the ES
 - iii. Q.3: Additional relevant correspondence

10 Section 6 – Environmental Statement and Environmental Management Plans

- 10.1.1 The Applicant has undertaken an EIA of the Project to consider what significant effects the Project is likely to have on the environment. The **ES [TR030008/APP/6.2/6.3/6.4]** reports the findings of the EIA. The findings of the EIA are also summarised in non-technical language in the **ES Non-Technical Summary [TR030008/APP/6.1]**.
- 10.1.2 The ES also provides general information on the Project including context, description of the Project and its construction, alternatives considered, the consultation process that was part of the EIA and technical information on a range of topics.
- 10.1.3 The **ES [TR030008/APP/6.2]** includes the following chapters:
- a. Chapter 1 – Introduction
 - b. Chapter 2 – The Project
 - c. Chapter 3 – Need and Alternatives
 - d. Chapter 4 – Legislative and Consenting Framework
 - e. Chapter 5 - EIA Process
 - f. Chapter 6 - Air Quality
 - g. Chapter 7 - Noise and Vibration
 - h. Chapter 8 - Nature Conservation (Terrestrial Ecology)
 - i. Chapter 9 - Nature Conservation (Marine Ecology)
 - j. Chapter 10 - Ornithology
 - k. Chapter 11 - Traffic and Transport
 - l. Chapter 12 - Marine Transport and Navigation
 - m. Chapter 13 - Landscape and Visual Impact
 - n. Chapter 14 - Historic Environment (Terrestrial)
 - o. Chapter 15 - Historic Environment (Marine)
 - p. Chapter 16 - Physical Processes
 - q. Chapter 17 - Marine Water and Sediment Quality
 - r. Chapter 18 - Water Use, Water Quality, Coastal Protection, Flood Risk and Drainage
 - s. Chapter 19 – Climate Change
 - t. Chapter 20 – Materials and Waste
 - u. Chapter 21 – Ground Conditions and Land Quality
 - v. Chapter 22 – Major Accidents and Disasters
 - w. Chapter 23 – Socio-Economics

- x. Chapter 24 – Human health and wellbeing
 - y. Chapter 25 – Cumulative and In-Combination Effects
 - z. Chapter 26 – Summary of Likely Significant Effects
- 10.1.4 The ES is accompanied by a series of figures which support the findings of the EIA. These are provided in the **ES Figures [TR030008/APP/6.3]** and are listed below.

Table 10-1 – ES Figures included with the Application

ES Figure Number and Title
ES Figure 1.1 Site Location Plan
ES Figure 2.1 Site and Surrounding Environment
ES Figure 2.2 Site Boundary and Administrative Context
ES Figure 2.3 Work Areas
ES Figure 2.4 Site Boundary Changes between EIA Scoping Report (August 2022) and the Application (September 2023)
ES Figure 2.5 Illustrative Project Layout
ES Figure 2.6 Indicative Project Phasing Plan
ES Figure 2.7 Indicative Area of Capital Dredge
ES Figure 3.1 Water Depths of 7m Below Chart Datum
ES Figure 6.1 Air Quality Study Area
ES Figure 6.2 Construction Air Quality Phase Assessment
ES Figure 6.3 A1 Operational Phase Air Quality Assessment Concentrations and Deposition Rates (MARPOL Tier III)
ES Figure 6.3 A2 Operational Phase Air Quality Assessment Impacts (MARPOL Tier III)
ES Figure 6.3 A3 Operational Phase Air Quality Assessment Concentrations and Deposition Rates (MARPOL Tier II)
ES Figure 6.3 A4 Operational Phase Air Quality Assessment Impacts (MARPOL Tier II)
ES Figure 7.1 Sound Monitoring Locations
ES Figure 9.1 Project subtidal benthic sampling stations
ES Figure 9.2 Internationally and Nationally Designated Conservation Sites
ES Figure 9.3 Spawning and Nursery Grounds of Commercial Fish Species

ES Figure Number and Title
ES Figure 9.4 TrAC fish monitoring stations in the vicinity of the Project
ES Figure 9.5 Annual grey seal pup counts at Donna Nook
ES Figure 9.6 Aerial counts of grey seals at Donna Nook
ES Figure 9.7 Harbour porpoise sightings in the Humber Estuary since 2000
ES Figure 10.1 Monitoring locations of coastal waterbird surveys in the vicinity of the Project
ES Figure 10.2 Internationally and Nationally Designated Conservation Sites
ES Figure 10.3 The 5-year mean peak number of birds in Sector C during different winter months
ES Figure 10.4 The broad distribution of coastal waterbirds in Sector C
ES Figure 10.5 Predicted noise levels during marine piling
ES Figure 10.6 The potential disturbance buffer that has been applied to the assessment
ES Figure 11.1 Study Location
ES Figure 11.2 Local Highway Network Plan
ES Figure 11.3 Public Rights of Way (PRoW) Network
ES Figure 11.4 Traffic Accident Locations
ES Figure 11.5 HGV Routeing to Site
ES Figure 12.1 Project Overview
ES Figure 12.2 Detailed View (Port of Immingham)
ES Figure 12.3 AIS Data Tracks by Type (May 2022)
ES Figure 12.4 AIS Data Tracks - Recreational Activity (12 Months)
ES Figure 12.5 Vessel Densities
ES Figure 13.1 Project Location and Study Area
ES Figure 13.2 Zone of Theoretical Visibility – Bare Earth
ES Figure 13.3 Zone of Theoretical Visibility – Visual Screening
ES Figure 13.4 Landscape Character Areas – National and Regional
ES Figure 13.5 Landscape Character Areas – Local

ES Figure Number and Title
ES Figure 13.6 Designations
ES Figure 13.7 Viewpoint Locations
ES Figure 13.8.1 to 13.8.13 Summer Viewpoint Photography
ES Figure 13.9.1 to 13.9.13 Winter Viewpoint Photography
ES Figure 13.10.1 to 13.10.6 Photomontages
ES Figure 14.1 Location of Designated Heritage Assets
ES Figure 14.2 Non-designated Heritage Assets
ES Figure 14.3 Historic Landscape Character
ES Figure 15.1 Site Location and Study Area
ES Figure 15.2 Palaeogeographic features of archaeological potential
ES Figure 15.3 Palaeogeographic Feature Data Example - 7502
ES Figure 15.4 Seabed features of archaeological potential
ES Figure 15.5 Data Examples of Seabed Features
ES Figure 16.1 Regional setting within wider Humber
ES Figure 16.2 Bathymetric data across Project site
ES Figure 16.3 Current and wave rose for the site from the Project survey data
ES Figure 16.4 Particle Size Distribution ("PSD") across Project site and disposal grounds
ES Figure 16.5 Project scheme elements
ES Figure 16.6 Maximum Suspended Sediment Concentrations ("SSC") and sedimentation from full dredge and disposal volume
ES Figure 16.7 Excess SSC (top) and sedimentation (bottom) at locations up- (left) and down-estuary (right)
ES Figure 16.8 Instantaneous excess SSC (top) and sedimentation (bottom) following discrete disposal events
ES Figure 16.9 Baseline (top) and predicted change (bottom) in peak ebb (left) and flood (right) spring tide
ES Figure 16.10 Timeseries of changes to flows and bed shear stress for sites P1, P2, P3 and P4

ES Figure Number and Title
ES Figure 16.11 Timeseries of changes to flows and bed shear stress for sites P5, P7, P8 and P9
ES Figure 16.12 Timeseries of changes to flows and bed shear stress for sites P6, P10, P11 and P12
ES Figure 16.13 Baseline (top) and predicted change (bottom) in peak ebb (left) and flood (right) spring tide with vessel on-berth
ES Figure 16.14 Predicted difference (to baseline) in bed thickness change over a mean spring neap cycle
ES Figure 16.15 Predicted change to 0.5-yr Hs from northeast (top) and east (bottom)
ES Figure 16.16 Predicted change to 0.5-yr Hs from southeast (top) and to 50-year Hs from northeast (bottom)
ES Figure 16.17 Modelled change in Hs for 50-yr wave event from east (top) and southeast (bottom)
ES Figure 17.1 Water Framework Directive (“WFD”) water bodies
ES Figure 17.2 WFD protected areas
ES Figure 17.3 Water Sampling Locations
ES Figure 18.1 Site Location Plan
ES Figure 18.2 Environment Agency Flood Map for Planning
ES Figure 18.3 Environment Agency Surface Water Flooding
ES Figure 18.4 WFD Water Bodies within ZOI
ES Figure 18.5 WFD Baseline Screening Sampling Locations
ES Figure 21.1 Superficial Geology and Artificial Geology
ES Figure 21.2 Bedrock Geology
ES Figure 21.3 Groundwater Features
ES Figure 21.4 West Site Constraints Plan
ES Figure 21.5 East Site Constraints Plan
ES Figure 21.6 Source Protection Zones
ES Figure 21.7 Agricultural Land Classification
ES Figure 21.8 Previous Ground Investigations

ES Figure Number and Title
ES Figure 23.1 Socio-Economic Economic Receptors within the Site Boundary
ES Figure 23.2 Socio Economic Receptors within 500m of the Site Boundary
ES Figure 23.3 Socio-Economic Receptors within 5km of the Site Boundary (Primary Healthcare)
ES Figure 23.4 Lower Super Output Areas - North East Lincolnshire 001A & North East Lincolnshire 007A
ES Figure 23.5 North East Lincolnshire Local Authority Area
ES Figure 23.6 Access to the Sea Wall
ES Figure 25.1 Cumulative Assessment Long list
ES Figure 25.2 Cumulative Assessment Short list

- 10.1.5 The ES is also accompanied by a series of Appendices which support the findings of the EIA. These are provided in the **ES Appendices [TR030008/APP/6.4]**.

Table 10-2 – ES Appendices included with the Application

ES Appendix Number and Title
ES Appendix 1.A – Scoping Report
ES Appendix 1.B – Scoping Opinion
ES Appendix 1.C – Matters Addressed in Scoping Opinion
ES Appendix 1.D – Statement of Competence
ES Appendix 1.E – Glossary and Abbreviations
ES Appendix 2.A – Waste Hierarchy Assessment
ES Appendix 2.B - Lighting Assessment Report
ES Appendix 2.C – Hydrogen Production Process
ES Appendix 6.A – Construction Phase Assessment Method
ES Appendix 6.B – Operational Phase Assessment Method
ES Appendix 7.A – Baseline Noise Monitoring Information
ES Appendix 7.B – Construction Sound Levels and Assumptions
ES Appendix 7.C – Operational Noise Model Information

ES Appendix Number and Title
ES Appendix 8.A - Ecological Impact Assessment Method
ES Appendix 8.B - Preliminary Ecological Appraisal Report
ES Appendix 8.C - Bat Survey Report
ES Appendix 8.D - Otter and Water Vole Survey Report
ES Appendix 8.E - Great Crested Newt Survey Report
ES Appendix 8.F - Arboricultural Impact Assessment
ES Appendix 9.A – Benthic Survey Report
ES Appendix 9.B - Underwater Noise Assessment
ES Appendix 10.A – Baseline Ornithology Data
ES Appendix 11.A – Traffic Collision Data
ES Appendix 11.B – Traffic and Transport Cumulative Effects Assessment
ES Appendix 12.A - Navigational Risk Assessment
ES Appendix 12.B – Ship Navigation Simulation Survey
ES Appendix 13.A – Landscape and Visual Assessment Methodology
ES Appendix 13.B - Landscape Character Baseline
ES Appendix 14.A – Historic Environment Events Register
ES Appendix 14.B – Heritage Assets Register
ES Appendix 14.C - Archaeology and Cultural Heritage Desk-based Assessment
ES Appendix 14.D - Heritage Standards and Guidance
ES Appendix 14.E - Written Scheme of Investigation for GI Watching Brief, Geoarchaeological Boreholes, Geophysical Survey and Archaeological Trial Trenching
ES Appendix 14.F - Report on Trial Trench Evaluation
ES Appendix 14.G - Report on Geoarchaeological Survey and monitoring of Geotechnical Investigations
ES Appendix 14.H - Report on Geophysical Survey
ES Appendix 15.A – Marine Archaeology Technical Report
ES Appendix 15.B – Archaeological Written Scheme of Investigation

ES Appendix Number and Title
ES Appendix 16.A - Numerical Calibration Report
ES Appendix 16.B - Geophysical Survey Report
ES Appendix 16.C – AWAC Deployment: Hydrodynamic Study
ES Appendix 17.A Water Framework Directive Compliance Assessment
ES Appendix 18.A - Flood Risk Assessment
ES Appendix 18.B - Drainage Strategy
ES Appendix 18.C – Water Quality Sampling 2023
ES Appendix 19.A – Greenhouse Gas (GHG) Assessment
ES Appendix 19.B - Climate Change Resilience (CCR) Assessment
ES Appendix 19.C - In-Combination Climate Change Impact (ICCI) Assessment
ES Appendix 21.A - Agricultural Land Classification Survey Report
ES Appendix 21.B - Phase II Ground Investigation Interpretative Report
ES Appendix 21.C - Outline Remediation Strategy
ES Appendix 25.A – Cumulative Effects Assessment Long List
ES Appendix 25.B - Cumulative Effects Assessment Shortlist
ES Appendix 25.C – Assessment of Cumulative Effects

- 10.1.6 The **Outline Construction Environmental Management Plan [TR030008/APP/6.5]** sets out the controls that will be in place to minimise the impact of the Project during construction of the Project.
- 10.1.7 **The Outline Decommissioning Environmental Management Plan [TR030008/APP/6.6]** sets out the controls that will be in place to minimise the impact of the Project during decommissioning of the Project.
- 10.1.8 The **Outline Construction Traffic Management Plan [TR030008/APP/6.7]** describes the traffic management processes that will be put in place during the operational phase of the Project. This document also contains the Outline Construction Worker Travel Plan at Appendix A which details the travel plans and activities that will be followed for safe and efficient construction phases of the Project.
- 10.1.9 The **Outline Woodland Compensation Strategy [TR030008/APP/6.8]** sets out the strategy to compensate for tree loss from an area protected by a tree preservation order associated with the construction of the Project.

- 10.1.10 The **Outline Landscape and Ecology Management Plan [TR030008/APP/6.9]** provides a framework for delivering on-site landscape and ecology enhancements and the successful establishment and future management of proposed landscape and ecological works associated with the Project.

11 Section 7 – Other Documents

- 11.1.1 A range of additional documents have been submitted by the Applicant to support the Application. These documents are not legally required but are intended to provide useful information on the Project and aid detailed understanding of the Application.
- 11.1.2 The **Planning Statement [TR030008/APP/7.1]** details the Project’s compliance with relevant planning policy framework, at national and local levels, and other matters which the Applicant considers are important and relevant to the Secretary of State’s decision. The document contains the following appendices:
- a. National Policy Statement for Ports accordance table.
 - b. Project accordance with the East Inshore and East Offshore Marine Plan.
 - c. Project accordance with the North East Lincolnshire Local Plan.
 - d. Planning history and land use designations.
 - e. Government documents that support net zero.
 - f. Harbour Improvement Statement.
 - g. Design Evolution.
- 11.1.3 The National Policy Statement for Ports (“NPSfP”) provides the framework for decisions on proposals for new nationally significant port infrastructure and as such, the NPSfP policy accordance table demonstrates where the contents of the NPSfP have been addressed within the DCO Application.
- 11.1.4 A Harbour Improvement Statement has been prepared to support the Application as required by Regulation 6(3) of the APFP Regulations and is included as Appendix F of the Planning Statement.
- 11.1.5 The **Schedule of Mitigation and Monitoring [TR030008/APP/7.2]** sets out the mitigation measures to be delivered for the Project and how they are secured.
- 11.1.6 The **Without Prejudice Shadow Habitats Regulations Assessment (HRA) Derogation Report [TR030008/APP/7.3]** has been prepared on a ‘without prejudice’ basis to the finding of the **Shadow Habitats Regulations Assessment [TR030008/APP/7.6]** of no Adverse Effect on Integrity and the Secretary of State for Transport’s final decision on whether derogation would be required.
- 11.1.7 The **Consents and Agreements Position Statement [TR030008/APP/7.4]** details the Applicant’s approach to obtaining other consents that will be required outside of the DCO to construct and operate the Project, for example, Hazardous Substances Consent from North East Lincolnshire Council.
- 11.1.8 The **Statutory Nuisance Statement [TR030008/APP/7.5]** identifies the matters set out in Section 79 of the Environmental Protection Act 1990 in respect of statutory nuisances and considers whether the Project would engage one or more of those matters. Where any matters may be potentially engaged, this statement sets out its proposals for mitigating or limiting them.

- 11.1.9 To demonstrate the Project's compliance with the Habitat Regulations and document the Habitat Regulations Assessment process that has been undertaken, a **Shadow Habitats Regulations Assessment [TR030008/APP/7.6]** has been included in the Application.
- 11.1.10 The **Utilities Statement [TR030008/APP/7.7]** sets out the existing and new utility requirements for the Project. It also sets out measures that will be taken to divert or protect existing utilities during construction of the Project.
- 11.1.11 The **Equality Impact Assessment [TR030008/APP/7.8]** sets out an equality impact screening and assessment of the Project.
- 11.1.12 The **Sediment Contamination Data [TR030008/APP/7.9]** provides sediment sample analysis data as prescribed in the approved sampling plan in support of marine licence application.
- 11.1.13 The **Sampling Plan [TR030008/APP/7.10]** sets out advice provided by the MMO relating to the required sampling and analysis to support the submission of a marine licence application for a capital dredge.