



# Immingham Green Energy Terminal

TR030008

Volume 7

7.1 Planning Statement

Appendix B – Project Accordance with the East  
Inshore Marine Plan

Planning Act 2008

Regulation 5(2)(p), 5(2)(q) & 6(3)

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

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### 7.1 Planning Statement

## Appendix B – Project accordance with the East Inshore Marine Plan

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<b>Regulation Reference</b>	APFP Regulation 5(2)(p), 5(2)(q) & 6(3)
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## Table of contents

Chapter	Pages
<b>1 Project Accordance with the East Inshore Marine Plan.....</b>	<b>1</b>
Tables	
Table 1: Project Accordance with the East Inshore and East Offshore Marine Plans.....	1

# 1 Project Accordance with the East Inshore Marine Plan

**Table 1: Project Accordance with the East Inshore and East Offshore Marine Plans**

Plan Section	East Marine Plans Vision, Objectives and Policies	Review of Project Accordance/Compliance
<b>Chapter 1: Background and Overview</b>		
<b>Paragraph 7</b>	<p>Applications for development consent for nationally significant infrastructure projects, including offshore renewable energy installations over 100 Megawatts and larger port developments, must be determined in accordance with the Planning Act 2008. Where a relevant National Policy Statement (NPS) has been designated, nationally significant infrastructure project applications must be determined in accordance with the National Policy Statement, subject to certain exceptions, and have regard to the Marine Policy Statement (MPS) and relevant marine plans.</p>	<p>The remainder of this table demonstrates a decision to approve the application would be appropriate, having due regard to the relevant provisions of the Marine Policy Statement and the East Inshore and East Offshore Marine Plans.</p>
<b>Paragraph 24</b>	<p>The Humber estuary, located in the north of the East Inshore Marine Plan area, hosts the United Kingdom’s busiest port cluster, (in 2011), Grimsby and Immingham, handling 12% of the United Kingdom’s traffic, with up to 40,000 ship movements per year. There is a complex mix of industrial, commercial, agricultural and residential uses. The Humber receives large inputs of suspended sediment from the North Sea, the Holderness Coast and from the rivers flowing into the estuary. This material is critical to many of the designated habitats within the estuary such as mudflats and saltmarsh.</p>	<p>Noted that the Marine Plan recognises the complex mix of uses in the Humber Estuary and the importance of the Grimsby and Immingham port cluster to the UK economy. ABP also operate the Ports of Hull and Goole within the Humber Estuary.</p>
<b>Chapter 2:</b>		

Plan Section	East Marine Plans Vision, Objectives and Policies	Review of Project Accordance/Compliance
<b>Vision and Objectives</b>		
<b>Vision</b>	<p>By 2034, sustainable, effective and efficient use of the East Inshore and East Offshore Marine Plan Areas has been achieved, leading to economic development while protecting and enhancing the marine and coastal environment, offering local communities’ new jobs, improved health and well-being. As a result of an integrated approach that respects other sectors and interests, the East marine plan areas are providing a significant contribution, particularly through offshore wind energy projects, to the energy generated in the United Kingdom and to targets on climate change.</p>	<p>The Project will support this vision by providing essential port infrastructure, capacity and resilience to support the growth and changing strategic needs of the energy sector to support decarbonisation within the Humber Industrial Cluster and the Humber Enterprise Zone. The Project will provide capacity to support the import and export of a range of liquid bulk energy products including (i) ammonia (NH<sub>3</sub>) to produce green hydrogen to support the decarbonisation of industrial activities and in particular the heavy transport sector and (ii) carbon dioxide (CO<sub>2</sub>), to facilitate carbon capture and storage, both of which will assist in the UK’s transition towards net zero. This in turn will provide social benefits, particularly in terms of providing opportunities for employment. Further details on the need for and objectives of the Project are included in <b>Chapter 3: Need and Alternatives [TR030008/APP/6.2]</b>. The Applicant will seek to avoid and minimise any adverse impacts and proposes mitigation, and where necessary compensation, to address any impacts that do arise. The proposed development is consistent with and supports the East Marine Plans’ Vision.</p>
<p><b>Objective 1:</b>  <b>To promote the sustainable development of economically productive activities, taking account of spatial requirements of other activities of importance to the East marine plan areas.</b></p>		
<b>Policy EC1</b>	<p>Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.</p>	<p>The Project (marine and landside elements) will help support the sustainable development of economically productive activities by enabling the Port of Immingham to meet the capacity and infrastructure demands emerging from the energy sector. Further details on the socio-economic benefits of the Project (marine and landside elements) are included in <b>Chapter 23: Socio-economics</b></p>

Plan Section	East Marine Plans Vision, Objectives and Policies	Review of Project Accordance/Compliance
		<p><b>[TR030008/APP/6.2]</b> which estimates that construction of the Project alone will contribute a total of £35 million in GVA terms, £24 million of which is predicted to remain within the North East Lincolnshire local authority area. Policy EC1 therefore provides support for approval of the Project.</p>
<p><b>Objective 2:</b>  <b>To support activities that create employment at all skill levels, taking account of the spatial and other requirements of activities in the East marine plan areas.</b></p>		
<p><b>Policy EC2</b></p>	<p>Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas</p>	<p>The Project (marine and landside elements) will support the ongoing and future operation and associated employment at the Port of Immingham. All skill levels will be supported from high-skilled technicians, roles in the supporting logistics chain and administrative and management roles both during construction and operation of the Project (marine and landside elements). Further details on the socio-economic benefits of the Project are included in <b>Chapter 23: Socio-economics [TR030008/APP/6.2]</b> which identifies that the Project as a whole will generate (an average of) 627 net additional jobs across the construction phase and 207 during operation. Policy EC2 therefore supports the approval of the Project.</p>

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<p><b>Objective 3:</b>            To realise sustainably the potential of renewable energy, particularly offshore wind farms, which is likely to be the most significant transformational economic activity over the next 20 years in the East marine plan areas, helping to achieve the United Kingdom’s energy security and carbon reduction objectives.</p>		
<p>The Project is well-positioned to make a significant contribution to net zero by 2027 and supports renewable energy therefore assists in meeting this objective.</p>		
<p><b>Objective 4:</b>            To reduce deprivation and support vibrant, sustainable communities through improving health and social well-being.</p>		
<p><b>Policy SOC1</b></p>	<p>Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.</p>	<p>The Project will not affect access to the marine plan area but will provide health and social well-being benefits through the creation of economic opportunities and employment as identified in <b>Chapter 23: Socio-economics [TR030008/APP/6.2]</b>.             Policy SOC1 therefore supports approval of the Project.</p>
<p><b>Objective 5:</b>            To conserve heritage assets, nationally protected landscapes and ensure that decisions consider the seascape of the local area.</p>		
<p><b>Policy SOC2</b></p>	<p>Proposals that may affect heritage assets should demonstrate, in order of preference:</p> <ul style="list-style-type: none"> <li>a) that they will not compromise or harm elements which contribute to the significance of the heritage asset</li> <li>b) how, if there is compromise or harm to a heritage asset, this will be minimised</li> <li>c) how, where compromise or harm to a heritage asset cannot be minimised it will be mitigated against or</li> </ul>	<p>The Project would not significantly affect any cultural heritage assets. Further information on the impacts of the Project on archaeology and cultural heritage assets is provided in <b>Chapter 14: Historic Environment (Terrestrial) [TR030008/APP/6.2]</b> and <b>Chapter 15: Historic Environment (Marine) [TR030008/APP/6.2]</b>. The Project therefore satisfies Policy SOC2.</p>

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	<p>d) the public benefits for proceeding with the proposal if it is not possible to minimise or mitigate compromise or harm to the heritage asset</p>	
<p><b>Policy SOC3</b></p>	<p>Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference:</p> <p>a) that they will not adversely impact the terrestrial and marine character of an area</p> <p>b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them</p> <p>c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised, they will be mitigated against</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>The nature of the Project is characteristic of the existing and historic uses of the area as a port. Whilst there would be a temporary significant adverse landscape effects to the site and its immediate setting during construction, there are no other significant landscape/seascape effects as set out in <b>Chapter 13: Landscape and Visual Impact [TR030008/APP/6.2]</b>. The Project would not give rise to significant impacts upon the terrestrial or marine cultural heritage character of the area, as detailed in <b>Chapter 14: Historic Environment (Terrestrial) [TR030008/APP/6.2]</b> and <b>Chapter 15: Historic Environment (Marine) [TR030008/APP/6.2]</b>.</p> <p>It is almost inevitable that a nationally significant port infrastructure project such as this will result in some localised adverse landscape effects during construction, and therefore the absence of any permanent adverse impacts on the terrestrial and marine character of the area means that compliance with the first preference of the policy has been demonstrated. Furthermore, the assessment in the ES demonstrates how any adverse impacts on the terrestrial and marine character of the area have been minimised and where necessary mitigated in accordance with the second and third preferences of the policy. It is therefore clear that the Project satisfies Policy SOC3, without the need to demonstrate compliance with the fourth preference of the policy.</p>



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<p><b>Objective 6:</b>  <b>To have a healthy, resilient and adaptable marine ecosystem in the East marine plan areas.</b></p>		
<p><b>Policy ECO1</b></p>	<p>Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation.</p>	<p>Cumulative and /or in-combination effects of the Project are included in <b>Chapter 25: Cumulative and In-Combination Effects [TR030008/APP/6.2]</b> of the <b>ES</b>, the Planning Statement <b>[TR03008/APP/7.1]</b> and the <b>Habitats Regulations Assessment (HRA) [TR030008/APP/7.6]</b>.</p> <p>The assessments submitted in support of the Project allow for compliance with Policy ECO1. For the reasons explained in the Planning Statement at section 7.6, the cumulative and in-combination effects are acceptable.</p>
<p><b>Policy ECO2</b></p>	<p>The risk of release of hazardous substances as a secondary effect due to any increased collision risk should be taken account of in proposals that require an authorisation.</p>	<p>The Project is not considered to result in a significant risk of hazardous substances being released into the marine environment. The risk to individuals and the marine environment from accidental release at the jetty has been assessed and considered to be acceptable. Further details are included in <b>Chapter 22: Major Accidents and Disasters [TR030008/APP/6.2]</b>. Further details on the water and sediment quality effects of the Project and the potential risk of vessel collisions are included in <b>Chapter 17: Marine Water and Sediment Quality [TR030008/APP/6.2]</b> and <b>Chapter 12: Marine Transport and Navigation [TR030008/APP/6.2]</b> and <b>Appendix 12.A: Navigational Risk Assessment [TR030008/APP/6.4]</b>.</p> <p>The Project assessments have taken account of these risks in accordance with Policy ECO2 and show that risks are acceptable.</p>

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<p><b>Objective 7:</b>  <b>To protect, conserve and, where appropriate, recover biodiversity that is in or dependent upon the East marine plan areas.</b></p>		
<p><b>Policy BIO1</b></p>	<p>Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).</p>	<p>The environmental impact assessment undertaken shows that the Project would not result in any significant residual adverse impacts on marine biodiversity, and the <b>Shadow Habitats Regulations Assessment [TR030008/APP/7.6]</b> has concluded no adverse effect on site integrity. Adverse impacts on marine biodiversity have either been avoided and/or minimised and mitigated to acceptable levels.</p>
<p><b>Policy BIO2</b></p>	<p>Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.</p>	<p>It also shows that the Project would not result in any significant adverse effects on terrestrial species in habitats adjacent to the marine area affected, and appropriate mitigation for bats, water vole, otter and breeding birds has been identified.</p> <p>There is a significant moderate adverse residual effect on terrestrial habitat adjacent to the marine area affected due to the permanent loss of approximately 0.64 ha of UK Priority Deciduous Woodland/ Long Established Woodland within Long Strip woodland. The permanent loss of woodland of this age and structure would only be compensated over the medium to long term. Adverse impacts on the woodland have been minimised through redesign and avoidance of a Veteran ash tree and an <b>Outline Woodland Compensation Strategy</b> developed <b>[TR03008/APP/6.8]</b>. This sets out a range of proposed measures to compensate for the permanent loss of woodland in Long Strip. The strategy will be secured by a Requirement of the DCO.</p> <p>Further details on the terrestrial ecology effects of the Project are included in <b>Chapter 8: Nature Conservation (Terrestrial) [TR030008/APP/6/2]</b>, the <b>Shadow Habitats Regulations Assessment [TR030008/APP/7.6]</b> and in <b>Appendices 8.B:</b></p>

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		<p><b>Preliminary Ecological Appraisal Report, 8.C: Bat Survey Report, 8.D: Water Vole and Otter Survey Report and 8.E: Great Crested Newt Report [TR030008/APP/6.4].</b></p> <p>Further details on the nature conservation and marine ecology effects of the Project are included in <b>Chapter 9: Nature Conservation (Marine) [TR030008/APP/6.2]</b>, the <b>Shadow Habitats Regulations Assessment [TR030008/APP/7.6]</b> and in <b>Appendices 9.A: Benthic Surveys Summary Report and 9.B: Underwater Noise Assessment [TR030008/APP/6.4].</b></p> <p>Further details on ornithology effects of the Project are included in <b>Chapter 10: Ornithology [TR030008/APP/6.2]</b> and the <b>HRA [TR030008/APP/7.6].</b></p> <p>There are limited opportunities to deliver ecological enhancement in an operational area subject to security and safety considerations, however, some areas of land within the red line boundary have been identified as suitable for landscape planting/ biodiversity enhancement. The <b>Outline Landscape and Ecology Management Plan [TR030008/APP/6.9]</b> sets out a strategy for the establishment and future management of proposed landscape and ecological works associated with the Project. It sets out the short and longer-term measures and practices that will be implemented to establish, monitor and manage the areas of new planting. Approval and implementation of the final measures would be secured by Requirement 10 of the <b>draft DCO [TR030008/APP/2.1].</b></p> <p>The project assessments have covered biodiversity and enhancements as appropriate. There are also no geological features affected, therefore the Project is considered to conform to Policies BIO1 and BIO2.</p>

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<p><b>Objective 8:</b>  <b>To support the objectives of Marine Protected Areas (and other designated sites around the coast that overlap, or are adjacent to the East marine plan areas), individually and as part of an ecologically coherent network.</b></p>		
<p><b>Policy MPA1</b></p>	<p>Any impacts on the overall Marine Protected Area network must be taken account of in strategic level measures and assessments, with due regard given to any current agreed advice on an ecologically coherent network.</p>	<p>The Project would not result in an adverse effect on integrity (AEOI) on any European/Ramsar sites either alone or in-combination with other activities, plans or projects as demonstrated by the assessment in the <b>Shadow Habitats Regulations Assessment [TR030008/APP/7.6]</b>. In addition, there is considered to be no significant risk that the Project will affect any Marine Conservation Zone (“MCZ”) interest features, given the nearest MCZ is the Holderness Inshore MCZ which is located approximately 20km away from the proposed development as shown in <b>Chapter 9: Nature Conservation (Marine) [TR030008/APP/6.2]</b>.</p> <p>Overall, the Project does not engage Policy MPA1. Should the secretary of State conclude that there would be an adverse effect on site integrity then appropriate compensation will be provided.</p>
<p><b>Objective 9:</b>  <b>To facilitate action on climate change adaptation and mitigation in the East marine plan areas.</b></p>		
<p><b>Policy CC1</b></p>	<p>Proposals should take account of:</p> <ul style="list-style-type: none"> <li>• how they may be impacted upon by, and respond to, climate change over their lifetime and</li> <li>• how they may impact upon any climate change adaptation measures elsewhere during their lifetime</li> </ul>	<p>CC1</p> <p>Consideration of the impact of the Project on climate change and the effects of climate change on the proposed development are included in <b>Chapter 19: Climate Change and Chapter 18: Water Quality, Coastal Protection, Flood Risk and Drainage</b></p>

Plan Section	East Marine Plans Vision, Objectives and Policies	Review of Project Accordance/Compliance
	Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.	
<p><b>Policy CC2</b></p>	<p>Proposals for development should minimise emissions of greenhouse gases as far as is appropriate. Mitigation measures will also be encouraged where emissions remain following minimising steps. Consideration should also be given to emissions from other activities or users affected by the proposal.</p>	<p><b>[TR030008/APP/6.2]</b> and in <b>Appendix 18.A: Flood Risk Assessment (FRA) [TR030008/APP/6.4]</b> and <b>Appendix 19.B: Climate Change Risk Assessment [TR030008/APP/6.4]</b> of the ES. These detail how the Project will be impacted by climate change, how the Project mitigates any significant risks related to climate change and how this would reduce impacts. Overall climate impacts are not significant. The Project accords with Policy CC1.</p> <p>CC2</p> <p>Emissions during construction and operation of the Project will not be expected to affect the UK’s ability to meet its carbon reduction targets. Mitigation measures to minimise and mitigate the impacts of greenhouse gases emissions on climate change from the Project and embedded adaptation measures to minimise effects of climate change are section in Section 19.7 of <b>Chapter 19: Climate Change [TR030008/APP/6.2]</b>.</p> <p>When considering the Project’s greenhouse gas emissions, consideration has also been given to the greenhouse gas emissions displacement resulting from the Project (the use of low carbon hydrogen) and the wider context of its role in helping to meet the UK’s target to achieve net zero emissions by 2050. This gives consideration to emissions from wider activities and users affected by the proposal, where the Project has a significant beneficial impact. The Project is anticipated to produce 300 MW of green hydrogen, once fully operational at full capacity, the equivalent of up to 9.5 billion MJ per annum. Depending on market demand, it is estimated that this will meet up to 3% of Government’s hydrogen production capacity target. Based on these assumptions and if all the hydrogen produced was used to fuel HGVs, the hydrogen produced by the Project could reduce annual emissions of CO<sub>2</sub> associated with HGV truck movements by up to 704,634 tonnes per</p>

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		<p>year from 2030 as a result of fuel switching from diesel to hydrogen.</p> <p>Further consideration of the impact of the Project on climate change and the effects of climate change on the proposed development are included in <b>Chapter 19: Climate Change [TR030008/APP/6.2]</b>. The Project accords with policy CC2.</p>
<p><b>Objective 10:</b>  <b>To ensure integration with other plans, and in the regulation and management of key activities and issues, in the East marine plans, and adjacent areas.</b></p>		
<p><b>Policy GOV1</b></p>	<p>Appropriate provision should be made for infrastructure on land which supports activities in the marine area and <i>vice versa</i>.</p>	<p>The Project includes proposals for new and improved infrastructure – both on land and in the marine area – which supports activities in the marine area and <i>vice versa</i>.</p>
<p><b>Policy GOV2</b></p>	<p>Opportunities for co-existence should be maximised wherever possible.</p>	<p>The Project itself is a form of co-existence as it comprises of a port-related use within a wider area already used for such purposes. The Project will not result in displacement of other existing or authorised activities, and nor would it have any other significant adverse effects on other marine activities or port users. The impacts on existing uses are explained in <b>Chapter 23: Socio-economics [TR030008/APP/6.2]</b>, which in turn draws upon the conclusions reached in other assessment chapters, such as <b>Chapter 12: Marine Transport and Navigation [TR030008/APP/6.2]</b>.</p>
<p><b>Policy GOV3</b></p>	<p>Proposals should demonstrate in order of preference:</p> <ul style="list-style-type: none"> <li>a) that they will avoid displacement of other existing or authorised (but yet to be implemented) activities</li> <li>b) how, if there are adverse impacts resulting in displacement by the proposal, they will minimise them</li> <li>c) how, if the adverse impacts resulting in displacement by the proposal, cannot be minimised, they will be mitigated against or</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts of displacement</li> </ul>	<p>The Project includes proposals for new and improved infrastructure – both on land and in the marine area – which supports activities in the marine area and <i>vice versa</i>.</p> <p>The Project itself is a form of co-existence as it comprises of a port-related use within a wider area already used for such purposes. The Project will not result in displacement of other existing or authorised activities, and nor would it have any other significant adverse effects on other marine activities or port users. The impacts on existing uses are explained in <b>Chapter 23: Socio-economics [TR030008/APP/6.2]</b>, which in turn draws upon the conclusions reached in other assessment chapters, such as <b>Chapter 12: Marine Transport and Navigation [TR030008/APP/6.2]</b>.</p>

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<b>Policy DEF1</b>	Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.	The Project does not lie within, nor affect, any Ministry of Defence (“MOD”) Danger or Exercise Area. Therefore, this policy is not relevant to the consideration of the Project. The MOD has been consulted on the proposals during two rounds of statutory consultation as outlined in the Project <b>Consultation Report [TR030008/APP/5.1]</b> .
<b>Policy OG1</b>	Proposals within areas with existing oil and gas production should not be authorised except where compatibility with oil and gas production and infrastructure can be satisfactorily demonstrated.	The Project does not lie within an existing oil or gas production area. The Applicant has demonstrated through <b>Chapter 23: Socio-economics [TR030008/APP/6.2]</b> and <b>Chapter 12: Marine Transport and Navigation [TR030008/APP/6.2]</b> that the Project would be compatible with the operation of the adjacent Associated Petroleum Terminal and other liquid bulk transfer and storage facilities in the wider Port area.
<b>Policy PS1</b>	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance should not be authorised in International Maritime Organization designated routes.	The Project does not require static sea surface infrastructure, nor will it reduce under-keel clearance in International Maritime Organization designated routes.
<b>Policy PS2</b>	Proposals that require static sea surface infrastructure that encroaches upon important navigation routes (see Figure 18) should not be authorised unless there are exceptional circumstances. Proposals should: a) be compatible with the need to maintain space for safe navigation, avoiding adverse economic impact b) anticipate and provide for future safe navigational requirements where evidence and/or stakeholder input allows and	The Project does not require static sea surface infrastructure that will encroach on important navigation routes. The Project has been designed such that it does not encroach on important navigational routes with the design confirmed through a detailed navigation risk assessment <b>Appendix 12.A [TR030008/APP/6.4]</b> and marine transport and navigation assessment within <b>Chapter 12: Marine Transport and Navigation [TR030008/APP/6.2]</b> . These assessments conclude that there are no residual significant effects on navigation.  The Project complies with Policy PS2.

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	c) account for impacts upon navigation in-combination with other existing and proposed activities	
<b>Policy PS3</b>	<p>Proposals should demonstrate, in order of preference:</p> <p>a) that they will not interfere with current activity and future opportunity for expansion of ports and harbours</p> <p>b) how, if the proposal may interfere with current activity and future opportunities for expansion, they will minimise this</p> <p>c) how, if the interference cannot be minimised, it will be mitigated</p> <p>d) the case for proceeding if it is not possible to minimise or mitigate the interference.</p>	<p>The <b>Planning Statement [TR030008/APP/7.1]</b> outlines the iterative design development process undertaken to address the key opportunities and constraints of the Site and surrounding context. <b>Appendix G</b> of the <b>Planning Statement [TR030008/APP/7.1]</b> sets out how the design of the Project has evolved taking account of the process of environmental assessment, comments made during two rounds of statutory consultation and ongoing engagement and stakeholder input from statutory environmental bodies and North East Lincolnshire Council.</p> <p><b>Chapter 23: Socio-economics [TR030008/APP/6.2]</b> demonstrates how the impacts of the Project on current port activity will be minimised to an acceptable level.</p> <p><b>Chapter 12: Marine Transport and Navigation [TR030008/APP/6.2]</b> in particular presents an assessment of the potential significant effects of the Project on commercial and recreational navigation.</p> <p>It concludes that, following the application of mitigation measures all of the potential impacts on commercial and recreational navigation that have been identified can be concluded as being not significant in EIA terms.</p> <p>Accordingly, the assessment demonstrates that the Project will not interfere with current activity and future opportunity for expansion of ports and harbours, and therefore meets the first preference set by Policy PS3.</p>
<b>Policy DD1</b>	Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference	The Project is not within or adjacent to a licensed dredging or disposal area, nor will it adversely affect any such area, noting that



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	<p>a) that they will not adversely impact dredging and disposal activities</p> <p>b) how, if there are adverse impacts on dredging and disposal, they will minimise these</p> <p>c) how, if the adverse impacts cannot be minimised they will be mitigated</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.</p>	<p>this Project includes both dredging and disposal and as such the effects arising from these activities have been fully assessed in <b>Chapter 9: Nature Conservation (Marine) [TR030008/APP/6.2]</b>.</p> <p>The Project is not within or adjacent to a licensed dredging or disposal area therefore does not engage Policy DD1.</p>
<p><b>Policy FISH1</b></p>	<p>Policy FISH1</p> <p>Within areas of fishing activity, proposals should demonstrate in order of preference:</p> <p>a) that they will not prevent fishing activities on, or access to, fishing grounds</p> <p>b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts.</p>	<p><b>Chapter 9: Nature Conservation (Marine) [TR030008/APP/6.2]</b> identifies that there are no commercial fishing grounds around the Project and that impacts to commercial fishing grounds are scoped out of the assessment. The chapter considers the potential impacts of the Project on marine ecology including fish. <b>Section 9.8 of Chapter 9</b> summarises the impacts of the Project during construction and operation on fish and concludes that, with the application of mitigation measures to limit underwater noise impacts, the impacts are insignificant to minor in EIA terms.</p> <p>The Project is not within areas of fishing activity therefore does not engage Policy FISH1.</p>
<p><b>Policy FISH2</b></p>	<p>Proposals should demonstrate, in order of preference:</p> <p>a) that they will not have an adverse impact upon spawning and nursery areas and any associated habitat</p>	<p>See response to Policy FISH1 above. Section 9.8 of <b>Chapter 9: Nature Conservation (Marine) [TR030008/APP/6.2]</b> assesses effects on nursery grounds and considers the potential impacts of the Project on benthic habitats and species and arrives at the same conclusion of insignificant to minor impacts when mitigation measures are taken into account. That mitigation includes</p>

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	<p>b) how, if there are adverse impacts upon the spawning and nursery areas and any associated habitat, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised they will be mitigated</p> <p>d) the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts.</p>	<p>restrictions on piling and marine construction works which are secured through the <b>draft DCO [TR030008/APP/2.1]</b>.</p> <p>Accordingly, the assessment demonstrates that the Project will not result in significant adverse impacts and therefore meets the third preference set by Policy FISH2.</p>
<p><b>Policy TR1</b></p>	<p>Proposals for development should demonstrate that during construction and operation, in order of preference:</p> <p>a) they will not adversely impact tourism and recreation activities</p> <p>b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>The Project is located within an existing working port area and will have no significant adverse impacts on recreation or tourism activities – as explained further in <b>Chapter 23: Socio-economics [TR030008/APP/6.2]</b> which in turn draws upon the assessment contained within other ES chapters such as <b>Chapter 12: Marine Transport and Navigation [TR030008/APP/6.2]</b>. That chapter confirms that, taking into account the effects of mitigation measures proposed as part of the Project and secured through the DCO, impacts on recreational navigation are insignificant.</p> <p>Accordingly, the assessment demonstrates that the Project will not result in significant adverse impacts and therefore meets the third preference set by Policy TR1.</p>
<p><b>Policy TR2</b></p>	<p>Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference:</p> <p>a) that they will not adversely impact on recreational boating routes</p> <p>b) how, if there are adverse impacts on recreational boating routes, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p>	<p>See response to Policy TR1 above.</p>

Immingham Green Energy Terminal  
Planning Statement – Appendix B Project Accordance with the East Inshore Marine Plan

Plan Section	East Marine Plans Vision, Objectives and Policies	Review of Project Accordance/Compliance
	d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts	
<p><b>Objective 11:</b> To continue to develop the marine evidence base to support implementation, monitoring and review of the East marine plans.</p>		
<p>No specific polices are identified in the plan for this objective. However, the Project will not hinder in any way the achievement of this objective.</p>		