



Immingham Green Energy Terminal

TR030008

Volume 7

7.1 Planning Statement

Appendix F – Harbour Improvement Statement

Planning Act 2008

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

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

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Infrastructure Planning

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The Infrastructure Planning
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Immingham Green Energy Terminal Development Consent Order 2023

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1 Harbour Improvement Statement

1.1 Regulation 6(3) of the APFP Regulations

1.1.1 This appendix to the Planning Statement addresses the requirements of Regulation 5(2)(p) and Regulation 6(3) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the “APFP Regulations”) (Ref 1-1) in relation to the submission of additional information in support of the development consent order (“DCO”) application where the Nationally Significant Infrastructure Project (“NSIP”) relates to works to a harbour facility (in this case the Port of Immingham. (hereafter referred to as ‘the Port’)).

1.1.2 Regulation 5 of the APFP Regulations sets out what must be submitted as part of the DCO Application. Regulation 5(2)(p) requires that the application must be accompanied by any of the documents prescribed by regulation 6 which are relevant to the particular project.

1.1.3 Regulation 6(3) of the APFP Regulations relates to applications for the construction or alteration of harbour facilities and states that:

“If the application is for the construction or alteration of harbour facilities, it must be accompanied by a statement setting out why the making of the order is desirable in the interests of—

(a) securing the improvement, maintenance or management of the harbour in an efficient and economical manner; or

(b) facilitating the efficient and economic transport of goods or passengers by sea or in the interests of the recreational use of seagoing ships.”

1.1.4 This appendix to the Planning Statement provides a concise statement in accordance with the requirements of both Regulation 6(3)(a) and 6(3)(b) and sets out why the making of the DCO is desirable in the interests of securing the improvement of the harbour (in this case the Port) and desirable for facilitating the efficient and economic transport of goods. This appendix is therefore focused specifically on the benefits referred to in regulation 6(3) and does not consider the wider benefits/effects of the Project which are addressed in Chapter 5 of the **Planning Statement [TR030008/APP/7.1]** and other application documentation such as the **Environmental Statement [TR030008/APP/6.2/6.3/6.4]**.

1.1.5 This appendix should be read alongside the main section of the **Planning Statement [TR030008/APP/7.1]** which draws upon the wider body of evidence presented in the DCO application and provides a summary of the evidence that demonstrates why the making of the DCO is desirable in the interests of the matters set out in both regulation 6(3)(a) and 6(3)(b).

1.2 The Port of Immingham Statutory Harbour Authority

- 1.2.1 For the purposes of the Project, the relevant harbour to be considered in respect of Regulation 6(3) is the Port of Immingham Statutory Harbour Authority (“SHA”) area (i.e. the Port). There is no fixed boundary delineating the extent of the Port. This is because, as the Port has grown with the construction of new in-river berths and jetties as authorised by Local Acts and Statutory Orders, the boundary of the Port has been extended to encompass the new in-river infrastructure so as to ensure that Associated British Ports, as the SHA for the Port (as opposed to the SHA for the Humber Estuary, which is Humber Estuary Services) has full regulatory control over vessel movements and navigational safety within the waters adjacent to the Port.
- 1.2.2 The Port, covers, in general terms, that part of the Humber Estuary that immediately fronts the port estate and encompasses all of the existing Port marine infrastructure.
- 1.2.3 The Port can trace its origins back to the Humber Commercial Railway and Dock Act 1904 (Ref 1-2), which authorised the construction of a dock near the settlement of Immingham where the deep-water channel moves close into the south bank of the Humber Estuary. Over the following decades various other Orders and Acts have resulted in the expansion of the Port and in ABP becoming the SHA. Section 47 of the 1904 Act provides that the Port of Immingham SHA area effectively consists of *“the works and conveniences constructed ... And a distance of 200 yards riverwards from every or any part thereof”*.
- 1.2.4 As explained in the Planning Statement, the area in which the new jetty is to be constructed lies to the east of the existing limits of the Port of Immingham SHA and therefore falls outside the existing Port of Immingham SHA boundary but within the SHA limits for the Humber Estuary. Articles 42 and 43 of the **draft development consent order (“draft DCO”) [TR030008/APP/2.1]** provide for the extension of the harbour limits of the Port of Immingham SHA within which the dock master for the Port may exercise his powers under various enactments to a distance of 186 metres in every direction within the UK marine area from the edge of Work No. 1 as described in Schedule One of the **draft DCO [TR030008/APP/2.1]**.
- ## 1.3 Why the making of the DCO is desirable in the interests of securing the improvement of the Port of Immingham Statutory Harbour in an efficient and economical manner (APFP Regulation 6(3)(a))
- 1.3.1 The construction of the Project would improve the Port by providing it with new additional purpose-built modern infrastructure that is sustainable and able to service the long-term import and export of liquid bulks in an extended harbour, including ammonia and carbon dioxide, which are crucial to the achievement of climate change objectives, as well as other liquid bulk products.
- 1.3.2 In summary, the improvements to the Port generated by the Project would:
- Provide appropriate facilities to meet the current and future needs of ABP customers for the import and export of liquid bulks providing flexibility for the Port to respond to changes in market demands and remain economic.

- b. Provide an additional deep-water berth at the Port which is able to accommodate varying sizes of vessels for importing and exporting liquid bulks (initially ammonia but including carbon dioxide) including the largest gas carrying vessels that are used to transport ammonia and carbon dioxide over long distances at sea thereby increasing capacity of the Port and delivering long term economic growth for the Port.
 - c. Enable the Port to respond to changing needs in energy supplies (as required in paragraph 3.1.5 of the National Policy Statement for Ports (“NPSfP”) (Ref 1-3)) and to service the changing energy requirements at the Humber where it is urgently needed, including the provision of capacity for future cargoes in relation to carbon capture and storage to support decarbonisation and respond to climate change policy
 - d. the improvement of the resilience of the existing port infrastructure at both a national and local Humber Estuary level (as per para 3.5.1 of the NPSfP) by providing additional in river berthing capacity and increasing the range of facilities available for the import and handling of liquid bulks within the Port, thereby broadening the range of handling facilities on the Humber.
 - e. Make effective use of allocated land, mostly owned by ABP, in close proximity to the Port, to deliver the Project extending the operational port.
 - f. Enable ABP to deliver and operate new port infrastructure in a safe, efficient and sustainable manner by making effective use water, transport and utility connections which exist in and around the Port.
 - g. The proposed design and layout of the Project would enable the import of liquid bulk cargo across the new berth in an efficient, effective and economic manner ensuring that the Port remains competitive (a key objective of the NPSfP) and able to meet the needs of its existing and prospective customers in a timely manner.
 - h. Encourage new investment in and around the Port including development and installation of modern technologies.
 - i. Provide the opportunity for existing Port customers to utilise the hydrogen produced at the hydrogen production facility.
- 1.3.3 The improvements that would be delivered by the Project would not rely upon external funding and would be delivered in a way that does not generate any likely significant adverse environmental effects that cannot be mitigated or compensated in an efficient, effective and ultimately acceptable manner.
- 1.4 Why the making of the DCO is desirable in the interests of facilitating the efficient and economic transport of goods and passengers by sea (APFP Regulation 6(3)(b))
- 1.4.1 The fundamental purpose of the Project is to facilitate the transport of goods, in this case liquid bulk products, to and from the Port by sea.

- 1.4.2 The Project will also facilitate the production of green hydrogen through the construction and operation of the associated hydrogen production facility. The construction of the jetty will facilitate the efficient and economic transport of ammonia by sea for the production of the green hydrogen. The construction of the processing facility as part of the same Project directly adjacent to the jetty will enable the processing of that ammonia to produce green hydrogen and its onward transfer for use directly from the processing facility (delivered as part of the Project). Thus the jetty and the production facility play an essential role in facilitating the efficient and economic transport of goods by sea. The NPSfP recognises the importance of shipping in the movement of freight and bulk commodities setting out that shipping will continue to provide the only effective way to move the vast majority of freight in and out of the UK (paragraph 3.1.4). The Project does not facilitate the transport of passengers.
- 1.4.3 The Project would facilitate the efficient and economic transport of goods in the following ways:
- a. #the provision of additional port capacity in a location where it is needed to meet, at least in part, demand for future liquid bulk capacity at both a national and local Humber Estuary level increasing the range of facilities provided in accordance with paragraph 3.5.1 of the NPSfP to *“offer a sufficiently wide range of facilities at a variety of locations to match existing and expected trade, ship call and inland distribution patterns and to facilitate and encourage coastal shipping”*.
 - b. The provision of berth capacity for a range of vessel sizes, thereby not restricting opportunities for future liquid bulk cargoes to utilise the terminal.
 - c. The provision of landside infrastructure in close proximity to the proposed jetty, to reduce the extent of liquid bulk handling to facilitate the efficient and economic transport of ammonia for the production of green hydrogen.
 - d. The provision of suitable landside storage and processing areas in a form and layout able to operate in an efficient, effective and economic manner for the processing of ammonia into green hydrogen and in a location where it is required; and
 - e. Enabling the transport of liquid bulk products including ammonia and carbon dioxide that would contribute to the achievement of objectives set out in national and local energy and carbon policy.

2 References

- Ref 1-1 The Stationery Office Limited (2009). The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
- Ref 1-2 The Stationery Office Limited (1904). Humber Commercial Railway and Dock Act 1904
- Ref 1-3 Department for Transport (2012). The National Policy Statement for Ports.