

The Examining Authority
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: AN/2023/134941/01-L01
Your ref: TR030008
Date: 1 December 2023

(submitted via the online portal only)

Dear Sir/Madam

Application from Associated British Ports for the Immingham Green Energy Terminal (“IGET”) Development Consent Order (“DCO”) at the Port of Immingham, North East Lincolnshire

1.0 The Environment Agency’s Role

- 1.1 The Environment Agency is an executive non-departmental public body, established under the Environment Act 1995.
- 1.2 We were established to bring together responsibilities for protecting and improving the environment and to contribute to sustainable development. We take an integrated approach in which we consider all elements of the environment when we plan and carry out our work. This allows us to advise on the best environmental options and solutions, taking into account the different impacts on water, land, air, resources and energy.
- 1.3 We help prevent hundreds of millions of pounds worth of damage from flooding. Our work helps to support a greener economy by protecting and improving the natural environment for beneficial uses, working with businesses to reduce waste and save money, and helping to ensure that the UK economy is ready to cope with climate change. We will facilitate, as appropriate, the development of low carbon sources of energy ensuring people and the environment are properly protected.
- 1.4 We have three main roles:
- We are an **environmental regulator** – we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on businesses. We issue a range of permits and consents.

- We are an **environmental operator** – we are a national organisation that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability.
 - We are an **environmental adviser** – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making.
- 1.5 The Environment Agency takes action to conserve and secure the proper use of water resources, preserve and improve the quality of rivers, estuaries and coastal waters and groundwaters through pollution control powers and regulating discharge permits.
- 1.6 We have regulatory powers in respect of waste management and remediation of contaminated land designated as special sites. We also encourage the remediation of land contamination through the planning process.
- 1.7 The Environment Agency is the principal flood risk management operating authority. It has the power (but not the legal obligation) to manage flood risk from designated main rivers and the sea. The Environment Agency is also responsible for increasing public awareness of flood risk, flood forecasting and warning and has a general supervisory duty for flood risk management. We also have a strategic overview role for all flood and coastal erosion risk management.
- 2.0 Scope of these Representations**
- 2.1 These Relevant Representations contain an overview of the project issues which fall within our remit. They are given without prejudice to any future detailed representations that we may make throughout the examination process. We may also have further representations to make if supplementary information becomes available in relation to the project.
- 2.2 We have reviewed the Development Consent Order (DCO) application, Environmental Statement (ES) and supporting documents submitted as part of the above-mentioned application, following notification of its acceptance on 25 October 2023. Our comments below are presented using the document references and ES Chapter headings relevant to our remit.
- 3.0 2.1 Draft Development Consent Order [[APP-006](#)]**
- 3.1 **Article 3: Application, disapplication and modification of legislative provisions** – the Environment Agency has not been consulted on text for the Protective Provisions that have been included in the draft DCO. These provisions are not in a format that is acceptable to us and therefore we do not currently agree to the disapplication of Regulation 12 (the requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016(c) in respect of flood risk activities. We will work with the Applicant to try and agree on a form of Protective Provisions that is acceptable during the examination.
- 3.2 **Article 18: Discharge of Water** - we request that this Article includes two additional clauses, similar to those included in the Immingham Eastern RoRo

Terminal draft DCO, in respect of the Habrough Marsh Drain outfall. These should read:

- (i) The Undertaker must monitor the path of the Habrough Marsh Drain outfall channel and report to the Board annually for a period of 10 years whether any substantial changes to the path of the Habrough Marsh Drain outfall channel have occurred as a result of the authorised development, such monitoring to be based on appropriate methods.
- (ii) The Undertaker must monitor the path of the Stallingborough North Beck outfall channel and report to the Environment Agency annually for a period of 10 years whether any substantial changes to the flow and/or path of the Stallingborough North Beck outfall channel have occurred as a result of the authorised development, such monitoring to be based on appropriate methods.

3.3 These additional clauses are required to secure monitoring to ascertain if the proposed development has a negative impact on the function of these outfalls over time. In addition to this, it will be necessary for us to secure an appropriate mechanism under the DCO to agree on remediation works to clear any obstruction resulting from the authorised development and the timescales within which this needs to be carried out. We will discuss this with the Applicant as part of our negotiations for the Protective Provisions but reserve the right to request an additional Requirement within the DCO regarding this, if necessary.

3.4 **Schedule 2**

Interpretation 1: “commence” – the definition of commence seeks to exclude the ‘*remedial work in respect of any contamination*’ from being a material operation. Including this phrase in the interpretation is at odds with Requirement 15, which seeks to prevent such remedial work from commencing until an appropriate contamination remediation strategy has been submitted to, and approved by, the relevant planning authority. Accordingly, we request that ‘*remedial work in respect of any contamination*’ be deleted from this interpretation.

3.5 **Requirement 6: Construction environmental management plan**

The Environment Agency believes there is an error in the drafting of this requirement as the MMO (Marine Management Organisation) does not have a remit outside of the UK marine area, and therefore would not be an appropriate consultee for this Requirement. The appropriate consultee to Work No. 1 outside of the UK marine area will be the Environment Agency due to its remit with respect to flood risk management and the water environment. Accordingly, we request that we are included as the consultee to Requirement 6(1) for Work No. 1.

3.6 **Requirement 13: Flood risk assessment**

Requirement 13 only requires the project ‘*outside of the UK marine area*’ to be carried out in accordance with the flood risk assessment (FRA) – UK marine area has the meaning given to it in section 42 of the Marine and Coastal Access Act 2009. The wording of this requirement limits the implementation of the FRA to the landward side of mean high water springs, which is not acceptable as many of the works discussed in this FRA will take place within the UK marine area. In addition, we are of the view that the project should be in full (not general) accordance with the approved FRA and the tailpiece should be deleted. We

request the words '*outside of the UK marine area*', '*general*' and '*unless otherwise approved by the relevant planning authority*' be deleted from this requirement.

3.7 Requirement 15: Contaminated land

We are satisfied that Requirement 15 is sufficient to manage the risks from contamination at the site, in so far as it relates to controlled waters, providing the phrase '*remedial work in respect of any contamination*' is deleted from the interpretation section as requested in paragraph 3.4 above. We welcome our inclusion as a specific consultee to the discharge of Requirement 15.

3.8 Requirement 18: Decommissioning Environmental Management Plan

The Environment Agency requests its inclusion as a specific consultee to the discharge of the Requirement for all issues within its remit.

3.9 Schedule 3: DEEMED MARINE LICENCE

Condition 8: Construction environmental management plan – We welcome our inclusion as a consultee to this condition, which will allow us to comment on matters within our remit.

3.10 Schedule 8: Part 1: Temporary Restriction or Alteration, etc. of the Use of Streets or Public Rights of Way

Part 1: TEMPORARY PROHIBITION OR RESTRICTION OF THE USE OR DIVERSION OF STREETS OR PUBLIC RIGHTS OF WAY

The temporary diversion of Bridleway Number 36, (as previously consulted on during the Section 42 consultation as change No. 7), took the bridleway close to the flood defence assets on Stallingborough North Beck – it is not clear from the submitted plans if this is still the intention. Appropriate mitigation measures should be put in place to ensure that no access can be gained to the flood defence. We would require a 1m buffer from the landward toe to enable maintenance to be carried out on the flood defence, therefore any fencing constructed should be 1m away from the landward toe of the flood defence. Details of these mitigation measures need to be provided. Any use of motor vehicles on the bridleway should also not gain access to the flood defence assets on Stallingborough North Beck, similar mitigation of fencing off 1m away from the landward toe is required and should ensure access is restricted.

3.11 It was also previously stated that the temporary Public Rights of Way diversion may mean that a temporary bridge could be needed over the channel behind the sea wall. We would welcome conversations about this structure as part of our continuing engagement with the Applicant.

3.12 Schedule 14, Part 2: Protective Provisions for the Environment Agency

As mentioned in paragraph 3.1 above, we have not been consulted on text for the Protective Provisions that have been included in the draft DCO. These provisions are not in a format that is acceptable to us. However, we will work with the Applicant during the examination to try to reach an agreement on acceptable wording and update the Examining Authority on progress in due course.

3.13 Schedule 17: Procedure regarding certain approvals etc.

Article 63: – Further information and consultation

The Environment Agency is of the view that the provisions in this article will not provide sufficient time for adequate consultation to take place for the discharge of

Requirements. In particular, Condition 3(3) requires the discharging authority to notify the Applicant in writing of any further information it needs within 10 business days of receipt of the application. This would not provide sufficient time for the discharging authority to request a consultee's comments or for the consultee to adequately consider and respond to the consultation request.

3.14 The Environment Agency requests that this is amended to 20 business days to provide sufficient consultation timescales that align with those in the Development Management Procedure Order 2015, i.e. 21 days (equivalent to 15 business days) in addition to the 5 business days allocated for the relevant discharging authority to issue the consultation.

3.15 We also request that the term 'business days' is included in Condition 1 (Interpretation) for this Schedule as meaning a day other than a Saturday or Sunday, Good Friday, Christmas Day or a bank holiday in England and Wales under section 1 of the banking and Financial Dealings Act 1971.

3.16 We note that the Applicant's justification for including these procedural requirements takes the form of wording that mirrors that of a number of recently made DCOs, particularly Schedule 12 of the Riverside Energy Park Order 2020. However, the practical application of the 10 business day timescale will not facilitate adequate consultation.

4.0 3.1 Book of Reference [APP-008]

4.1 The Environment Agency is listed as a Category 2 person with respect to the sea wall for various plots. We are currently in discussion with the Applicant regarding the reconstruction, future ownership, operation and maintenance of the flood defence that will be impacted by this project. We will require the Applicant to enter into a bespoke legal agreement to ensure that the proposed works will be carried out in a way that ensures an appropriate level of flood protection is maintained both now and into the future. We will provide updates on our progress with this during the examination period. However, until this matter is resolved to our satisfaction, we object to the application as it does not pass the flood risk exception test, as set out in paragraph 5.2.16 of the National Policy Statement for Ports (January 2012). In particular, without such an agreement being in place there is the potential for the project to increase flood risk elsewhere, if the defence is not constructed and maintained to the required standard.

5.0 Chapter 6: Air Quality [APP-048]

5.1 We have undertaken a high-level review of this chapter, which appears satisfactory for planning purposes. The assessment appears to assess the risk in line with Environment Agency guidance and relevant methodologies. Please note that we have not undertaken a detailed review of the air quality modelling as the proposed hydrogen production facility will require an operating permit – the Applicant has identified this as falling under Schedule 1, Part 2, Section 4.2, Part A(1)(a)(i) of the Environmental Permitting Regulations 2016. A detailed review of air quality modelling will be undertaken when we determine the permit application to operate the site. To date, we have not received a permit application for this proposal, but the Applicant has been engaged in pre-application discussions with our National Permitting Service.

6.0 Chapter 8: Nature Conservation (Terrestrial Ecology) [APP-050]

6.1 Unfortunately, we have been unable to undertake a review of this chapter and its

related appendices due to limited staff resources in this field of expertise. We will endeavor to review this chapter during the course of the examination, but we are unable to offer any comments at this time.

7.0 Chapter 9: Nature Conservation (Marine Ecology) [APP-051]

7.1 We have reviewed the assessment contained in this chapter, together with the relevant figures and Appendix 9.A for issues within our remit (marine ecology and fish receptors) and consider these are satisfactory.

7.2 Please note that due to resource issues we have not been able to review the assessment in respect of noise impacts on migratory fish (Appendix 9.B, Underwater Noise Assessment) and defer to any views provided by the MMO on this topic. We understand that the MMO is to provide comments in respect of the proposed time restrictions included in the deemed Marine Licence (dML) for percussive piling, which are relevant for the protection of migratory salmon.

8.0 Chapter 16: Physical Processes [APP-058]

8.1 We have reviewed this chapter and are generally satisfied with the assessment and conclusions carried out with respect to physical processes. The modelling of wave patterns and sediment transport has been carried out and the assessment presented in Section 16.8 appears to show a change in flow speeds adjacent to the flood defences. There appears to be no assessment of the impact of these changes on the accretion or erosion of the toe of the flood defences. We would like to see an assessment made of these impacts.

9.0 Chapter 17: Marine Water and Sediment Quality [APP-059]

9.1 We have reviewed this chapter and have no comments on it, other than those connected to Appendix 17.A outlined below.

9.2 Appendix 17.A: Water Framework Directive Compliance Assessment [APP-209]

We have reviewed the Water Framework Directive (WFD) assessment and request additional information/clarification in respect of Section 3.4 (Water Quality), which refers to 'intermittent' timescales over which water quality might be affected. The assessment does not explain what is meant by this term. The concerns from a WFD point of view are different if we are considering, for example, 2 days per year, versus 10 days per month.

10.0 Chapter 18: Water Use, Water Quality, Coastal Protection, Flood Risk and Drainage [APP-060]

10.1 We have reviewed this chapter and have the following comments to make on it. Page 18-35 Table 18-1: this consultation summary table states that the Environment Agency no longer requires a 1m buffer for maintenance. This is incorrect as we do not require a buffer for the sea defence, but we will still need the buffer for the fluvial defences at Stallingborough for the duration of the Bridleway diversion.

10.2 Paragraph 18.6.1 references the Humber Flood Risk Management Strategy as 18-35 – this appears to be a typo as the Strategy is reference 18-30.

10.3 Paragraph 18.6.30 refers to 'The initial draft Humber Flood Risk Management Strategy (2021 – 2027)'. This paragraph should actually be referring to the Humber River Basin District Flood Risk Management Plan 2021-2027. We would also point out that the 'improvements to the Humber Estuary modelling' are

ongoing as part of the developing Humber 2100+ project – they have not yet been completed.

- 10.4 Paragraph 18.6.50 considers the potential for fluvial flooding at the site and uses the North East Lincolnshire Preliminary Flood Risk Assessment to provide some indication of fluvial flood zones, suggesting the site is located in Flood Zone 1. This is not entirely correct as there is a small area of fluvial flood risk adjacent to the Stallingborough North Beck (also referred to as the North Beck Drain), which impacts the Work No. 9 area.
- 10.5 Table 18-11: Importance of Receptors - this states that the North Beck Drain is ‘a *non-WFD surface waterbody with limited...biodiversity*’. This is incorrect and elsewhere it is shown that the North Beck Drain is a high certainty chalk river, part of CaBA catchment 40, Lincolnshire Chalk Streams. Chalk rivers are listed as Priority Habitat under the UK Biodiversity Action Plan. The North Beck Drain (unique WFD waterbody identifier GB104029067575) is designated as a Heavily Modified waterbody due to its uses for Flood Protection, Land Drainage and Urbanisation. It was classified as Moderate (2019).
- 10.6 18.7.6 Water Use: Non-potable Water – we note the project is estimated to require approximately 3,640m³/day of non-potable water to support the hydrogen production facility. The Environment Agency recently carried out work to explore the needs of industry and the impacts on the water environment of proposed technologies for carbon capture, storage, and hydrogen production in the net zero industrial clusters. The Humber Industrial Cluster was chosen for a pathfinder project and the results of this showed that water resources need to be recognised as a limiting factor.
- 10.7 Paragraph 18.7.8 records that “*Agreement has been reached in principle with Anglian Water for the provision of non-potable water to the required standards suitable for use in the site cooling towers for the hydrogen production facility*”. We are pleased to see that the Applicant is working closely with Anglian Water on this issue, and we are aware that the latter has incorporated proposals to include 60 mega litres per day of additional water supply in its draft Water Resource Management Plan (WRMP) for net zero transition projects. However, this still needs to be approved and the final determination on this is unlikely to be known until December 2024.
- 10.8 In terms of potable water, the operational project will also require a limited potable water supply for offices, welfare facilities etc.
- 10.9 Accordingly, if additional information is not forthcoming during the examination period to confirm how the additional water supply will be secured, we request that an appropriate Requirement is included in Schedule 2 to secure that no development commences until a scheme to demonstrate that an adequate supply can be provided, without causing an impact on the water environment. We will work with the Applicant and Anglian Water Services on the wording of such a Requirement if this is needed.
- 10.10 The North Beck Drain was discussed with the Applicant during the pre-application consultation when it was pointed out there was a potential for this project to make future river restoration of the chalk stretch upstream of the development more difficult. It was suggested that the Applicant’s consultants consider whether some Biodiversity Net Gain could be provided as mitigation for

this potential impact. However, we are disappointed to see that although mandatory biodiversity net gain is not required for this project, only opportunities within the limits of the operational site boundaries have been considered.

- 10.11 Paragraph 18.8.49 refers to temporary uncontrolled discharges to Stallingborough North Beck. This issue has not been previously discussed and we would need further detail on these discharges and volumes and method of discharge. Also see comments in respect of Appendix 18.B: Drainage Strategy below.
- 10.12 Paragraph 18.8.74 – we would point out that there is no ‘Hold the Line’ management policy in the Humber Flood Risk Management Plan. Instead, the most appropriate Flood Risk Area Measure in the Immingham, Humber (Risk of Flooding from Rivers and Sea) Flood Risk Area that could be referred to is – *“Between 2021 and 2027, the Environment Agency will progress the Halton Marshes Phase 2 flood alleviation scheme taking an adaptive approach in Immingham to provide appropriate flood resilience to existing port development in line with predicted sea level rise in the Immingham, Humber Flood Risk Area.”*
- 10.13 The reference to the Shoreline Management Plan (SMP) is correct, as per Section 9.1.32 in the SMP, *“This management intent will be achieved through a Hold the Line policy in all epochs. Defences will prevent erosion and will be maintained and upgraded to continue the present standard of protection against flooding despite sea level rise.”*
- 10.14 Paragraphs 18.8.87-8 (*Changes to flow regimes and/or water levels*) refer to areas of land raising falling outside of the main river extent. However, no assessment appears to have been made as to the impact on the local drainage systems from the land raising.
- 10.15 Paragraph 18.8.97 (*Changes in Tidal Regime*) states that the development has the potential to change the rates of erosion and/ or accretion on the foreshore in proximity to the flood defences over the operation of the project. We would like to see further assessment of this in the Physical Processes Chapter (as mentioned in paragraph 8.1 above). Any impacts on the existing flood defences will need to be mitigated by the undertaker, rather than during the Environment Agency maintenance programme.
- 10.16 **Appendix 18.A: Flood Risk Assessment [APP-210]**
We have reviewed the FRA, which we have found to contain some inaccuracies, which are highlighted below. Additional information on some aspect of flood risk is also requested, as outlined below.
- 10.17 Paragraph 1.2.2 appears to attribute the site’s Flood Zone 3a designation as being *“due to the presence of flood defences along the Port of Immingham and estuary frontage”*. For clarity, it should be noted that the Flood Zones do not take into account the presence of defences and represent the undefended scenario.
- 10.18 Paragraph 2.7.6 contains an inaccurate reference to the *‘Humber Flood Risk Management Strategy (2021 – 2027)’* – this should read *‘Humber River Basin District Flood Risk Management Plan 2021 to 2027’*. Also see paragraph 10.3 above in respect of the Humber Estuary modelling being ongoing, as opposed to having been completed.

- 10.19 Paragraphs 3.3.10 to 3.3.12 contain out of date information. The current position is that: In parallel with ongoing investment on the ground, the Humber 2100+ partnership, made up of 11 local authorities and the Environment Agency, is working together to safeguard the future of the Humber in the face of climate change, setting the direction for the next 100 years.
- 10.20 To help manage an uncertain future, plans to manage tidal risk will need to be able to adapt and flex to a whole range of challenges that lie ahead. The partnership is working together to understand both current and future risks including the impacts of sea level rise, before agreeing on what different approaches will be needed to manage that risk and this will lead to the development of a plan for adaptation.
- 10.21 Paragraph 4.4.16 states that "*Flood levels within the Temporary Construction Area (Work No. 9) and surrounding land from a fluvial defence breach scenario, equalling those contained within Table 14, are unlikely to occur due to the spread of the fluvial volume across the wider flood plain. So, flood levels within the Temporary Construction Area and surrounding land due to a fluvial defence breach would be lower than those presented within Table 14*". We do not agree with this statement as the proximity of Work No. 9 to the embankments of the Stallingborough North Beck is such that there would be limited spreading of the fluvial flood water over the floodplain during any initial flooding. When the temporary work area (Work No. 9) is in use, it is recommended that this is considered. Also, this needs to be considered when drafting the emergency plan, particularly in respect of a place for the safety of the people using the area.
- 10.22 Paragraph 5.4.5 focuses on the predominant risk from fluvial and tidal sources (the West Site is not within an area of risk from these sources). However, the site may be at risk from local ordinary watercourses for which other risk management authorities, such as the Lead Local Flood Authority or Internal Drainage Board, have responsibility. The FRA should assess the impacts of land raising on the displacement of flood water from non-main river sources and whether any floodplain compensatory storage is required. The FRA has currently only assessed the floodplain compensation from main river flooding.
- 10.23 Section 6.6 – Place of Safe Refuge: we support the use of areas of safe refuge and note that the number of areas being provided has been increased from the preliminary proposal. This will provide more and safer options for employees. However, it is still worth noting that the flood refuge areas would only serve the buildings themselves and the immediate vicinity. The occupants of the rest of the site could have to get through deep flood water to reach the areas, which could pose a risk to life.
- 10.24 Section 6.7 – Flood Warning and Emergency Plan: it should be noted that we do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. However, we would provide advice on the level of flood risk to an area, should the relevant planning authority request it.
- 10.25 Throughout the FRA it states that the site will be shut down on receipt of a Tidal Flood Warning. We support the intention to shut down the facility during periods when there are flood warnings in place. We also welcome the fact that the site

can be shut down in situ and remotely. However, paragraph 6.7.4 states that “*the Site will only be evacuated when it is really necessary*”, which seems to contradict the plans outlined elsewhere in the FRA. We would request that any future flood emergency response plan makes it very clear what procedures will be followed and what the specific triggers and actions will be.

10.26 Paragraph 6.9.7 states that “*contingency measures will be put in place, as necessary, for the construction of the proposed the ramps and new section of flood defence to ensure the continuity of the flood defence throughout the works*”. This is welcomed and we look forward to reviewing these measures in due course.

10.27 Appendix 18.B: Drainage Strategy [APP-211]

We request further information and consultation on the water discharge into the Stallingborough North Beck. The drainage strategy (and paragraph 18.8.49 of Chapter 18) indicates that there will be “*uncontrolled discharges to North Beck Drain*”. This will not be acceptable as this main river is currently up to capacity and we are unlikely to permit any increase in flow to it.

10.28 The plan on page 25 (ref: 0673509-ACM-XX-XX-0001) shows the ditch that runs behind the sea defence discharging into the Stallingborough North Beck. We believe this ditch discharges directly into the Humber via an outfall. We are not aware of who owns and operates the outfall and therefore we cannot comment on its condition and levels of siltation.

11.0 Chapter 20: Materials and Waste [APP-062]

11.1 We have reviewed this chapter together with Appendix 2.A (Waste Hierarchy Assessment) [APP-172] and we have no comments to make on these.

12.0 Chapter 21: Ground Conditions and Land Quality [APP-063]

12.1 We have reviewed Chapter 21 and the associated Appendices 21.B Phase II Ground Investigation Interpretative Report and 21.C Outline Remediation Strategy. Based on the findings of the site investigations undertaken to date, potential controlled waters pollution risks have been identified. We agree with the recommendations of the Interpretative Report that further groundwater monitoring is recommended to fully characterise groundwater conditions below the site. Based on the findings of the additional groundwater monitoring, further risk assessment, site investigation and/or remediation may be required. We are satisfied that Requirement 15 in Schedule 2 of the draft DCO is sufficient to manage the risks from contamination at the site, in so far as it relates to controlled waters.

13.0 Chapter 22: Major Accidents and Disasters [APP-064]

13.1 This chapter discusses the potential domino effect with nearby COMAH sites. For information, we would highlight that several other sites (in the table below) in the locality hold an Environmental Permit but do not fall under COMAH and may be impacted by major accidents at the site, leading to escalating consequences.

Permit number for current application	Operator name	Grid Reference of site entrance	Primary activity	Activity description
PP3339YQ	UK Power Reserve Limited	TA19621474	1.1 A(1) a)	Combustion; any fuel =>50MW
VP3032EZ	UK Power	TA20291472	1.1 A(1) a)	Combustion; any fuel

	Reserve Limited			=>50MW
PP3830BV	Integrated Waste Management Limited	TA20071410	5.2 A(1) a)	Waste landfilling; >10 t/d with capacity >25,000t excluding inert waste
BP3739QT	North Beck Energy Limited	TA20721464	5.1 A(1) b)	Incineration of Non-Hazardous Waste 5.1 A(1) b)
RP3131QY	Immingham Power Limited	TA20641487	25B (3)(1)(a)	Tranche B SG permitting date 1st January 2019
EB3002XK	Fbm Metals (UK) Limited	TA20681424	5.3 A(1) a) (ii)	Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment
JP3531PD	Knauf (UK) GmbH	TA19531508	1.1 A(1) a)	Combustion; any fuel =>50MW

14.0 Chapter 25: Cumulative and In-Combination Effects [APP-067]

14.1 We have reviewed Chapter 25 together with Figures 25.1 and 25.2 and we have no comments to make on these.

15.0 6.6 Outline Construction Environmental Management Plan [APP-222]

15.1 We are satisfied that this plan outlines all the relevant and necessary environmental protection measures (relevant to our remit) that will be implemented. We look forward to reviewing the final plan secured via Requirement 6 in due course.

15.2 We welcome the acknowledgement on page 55 that within Work Area 9, no temporary buildings, plant or materials will be located within the area of the fluvial floodplain or within 8m from the landward toe of the fluvial flood defence, whichever is further. A note to this effect should also be included in Section 4.2 of the Soil Management Plan to ensure floodplain storage and flood flows are not impacted.

16.0 6.7 Outline Decommissioning Environmental Management Plan [APP223]

16.1 We have reviewed the contents of this plan, which are satisfactory and request that we be included as a specific consultee to Requirement 18 (as mentioned in paragraph 3.8 above) to enable us to review and comment on any final plan.

17.0 6.9 Outline Landscape and Ecology Management Plan [APP-226]

17.1 As per paragraph 6.1 above, we have been unable to review this document at the current time and will provide comments at a later date if possible.

18.0 7.2 Schedule of Mitigation and Monitoring [APP-235]

18.1 We have reviewed the contents of this schedule and have no comments to make on it at the current time.

19.0 7.4 Consents and Agreements Position Statement [APP-237]

19.1 We have reviewed this statement and concur with the identification of possible permits that will be required from the Environment Agency for the construction and operation of the development.

20.0 Further representations

20.1 In summary, we can confirm that we have no objection to the principle of the proposed development, as submitted. The issues and holding objection outlined above are capable of resolution and we look forward to receiving additional

information to resolve our outstanding concerns. We will also continue to work with the Applicant to agree the wording of the Protective Provisions and the required legal agreement in respect of the future operation and maintenance of the flood defence.

20.2 We reserve the right to add or amend these representations, including requests for DCO Requirements and Protective Provisions should further information be forthcoming during the examination on issues within our remit.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me at the number below.

Yours sincerely

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