

Date: 13 March 2024

Our ref: 462330

Your ref: TR030008



Summary of Natural England's Written Representations (dated 13 March 2024) in respect of Immingham Green Energy Terminal

Natural England's advice is that, in relation to identified nature conservation issues within its remit, there is no fundamental reason of principle why the project should not be permitted. However, Natural England considers that the applicant has provided insufficient evidence and is not yet satisfied that the following issues have been resolved:

- **Internationally Designated Sites**
 - Lighting effects on coastal waterbirds (construction and operation phase) ('amber')
 - In-combination assessment at screening stage (construction and operation phase) ('amber')
 - Direct loss of qualifying intertidal habitat (construction phase) ('amber')
 - Effects of airborne noise and visual disturbance to birds during construction (construction phase) ('amber')
 - Airborne noise and visual disturbance to birds during construction – Programming of works (construction phase) ('amber')
 - Airborne noise and visual disturbance to birds during construction – Proposed mitigation (construction phase) ('amber')
 - Air quality impacts from traffic (construction and operation phase) ('amber')
 - Air quality impacts from marine vessels (construction phase) ('amber')
 - Air quality impacts – saltmarsh critical load (operation phase) ('amber')
 - Air quality impacts – marine vessels (operation phase) ('amber')
 - Consideration of combined effects (construction phase) ('amber')
 - In-combination assessment at appropriate assessment stage general comments (construction and operation phase) ('amber')
 - Cumulative underwater noise disturbance and barrier effects to grey seal (construction and operation phase) ('amber')
 - In-combination assessment – visual and noise disturbance to SPA birds (construction phase) ('amber')
 - Air quality – in combination assessment ('amber')
 - HRA – conclusions ('amber')
 - HRA – cumulative assessment (construction and operation phase) ('amber')
- **Nationally Designated Sites**
 - In-combination air quality impacts from traffic for Hatfield Chase Ditches SSSI (construction phase) ('amber')

Natural England has also noted a number of 'yellow' issues. We would ideally like these to be addressed, but we are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision-making process.

- **Internationally Designated Sites**

- Underwater noise and vibration during marine piling on qualifying species of marine mammals (construction phase) ('yellow')
- Introduction of non-native species during operation (operation phase) ('yellow')
- Air quality impacts – overall comments ('yellow')
- Chapter 10 Ornithology – Assessed sensitivity of ornithology receptors ('yellow')

We welcome the further information provided by the applicant since submission of our Relevant Representations (RR-019) (dated 04 December 2023) and consider that the following issues have now been resolved, subject to the completion of agreed revisions to the Habitats Regulations Assessment (HRA) for internationally designated sites issues, and subject always to the appropriate requirements being adequately secured for all relevant issues:

- **Internationally Designated Sites**

- Direct loss of qualifying subtidal habitat (construction phase) ('green')
- Assessment of SPA qualifying features (construction and operation phase) ('green')
- Changes to waterbird foraging and roosting habitat as a result of the presence of marine infrastructure during operation (operation phase) ('green')
- Comment on benthic assessment (construction phase) ('green')
- Changes to qualifying habitats as a result of the removal of seabed material during maintenance dredging (operation phase) ('green')
- Effects of airborne noise and visual disturbance to birds during operation (operation phase) ('green')
- Underwater noise and vibration during marine piling on qualifying species of fish (construction phase) ('green')
- In-combination assessment – underwater noise and vibration during marine piling on qualifying species of marine mammals (construction phase) ('green')

- **Soils and Best and Most Versatile Agricultural Land**

- ALC survey coverage ('green')
- ALC survey report comments ('green')
- Sustainable soil management ('green')

Please refer to Natural England's Written Representations (dated 13 March 2024) for detailed advice and response to the Examining Authority's (ExA's) first written questions.