



# Immingham Green Energy Terminal

9.44 Applicant's Comments on D1 Submissions from Polynt  
Composites

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# 1. Introduction

## Overview

- 1.1 This document has been prepared to accompany an application made to the Secretary of State for Transport (the “Application”) under Section 37 of the Planning Act 2008 (“PA 2008”) for a Development Consent Order (“DCO”) to authorise the construction and operation of the proposed Immingham Green Energy Terminal (“the Project”).
- 1.2 The Application is submitted by Associated British Ports (“the Applicant”). The Applicant was established in 1981 following the privatisation of the British Transport Docks Board. The **Funding Statement [APP-010]** provides further information.
- 1.3 The Project as proposed by the Applicant falls within the definition of a Nationally Significant Infrastructure Project (“NSIP”) as set out in Sections 14(1)(j), 24(2) and 24(3)(c) of the PA 2008.

## The Project

- 1.4 The Applicant is seeking to construct, operate and maintain the Project, comprising a new multi-user liquid bulk green energy terminal located on the eastern side of the Port of Immingham (the “Port”).
- 1.5 The Project includes the construction and operation of a green hydrogen production facility, which would be delivered and operated by Air Products (BR) Limited (“Air Products”). Air Products will be the first customer of the new terminal, whereby green ammonia will be imported via the jetty and converted on-site into green hydrogen, making a positive contribution to the United Kingdom’s (“UK’s”) net zero agenda by helping to decarbonise the UK’s industrial activities and in particular the heavy transport sector.
- 1.6 A detailed description of the Project is included in **Environmental Statement (“ES”) Chapter 2: The Project [APP-044]**.

## Purpose and Structure of this Document

- 1.7 This document provides the Applicant’s response to the Written Representation submitted by Polynt Composites (“Polynt”) at Deadline 1.
- 1.8 It is noted that the content of the Written Representation from Polynt reflects the representations made by Polynt in response to the first round of Statutory Consultation in February 2023. A response to those representations was subsequently provided to Polynt by Air Products. The responses given below are aligned with the response previously given (**Consultation Report [APP-022], Table 32**).
- 1.9 The Applicant is in regular and ongoing communication with Polynt, most recently at a meeting on 19 March 2024, to progress an agreement for the lease of the land required for Work No. 9.

## 1. Applicant's Comments on the Written Representation from Polynt Composites

### Key Concerns – Duration of Land Requirement

#### Response

As stated in the Applicant's Response to Written Question Q1.13.3.1 **[REP1-034]**, it is anticipated that the Laporte Road Temporary Construction Area (Work No. 9) will be required for three years, the duration of the construction of Phase 1 of the Project.

### Key Concerns – Alternatives

#### Response

Details of alternative construction compound locations are addressed in the Applicant's Response to Written Question Q1.13.3.6 **[REP1-034]**. In relation to the Laporte Road Temporary Construction Area (Work No. 9) in particular, key factors for the choice of location include the proximity of that land to the construction works comprised in the jetty (Work No. 1), the jetty access road (Work No. 2) and the East Site (Work Nos. 3, 4 and 5). It is also proposed to take temporary possession of neighbouring land, not owned by Polynt but also forming part of Work No. 9, for the same purposes.

The assessment of alternatives for the hydrogen production facility is addressed in **ES Chapter 3: Needs and Alternatives [APP-045]** and in the **Applicant's Responses to the Examining Authority's First Written Questions** (Q1.2.3.1 Segregating Sites) **[REP1-023]**.

### Key Concerns – Traffic and Transport Impacts

#### Response

The Project will not generate material traffic movements on the Kiln Lane/Hobson Way approach to the Polynt facility. The impact on Laporte Road, Queens Road and Kings Road is demonstrated in **Tables 11-25 and 11-26** of **ES Chapter 11: Traffic & Transport [APP-053]** to be negligible and not significant. During operation, the change in flows on these routes will be very small. Whilst the change in flows will be slightly higher during construction, they will remain within the likely daily variations in flows. The Project will not have a material impact on highway operation or safety during peak hours. The details of traffic impact during the construction and operational phases are set out below with reference to **ES Chapter 11 [APP-053]** and the **Outline Construction Traffic Management Plan [REP1-006]**.

#### Operational Traffic

As set out in **Paragraph 11.8.40** of **ES Chapter 11: Traffic & Transport [APP-053]**, once fully constructed and operational (all phases), the Project is expected to generate 96 Heavy Goods Vehicle (“HGV”) movements (two-way) per day relating to the export of liquid hydrogen via road tanker. These HGV movements will be from Work No. 7 (West Site) only, with HGVs entering the West Site from Kings Road and exiting onto the A1173, and will therefore have no effect on Laporte Road or Queens Road. The impact on the wider network generally will be *de minimis* with less than four HGV movements per hour. This has been agreed with the Local Highway Authority.

The parts of the facility located off Laporte Road (Work Nos. 2, 3 and 5) will only give rise to occasional operator and maintenance vehicles during operation, and therefore the impact on Laporte Road and Queens Road will be minimal.

#### Construction

In terms of construction traffic, **Table 6** of the **Outline Construction Traffic Management Plan [REP1-006]** confirms that only 59 HGVs per day (less than six per hour) are forecast to use Laporte Road and therefore the Queens Road/Laporte Road junction. In addition, it is forecast to accommodate 447 construction worker movements per day (**Table A-2** in **Appendix A** of the **Outline Construction Traffic Management Plan**). Peak hour flows will be less than 70 vehicles. These will predominantly be movements from Queens Road (S) to Laporte Road (W) or vice versa and will therefore have no impact on queuing inbound to the Port.

Furthermore, the quoted figures are at the peak of construction during Phase 1 (see **Table 2-10** of **ES Chapter 2: The Project [APP-044]**) and therefore limited in duration.

### **Key Concerns – Traffic Past Polynt Works**

## Response

As confirmed above there will not be a significant increase in HGVs using Laporte Road and passing the Polynt plant access during construction (or indeed during operation).

As set out in the **Outline Construction Traffic Management Plan [REP1-006]**, the HGV route to the Project will be via the A1173, Kings Road, Queens Road and Laporte Road. HGV access to the Project via Kiln Lane and Laporte Road will not be allowed in normal circumstances. As such, HGVs would not pass the Polynt works or have any material impact on the safety or operation of HGVs turning right into Polynt.

As discussed above, construction traffic serving the West Site (Work No. 7), which represents the significant proportion of the construction traffic, will access that part of the site directly via the A1173 and Kings Road and so would not impact on the Laporte Road/Queens Road junction.

## Key Concerns – Use of the Port

### Response

The import of materials through the Port is addressed in the Applicant's response to Written Question Q1.13.1.6 **[REP1-034]**.

## Key Concerns – Ground Investigation Work

### Response

As outlined in the Applicant's response to Written Question Q1.13.3.2 **[REP1-034]**, an option agreement for the grant of a lease of the relevant land is being negotiated with Polynt. The draft of that agreement in circulation contains requirements for Air Products to undertake a schedule of condition and a baseline environmental survey before taking occupation of the land. Air Products' yield up obligations under the lease(s) granted pursuant to the option agreements being negotiated will be linked to the surveys undertaken.

Measures to manage potential runoff during construction and to mitigate the risk of accidental release of contaminants will be undertaken in all areas of the Project (Work Nos. 1 to 10). Those measures are set out in the **Outline Construction Environmental Management Plan [REP1-006]** with which the Final Construction Environmental Management Plans, submitted pursuant to **Requirement 6 of Schedule 2 of the dDCO [REP1-016]**, must accord.

### Key Concerns – Waste Management

#### Response

Work No. 9 will be used for the storage of materials and equipment prior to their installation and for car parking. The only waste generated in Work No. 9 would be packaging materials for any equipment temporarily stored there. Work No. 9 will not be used for storage of waste materials generated in other parts of the Project.

Waste management is addressed in **ES Chapter 20: Materials and Waste [APP-062]**. The Project will aim to prioritise waste prevention, followed by preparing for re-use, recycling, recovery and, lastly, waste disposal to landfill as per the waste hierarchy. In addition, an **Outline Site Waste Management Plan** forms **Appendix A** of the **Outline Construction Environmental Management Plan [APP-221]**. The **Outline Site Waste Management Plan** has been developed as a guide to those involved in the construction of the Project on how to manage resources and waste, in accordance with best practice requirements.

### Key Concerns – Flood Risk Assessment

#### Response

A full **Flood Risk Assessment (“FRA”) [APP-209]** has been submitted with the DCO Application, and **Requirement 13 of Schedule 2** of the **dDCO [REP1-016]** requires compliance with that FRA. The FRA considers the risk of flooding from all sources to and from the Project over the lifetime of the development in line with the National Policy Statement for Ports and the National Planning Policy Framework. Mitigation measures have been designed, as required, to minimise the risk of flooding and to ensure the development remains safe. The FRA also assesses the impact of the Project on flood risk, particularly to tidal, fluvial and surface water sources.

As outlined in **ES Chapter 18: Water Use, Water Quality, Coastal Protection, Flood Risk and Drainage [APP-060]** and in the **Outline Drainage Strategy [APP-210]**, agreement has been reached with the Internal Drainage Board on the maximum surface water runoff rate from Work Nos. 2, 3, 5 and 7 into the adjacent drainage ditches. For those Work Nos., a combination of permeable gravel beds and/or retention basins will be incorporated into the drainage design such that the required maximum runoff rates are achieved even during the 100-year storm (1% Annual Exceedance Probability) including a 40% climate change event allowance. These rates are the equivalent of the current greenfield/brownfield runoff rates from these areas. As such, the construction of the Project will not increase the risk of fluvial/surface water flooding on surrounding areas.

### Key Concerns – COMAH Hazards

#### Response

The health and wellbeing of all employees in the area is of great importance to the Applicant. **ES Chapter 22: Major Accidents and Disasters [APP-064]** describes and assesses the impacts of operation of the Project as a COMAH regulated facility. Cumulative impacts have been assessed in **ES Chapter 25: Cumulative and In-Combination Effects [APP-067]**. Air Products have applied for hazardous substances consent for the hydrogen production facility and the process for determination of that application considers impacts on the surrounding land users. Air Products has begun engagement, and will continue to engage, with local stakeholders regarding emergency plan arrangements required in connection with COMAH.

### Key Concerns – Risks to Human Health

#### Response



**ES Chapter 24: Human Health and Well-being [APP-066]** assesses the impacts of the Project on changes to air quality and thereby on human health, with reference to the findings of the air quality assessment within **ES Chapter 6: Air Quality [APP-048]**. **ES Chapter 6** also considers the impact of emissions from increased traffic movements and congestion, with reference to relevant guidance published by the Institute of Air Quality Management, National Highways and Defra. In line with that guidance, the assessment focuses on the primary pollutants of concern from such emissions. A key aim of the Project is, of course, to help decarbonise heavy industry including the heavy transport sector.