

# PLANNING ACT 2008 (as amended)

INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)  
RULES 2010

## LOCAL IMPACT REPORT

SUBJECT: Immingham Green Energy Terminal

APPLICANT: Associated British Ports

INTERESTED PARTY:

**NORTH EAST LINCOLNSHIRE  
COUNCIL**

YOUR REF: TR030008

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### 1.0 Introduction

1.1 Following the Rule 6 Letter of the 8<sup>th</sup> January 2024, sent on behalf of the Examining Authority and setting out the examination timetable and procedure, North East Lincolnshire Council (NELC) has given further consideration to the scheme and its implications. As the unitary Local Planning Authority, NELC is host local authority for the terrestrial element of the proposed development.

1.2 The development is detailed as;

i. On the marine side, a terminal for liquid bulks: comprising: A. a jetty (defined by Work No. 1a) including a loading platform, associated dolphins, fenders and walkways, topside infrastructure but not limited to control rooms, marine loading arms, pipe-racks, pipelines and other infrastructure. B. a single berth, with a berthing pocket with a depth of up to 14.5m below chart datum.

ii. Related landside infrastructure including, but not limited to, a jetty access ramp, a flood defence access ramp and works to raise the seawall locally under the jetty access ramp. b. Associated Development on the landside, comprising: i. A corridor between the new jetty and Laporte Road which would support a private road (the 'jetty access road'), pipe-racks, pipelines to enable the ammonia import to the East Site, as well as security gates, a security building, a power distribution building and associated utilities – (Work No. 2).

ii. 'East Site - Ammonia Storage' (Work No. 3) on which an ammonia storage tank and related plant including an ammonia tank flare would be constructed (Work No. 3a) as well as additional buildings (including welfare building, power distribution building and a process instrumentation building), pipe-racks, pipelines, pipes, cable-racks, utilities and other infrastructure.

iii. Construction of a culvert (Work No. 4) under Laporte Road for pipelines, pipes and cables and other conducting media linking the two parts of the East Site.

iv. 'East Site – Hydrogen Production Facility' (Work No. 5) on which up to three hydrogen production units and associated plant including flue gas stacks and flare stacks would be constructed (Work No. 5a) together with additional buildings (including process control building, power distribution buildings, process instrumentation buildings, analyser shelters), piperacks, pipelines, pipes, utilities and other infrastructure.

v. Underground pipelines, pipes, cables and other conducting media (Work No. 6), between the East and West Sites, for the transfer of ammonia, hydrogen, nitrogen and utilities, with cathodic protection against saline corrosion.

vi. 'West Site' (Work No. 7) involving the construction of up to three hydrogen production units with associated flue gas stacks and flare stacks and up to four liquefier units (Work No. 7a and Work No. 7b combined); hydrogen storage tanks, hydrogen trailer filling stations, a hydrogen vent stack and associated process equipment (Work No. 7c); and hydrogen vehicle and trailer filling stations, hydrogen compressors and associated process equipment (Work No. 7d). Also additional buildings (including but not limited to control room and workshop building, security and visitor building,

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contractor building, warehouse, driver administration building, safe haven building, electrical substation and metering station, power distribution buildings, process instrumentation buildings, analyser buildings and additional temporary buildings during construction), process and utility plant including cooling towers and pumps, fire water tank, pipe-racks, pipelines, pipes, cable-racks, utilities and other infrastructure.

vii. Formation of temporary construction and laydown areas on Queens Road (Work No. 8) and off Laporte Road (Work No. 9).

viii. Temporary removal of street furniture and modification of overhead cables on Kings Road (Work No. 10) associated with the transport of large construction components from the Port to the Site.

- 1.3 The documentation relating to this application can be found on the National Infrastructure Planning website via the Immingham Green Energy Terminal project webpage.
- 1.4 There have been on-going discussions with ABP (the applicant) as to possible implications of this development for North East Lincolnshire.
- 1.5 It is important to note that NELC's considerations of the proposed development, in regard to physical presence, lie with the terrestrial elements and the intertidal areas. The marine elements of the development reside with the Marine Management Organisation (MMO). In the intertidal area the ecological impacts are focused around the Humber Estuary designations under SSSI, SPA and RAMSAR. It is considered that the issues surrounding these matters are best considered by Natural England and the MMO. NELC will therefore not offer comment on these matters.
- 1.6 In writing this Local Impact Report regard has been had to the submitted information, in particular the various chapters of the Environmental Statement and the extensive on-going discussions with the applicant through the application process.

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### 2.0 Policy Framework

- 2.1 North East Lincolnshire Local Plan 2013-2032 (NELLP) adopted March 2018 is the development plan for the area.

The relevant policies of the NELLP are:

Policy 1 - Employment land supply

Policy 5 - Development boundaries

Policy 6 – Infrastructure

Policy 7 – Proposed employment areas

Policy 9 – South Humber Bank Mitigation

Policy 8 - Existing employment areas

Policy 22 - Good design in new developments

Policy 31 - Renewable and low carbon infrastructure

Policy 32 - Energy and low carbon living

Policy 33 - Flood risk

Policy 34 - Water management

Policy 36 - Promoting sustainable transport

Policy 38 - Parking

Policy 39 – Conserving and enhancing the historic environment

Policy 41 - Biodiversity and geodiversity

Policy 42 – Landscape

- 2.2 The Planning Statement provided with the DCO application goes into detail of how the proposed development accords with the various strategic and specific Policies of the NELLP.

### 3.0 Site Description and Surroundings

- 3.1 ABP's statutory undertaking at Immingham, the 'statutory port estate', covers some 480 hectares (ha). The majority of the port estate falls within the administrative boundary of North East Lincolnshire Council ("NELC"), although the western part of the Port falls within the administrative boundary of North Lincolnshire Council.

- 3.2 The land within the Order Limits is defined as the 'Site', as portrayed on the Location Plan [TR030008/APP/4.1] and comprises all the land required for the construction and operation of the Project. The Site falls partly within the operational Port of Immingham and immediately adjacent to its south eastern boundary.

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- 3.3 The landside components of the Project lie wholly within the administrative boundaries of NELC, to the east of the Port on the south bank of the Humber Estuary whilst the part of the Project that extends seaward and falls beyond the local authority's boundary, is located in the Humber Estuary which is owned by the Crown Estate. The surrounding area is characterised by industrial uses, alongside agricultural land, with the nearest settlement being Immingham, approximately 460m away from the Project.
- 3.4 The Port lies immediately adjacent to the main deep-water shipping channel which serves the Humber Estuary, thereby enabling access to the Port by some of the largest vessels afloat. The Port is also well located to the road network with access to the M180 and to the M1 via the M18.

### **4.0 Relevant Planning History**

DM/0088/23/HS – Hazardous Substance application for this proposed development – remains under consideration

Immingham Roll on Roll off Terminal – DCO Reference TR030007 – Remains under consideration by the Planning Inspectorate and Secretary of State.

### **5.0 Relevant Issues**

#### **5.1 Issue 1 – Principle of Development**

- 5.1.1 The Local Plan recognises the importance that the Port of Immingham plays as a nationally important port but also the importance of the surrounding infrastructure and industry that supports the port.
- 5.1.2 NELLP through Policies 1, 7 and 8 and the plan allocations seek to promote sustainable economic growth with investment within NE Lincolnshire having a particular focus on certain key areas of activity. The NELLP Policies 7 and 8 recognise the important role of the port, manufacturing and logistics sector in the local economy.
- 5.1.3 The proposal represents a significant investment in the port, manufacturing, chemical and logistics sectors which will support the wider economic growth of the South Humber Bank, linking with growth aspirations for NELC. This is especially the case during the construction period and then for the future supporting services, such as technical support, engineering and servicing. The proposed development represents a significant financial investment in the region and would provide approximately 134

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direct and 142 indirect new jobs. Through the construction phase there would be 1112 construction jobs at the peak of construction.

- 5.1.4 It is therefore considered that the proposed development accords with the principles of the NELLP and would represent a significant investment into the local economy and assist in sustaining the vitality of the port and logistics sector for years to come.

### **5.2 Issue 2 - Character, Visual Amenity, Landscape and Heritage**

- 5.2.1 The NELLP policies adopted to assess the visual impacts of development on the surrounding areas are Policies 5, 22, 39 and 42.
- 5.2.2 The site as a whole falls within the industrial landscape of the South Humber bank. This is an extensive area and includes the ports of Immingham, Grimsby and Killingholme as well as several large industrial and petrochemical installations in between the port estates.
- 5.2.3 The site of the proposed development includes land allocated for employment, operational port land on the NELLP. The backdrop of the site is the port of Immingham which includes several large elements of port infrastructure. To the south of the site are other industrial installations and a large tip. To the west of the site is the main town of Immingham.
- 5.2.4 The proposed development is of a very large scale both in terms of the land take and the physical scale of it. The proposal consists of several work areas the highest elements of the development are the hydrogen production units with flare stacks up to 45m high and the ammonia storage tank element which has infrastructure up to 65m high, the main tank being 40m high.
- 5.2.5 The development will clearly be visible in the immediate and wider landscape. The wider landscape is identified in the Local Plan Landscape Assessment as being the South Humber Bank Industrial Landscape which includes large scale industrial infrastructure such as the Ports of Grimsby and Immingham, petrochemical installations at Killingholme and the installations between the ports. Views of the development would be gained from both near and far, from the highway network, residential properties in Immingham and the local footpath network. Whilst visible in the landscape the proposed development would not stand alone but add to the existing industrial landscape.

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- 5.2.6 In regard to Policy 22 and good design, the overall scale of the development is clearly extensive but the context of the site is of paramount importance. The industrial landscape described above sets the scene for the development and the engineering requirements must be fully appreciated. Much of the appearance of the development is set by these engineering requirements as with many of the surrounding industrial installations. The context of the site must also include the extant planning permissions which include North Beck Energy, Velocys waste to jet fuel, South Humber Power and Immingham Rail Freight waste to energy projects. These projects include industrial infrastructure in excess of the proposed development.
- 5.2.7 There are limited heritage assets within the context of the site. It is noted that the Heritage Officer has not raised any concerns over the proposed development through the internal consultation process. This includes above and below ground heritage.
- 5.2.8 It is therefore considered that the proposed development would accord with Policies 5, 22, 39 and 42 of the NELLP.

### **5.3 Issue 3 - Impact on Neighbouring Land Uses**

- 5.3.1 Policy 5 of the NELLP requires an assessment be made on the impact on neighbouring land uses by virtue of noise, air quality, disturbance and visual intrusion. This section ties into section 8 below which specifically relates to HSE matters.
- 5.3.2 The proposed development is located on land either allocated for Employment use or Operational Port Land, the immediate land uses are mostly therefore commercial or industrial in nature. This is except for residential properties on Queens Road, however these properties are either now in the control of the applicant or subject to compulsory acquisition as part of the DCO.
- 5.3.4 The proposed development would not present unacceptable impacts on the neighbouring land uses by its physical presence as the uses are considered to be compatible. The associated impacts in regard to noise, light and odour have been assessed through the Environmental Statement and have not given rise to any concerns. Control measures are in place through the DCO Requirements to ensure that this remains the case.
- 5.3.5 The proposed development is located to the east of the main town of Immingham, the closest residential properties being those on Somerton Road and Hadleigh Road approximately 450m away. The development will be clearly visible from these residential properties and others further away. However, the existing backdrop is to the industrial landscape and so whilst this development will bring it closer to these neighbours it would not cause undue visual harm. It is also noted that the closest part

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of the site is allocated for Employment uses through policy 8 of the NELLP and so it is reasonable to expect the site to developed at this type of scale.

- 5.3.6 The proposed development is therefore considered to be compatible with the adjacent and nearby land uses and would not cause undue harm. The proposal therefore accords with Policy 5 of the NELLP.

### **5.4 Issue 4 – Impact on the Highway Network.**

- 5.4.1 Policy 5 of the NELLP requires that the suitability of the proposal with regards to access and traffic generation levels is considered. Similarly, Policy 36 promotes sustainable transport use whilst Policy 38 sets out the requirements for parking.

- 5.4.2 The proposed development would not lead to a significant amount of traffic generation once operational. The information supplied with the application details this as around 96 HGV movements and 240 (split between 9-5 workers and shift workers) car movements per day. These levels of traffic movements do not bring rise to concerns from the Highways team. The use of Travel Plans will also help reduce the car movements and improve sustainable travel options.

- 5.4.3 The construction phase of the development is much more intensive in regards to traffic movements for both deliveries and employees. The information supplied details in the region of 200 HGV movements and 1500 car/van movements per day, at peak construction. This has been assessed and whilst these are large numbers it would not result in severe impacts on the highway network. In order to control these construction traffic movements and to help reduce the impact on the network a detailed Construction Traffic Management Plan is subject to approval by NELC through Requirement 7 of the DCO.

- 5.4.4 The Highway Team have raised some concerns over the extent of the authorised works within the adopted highway and how this is worded in the Draft DCO. There are ongoing discussions on this matter with the applicant and it is anticipated that agreement will be reached in due course.

- 5.4.5 It is therefore considered that the proposed development would not unduly harm highway safety or amenity either through the construction phase or the operational phase. The proposal therefore accords with Policy 5 of the NELLP.



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### 5.5 Issue 5 - Ecology and Trees

- 5.5.1 Policy 41 of the NELLP seeks development to have regard to biodiversity and geodiversity. The scale and nature of the proposed development means that there is the potential for terrestrial, intertidal and marine ecological impact. It is considered that Natural England and the MMO are the most appropriate bodies to consider the intertidal and marine impacts.
- 5.5.2 The Council's Ecologist has reviewed the Environmental Statement (ES) in regard to the terrestrial impacts of the proposed development and has raised no concerns over the survey information or the proposed measures through construction. Particular regard should be had to the existing site characteristics i.e that the site is allocated for industrial development and part of the operational port and used as such. No concerns are raised over the impact on protected species or special habitat within the terrestrial area of the site or as a result of the development. It is noted that a Construction Environmental Management Plan is required to be agreed with NELC and then implemented throughout the construction phase through Requirement 6 of the DCO, this is considered essential. It is therefore considered to accord with the Policy 41 of the NELLP.
- 5.5.3 The proposal includes the loss of approximately one third of the Long Strip woodland which is protected by a Tree Preservation Order, this equates to 220 trees lost. This loss is required in order to connect the liquid bulk pipeline from the proposed jetty to the storage and production facilities, other options have been assessed and although this option results in the part loss of Long Strip it is agreed as being the best option. Compensation Planting is therefore required to mitigate for this loss.
- 5.5.4 There have been extensive discussions over how appropriate compensation planting could be achieved and a Compensation Tree Planting Scheme is being drawn up, it is likely that approximately 700 trees will need to be planted. It is likely that the scheme will include tree planting along Manby Road where the majority of the planting will take place. There is then other options including a Council site off Waterworks Street/Battery Street where some planting has been undertaken and this scheme would support and add to this existing planting.

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### **5.6 Issue 6 - Pollution, Air Quality and Contamination**

- 5.6.1 Pollution, air quality and contamination are factors which need consideration under Policy 5 of the NELLP, which requires any necessary measures to mitigate impacts to be provided.
- 5.6.2 Regard has been had to the chapters of the ES that cover pollution, air quality and contamination. Consideration has also been given to such matters through the construction phase, which can on occasion be more of an impact than the actual operation of the development. Requirements 6 and 9 relate to a Construction Environmental Management Plan and Construction Hours. The Environmental Health Team have considered these matters in detail and have raised no concerns over the potential impacts or the control measures proposed. As such the proposal is deemed to accord with Policy 5 of the NELLP.

### **5.7 Issue 7 - Drainage and Flood Risk**

- 5.7.1 Policy 33 of the NELLP seeks to mitigate flood risk impacts and requires development to be supported by a site-specific flood risk assessment with Policy 34 requiring adequate arrangements for foul and surface water drainage.
- 5.7.2 The site is located within Environment Agency Flood Zone 3. Sequentially, given the nature of the proposed development being in part directly port related and within allocated sites in the NELLP the development is deemed to be acceptable in terms of the sequential requirements of policy 33.
- 5.7.3 The development is supported by a site-specific flood risk assessment and detailed drainage strategy. This has been reviewed by the NELC Drainage Team as lead local flood authority and no concerns have been raised. It is understood that further consultations have been on-going with the Environment Agency and the Drainage Board to ensure the development is acceptable to them as well. The proposal is therefore deemed to accord with Policies 33 and 34 of the NELLP.

### **5.8 Issue 8 - HSE Requirements and Consultation**

- 5.8.1 Policy 5 of the NELLP requires due consideration to be given to Health and Safety associated with proposed development. The proposed development would constitute being a hazardous installation and as such would have associated zones which constrain development. Part of the proposed Development Consent Order involves the acquisition of existing residential properties on Queens Road due to the issue of the associated zones. The associated zones are set by the HSE and subject to a separate application DM/0088/23/HS. There is a concern that the associated zones to the

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development may impact on the adjacent land uses, this includes allocations on the NELLP for employment development. At this time the extent of the associated zones has not been determined and so this matter remains unresolved but Officers are in detailed discussions with the applicant to resolve it.

### **5.9 Issue 9 - Construction Phase**

- 5.9.1 The proposed development is very large and involves extensive complex engineering. The construction phase reflects this and is likely to last in excess of 2 years. During that time there will be large numbers of deliveries and construction workers going to and from the site as well as additional environmental impacts. Requirements 6 (Construction Environmental Management Plan), 7 (Construction Traffic Management Plan) and 9 (Working Hours) all relate to the construction phase of the development and create measures to protect general amenity but also environmental factors as well. These Requirements also require NELC to approve the final details.

### **6.0 Conclusion**

- 6.1 NELC recognise the economic benefits that the proposed development would bring and this is well aligned with the strategic objectives of NELLP in relation to economy. It is not considered that there are any unacceptable impacts in regard to neighbouring land uses, visual impact, heritage, ecology and drainage and flood risk. The impact of the associated HSE COMAH Zones and the impact on the highway network are matters that are subject to further consideration through the Development Consent Order process, which is welcomed. This is to ensure there are no unacceptable health and safety issues and adverse highway impacts as a result of the development.