

PLANNING ACT 2008

ASSOCIATED BRITISH PORTS (IMMINGHAM GREEN ENERGY TERMINAL) DEVELOPMENT CONSENT ORDER

TR030008

Response to the Applicant Comments on the Written Representation from PD Ports Services Limited (IP No. 20047065)

Date	3 May 2024
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1. **INTRODUCTION**

- 1.1 We are instructed by PD Port Services Limited ("PDPS") in relation to the development consent application made by Associated British Ports (the "Applicant") for the Immingham Green Energy Terminal Development Consent Order (the "Project").
- 1.2 This response is provided in response to the Applicant's documents 9.42 'Applicant's Comments on D1 Submission from PD Port Services Limited' dated March 2024.
- 1.3 PDPS submitted a 'Response to the Applicant Response to the Relevant Representation of PD Port Services Limited' in March 2024 in accordance with Deadline 2. This response is supplementary to the Deadline 2 response and is submitted in accordance with Deadline 3. Those comments are repeated here where they have not been addressed by the Applicant.

Applicant Comments (March 2024)	PDPS Response (May 2024)
The Applicant welcomes the support for the Project from PDPS and will continue discussions to resolve any outstanding concerns.	Noted.
Vehicle Route	
<p>The design of the culvert (Work No. 4) which is required for the installation of piping and cables under Laporte Road to connect the ammonia storage area (Work No. 3) with the hydrogen production units in Work No. 5 and the jetty (Work No. 1 via Work No. 2) is not yet finalised and, as such, the construction methodology is not yet defined.</p> <p>Several options will be evaluated based on factors including safety of workers and road users, construction practicality/viability and minimising road disruption but with no specific order of preference. However, it is currently anticipated the likely methodology will be a short-term full road closure of Laporte Road in order to excavate the road, place a number of oversized sleeves across the road and then reinstate the road. This will allow the road to be fully re-opened as quickly as possible whilst minimising risk to construction workers. The pipes and cables would be installed in the sleeves at a later date without further work being required on the road surface. This approach has been discussed with the Local Highways Authority.</p>	<p>With regard to the alternative construction techniques, PDPS has raised further queries with the Applicant regarding how this order of preference may be secured and what commitments can be given in this respect in the DCO (protective provisions / requirements). If these installation methods and associated traffic management is to be subject to requirements, then PDPS would wish to be expressly noted as a consultee. Responses from the applicant are awaited.</p> <p>Whilst section 6.1 of the Outline Construction Traffic Management Plan [APP-223] provides for a formal process of liaison between all relevant parties, PDPS is not specifically named. There is therefore no guarantee that PDPS will be consulted.</p> <p>Requirement 7 of Schedule 2 of the draft Development Consent Order provides that that the project may not commence before the CTMP is approved in general accordance with the outline, however it does not name PDPS as a consultee, therefore there is no guarantee that PDPS will be consulted.</p>

<p>Article 8 of the draft DCO (“dDCO”) [REP1-016] sets out the extent of application of the New Roads and Street Works Act 1991 (“the 1991 Act”) to street works under the dDCO. The general requirements as to execution of street works under the 1991 Act apply and include an obligation on the undertaker to avoid unnecessary delay or obstruction.</p> <p>It is accepted that a road closure of Laporte Road for two to four weeks would result in a 3.5 mile diversion for traffic from East Gate to PDPS. Typically, this would only add approximately 10 minutes to journey time. Other traffic from the East Gate would be less affected because their typical routes are less direct than for PDPS.</p>	
<p>Temporary access off Laporte Road</p>	
<p>As stated in the Applicant’s response to ExQ1.13.3.1, submitted at Deadline 1 [REP1-034], the Laporte Road Temporary Construction Area (Work No. 9) will be required for approximately three years, being the full duration of Phase 1 of construction of the Project.</p> <p>It is intended that the Laporte Road Temporary Construction Area (Work No. 9) will be used for materials/equipment storage and car parking for the East Site (Work Nos. 1 to 6). Large abnormal loads (and, wherever practicable, other items) will be transported directly to the final location and not to the Work No. 9 laydown area. Work No. 9 is not intended to be used as a Temporary Construction Area for Work No. 7.</p> <p>Table 6 of the Outline Construction Traffic Management Plan [REP1-006] confirms that only 59 Heavy Goods Vehicles 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 access for 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 or on safety or operation of adjacent access for PDPS.</p> <p>Clearly, given these very low flows and limited impact, there can be no justification or requirement to limit the use of Work No. 9 in traffic impact terms.</p>	<p>The traffic movements to the construction compound identified may have the effect of creating queuing traffic which might obstruct access to PDPS’s site, especially if barrier control or a checkpoints are installed. It is therefore important that PDPS are identified as a consultee in the requirements relating to the approval of the final details of the Construction Traffic Management Plan.</p>

<p>The Applicant notes that these figures represent peak construction levels. The averages over the three-year period will be significantly lower.</p>	
<p>Culvert</p>	
<p>As stated in the Applicant's response to 2.2 to 2.7 above, the design of the culvert (Work No. 4) is not yet finalised and, as such, the construction methodology not yet defined. However, the construction of the culvert (Work No. 4) will be carried out in accordance with the dDCO [REP1-016] and relevant control documents such as the Outline Construction Environmental Management Plan [APP-221].</p> <p>As noted by PDPS in its representation, the Applicant has confirmed that once the culvert has been installed, the road will be of similar strength to the rest of the public highway.</p>	<p>Further queries have been raised with the Applicant in relation to how such assurances/commitment will be secured in the DCO. The highways works associated with the culvert design do not appear to form part of proposed requirement 8 (Highways Works); it is suggested that approval of the culvert works are added to this requirement and that PDPS should be named as a consultee.</p>