



Department for Transport

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To: **Marine Management
Organisation (“MMO”) and Natural
England (“NE”)**

04 December 2024

Dear Sir/Madam

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010

Application by Associated British Ports (“the Applicant”) Seeking Development Consent for the Proposed Immingham Green Energy Terminal Project (“the Proposed Development”)

Following the completion of the examination on 20 August 2024, the Examining Authority submitted to the Secretary of State for Transport (“the Secretary of State”) on 6 November 2024 a report and recommendation in respect of its findings and conclusions on the above application. In accordance with section 107 of the Planning Act 2008, the Secretary of State has until 6 February 2025 to determine the application.

Strategic oversight of projects within the Humber Estuary

1. The Secretary of State has had regard to the information made available during the Examination in relation to the designated European Sites present in the Humber Estuary, namely the Humber Estuary Special Area of Conservation, the Special Protection Area and the Ramsar site.
2. The Secretary of State has noted the representation from the MMO [RR-016] dated 4 December 2023 that highlights the presence of five projects within the Humber Estuary that could run concurrently with the Proposed Development and result in cumulative impacts on these designated sites, in addition to those cumulative impacts assessed by the Applicant with the Immingham Eastern Ro-Ro project.
3. The Secretary of State has noted the concerns raised by the MMO [RR-016 paragraphs 4.7.25-4.7.27] and Natural England [RR-019, comment NE38] during the examination on the consideration of cumulative effects from these projects on site integrity, notwithstanding the agreement that has been reached to resolve these concerns within the respective Statements of Common Ground with the Applicant. Both interested parties stressed the importance of co-ordination on a strategic level across the planned overlapping projects in the Humber region. The MMO suggested

in paragraph 4.7.28 (RR-016) the use of a tracker to record where developments in the Humber Estuary are taking place, the risks posed to the qualifying features and the mitigation that has been secured within these projects in order to help manage cumulative effects.

4. The Secretary of State seeks confirmation from the **MMO and NE** on whether their concerns have been addressed on the strategic co-ordination of projects within the Humber Estuary through a tracker as mentioned in paragraph 4 above, or other measures. The Secretary of State would ask the parties to provide further detail of any other measures that are being proposed.
5. If the parties are not able to provide such confirmation, the Secretary of State would ask the **MMO and NE** to provide an update of the current position regarding their concerns. The Secretary of State will invite the Applicant and any other interested parties to provide any further comments in the next round of consultation to address any potential matters that arise out of this consultation.

Deadline for Response

The deadline for comments is 18 December 2024.

Submissions sent by post may be subject to delay therefore your response on the information requested above should be submitted to the Case Team through the [project's submission portal](#).

If you will have difficulty in submitting a response by the consultation deadline, or difficulty in submitting a response through the submission portal, please inform the Case Team.

Responses will be published as soon as possible after the deadline on the Immingham Green Energy Terminal project page of the National Infrastructure Planning website at:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR030008>

This letter is without prejudice to the Secretary of State's decision on the Immingham Green Energy Terminal Application, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully,

Transport Infrastructure Planning Unit