

Site Enabling Works, Land East of Rosper Road, Killingholme

Planning Statement

March 2023



FAIRHURST

CONTROL SHEET

CLIENT: ABLE UK LIMITED

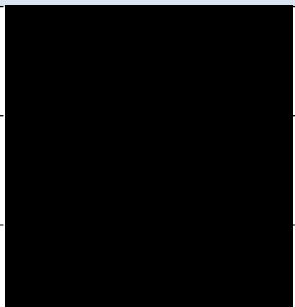
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Planning Statement

Contents Page

1.0	Introduction
2.0	Application Site and Planning History
3.0	Proposed Development
4.0	Planning Policy Context
5.0	Statement of Community Involvement
6.0	Planning Assessment
7.0	Summary and Conclusions

1.0 Introduction

1.1 Fairhurst have been appointed by Able UK Ltd (AUK) to prepare a Planning Statement, which forms part of the full planning application for enabling works (the 'Proposed Development'), on land to the east of Rosper Road, Killingholme. The application site boundary includes land within and adjacent to land known as the Able Marine Energy Park (AMEP) which benefits from a Development Consent Order (DCO) permitting the construction and operation of onshore facilities for the import, export, manufacture, assembly and storage of marine renewable energy components. In summary, the Proposed Development comprises:

- Regrading of land with general fill and raising site levels with imported fill;
- Installation of ground drainage as required;
- Installation of boundary fencing;
- Widening of Marsh Lane (Vertical alignment to be retained) and construction of new footpath - Hedge to be replaced North of road widening
- Upgrades at junction of Marsh Lane with Rosper Road, including extending a drainage culvert;
- Diversion of a section of Station Road and construction of new road;
- New ditch culvert under Marsh Lane;
- New entrances to proposed sites to be created (5no);
- Demolition of buildings;
- Construction of new 33kV Substation;
- New drainage ditch/diversion & new ditch crossings;
- Bridge crossings of existing overground pipelines;
- Diversion to existing Exolum Underground Pipeline; and
- Construction of new rail sidings.

1.2 The following Planning Statement forms part of the planning application and should be read alongside other documents submitted, which comprise:

- Environmental Statement (ES);
- Non-Technical Summary (NTS);
- Habitats Regulations Assessment Report;

- Transport Statement;
- Construction Traffic Management Plan (CTMP);
- Construction Environmental Management Plan (CEMP); and
- Geo-Environmental Desk Study.

1.3 The purpose of this Planning Statement is to support the Proposed Development by setting out the context of the enabling works, outlining the planning policy framework; examining the findings of the Environmental Impact Assessment process (documents in the accompanying ES) against the relevant planning policy context; and considering those matters relevant to land use planning and material to the consideration and determination of the planning application.

1.4 In accordance with North Lincolnshire Council's Validation requirements, public consultation has been undertaken for the Proposed Development and the Statement of Community Involvement (SCI) is contained within this Planning Statement.

1.5 This planning statement will cover the following issues:

- *Application Site and Planning History* – explains the site composition, the context and any relevant planning history;
- *The Proposed Development* – provides full details of the development proposals;
- *Planning Policy Context* – provides the planning policy context for the proposals in which the application is to be determined;
- *Statement of Community Involvement* – summarises the consultation undertaken and responses received;
- *Planning Assessment* – provides an assessment of the Proposed Development, including technical considerations and demonstrates it is a policy compliant scheme

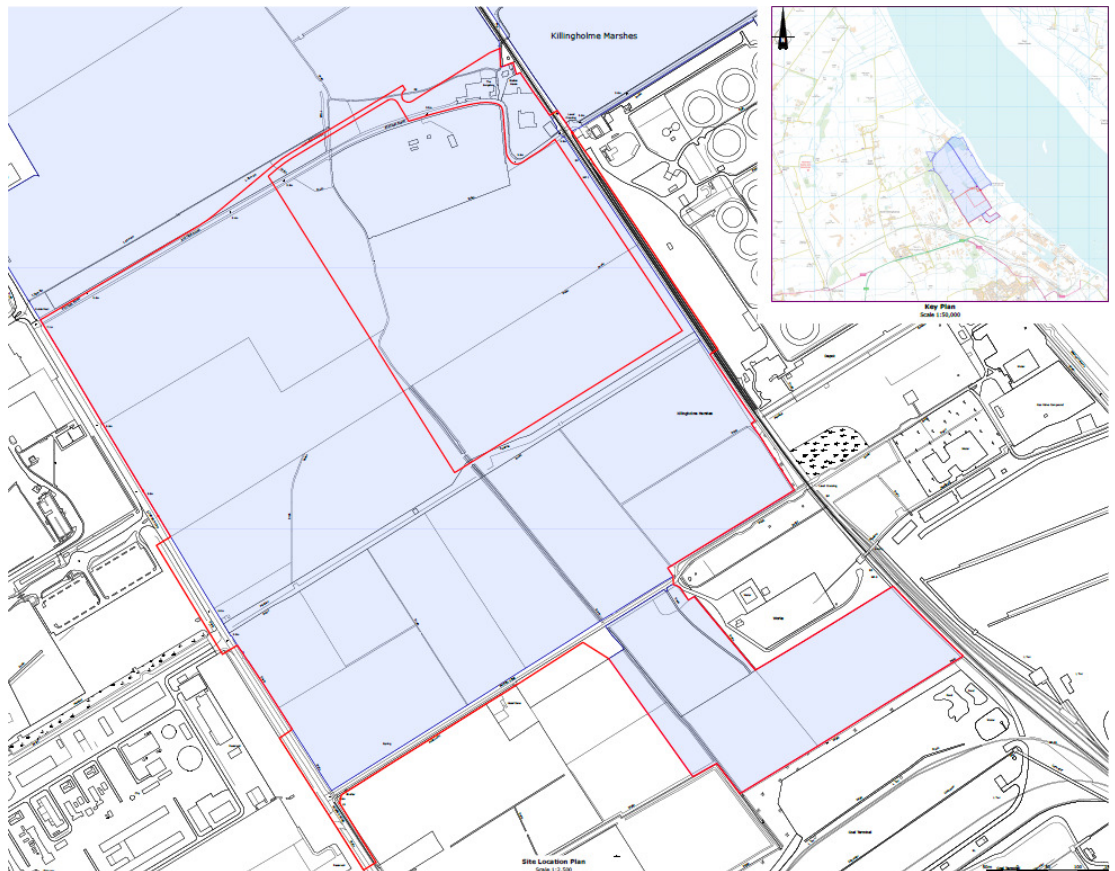
Conclusions – this final section summarises the content of this Statement, concluding that the Proposed Development is in general accord with the relevant local and national planning policies.

2.0 Application Site and Planning History

Application Site and Surrounding Area

- 2.1 The application site, as shown on Figure 2.1 below, comprises 72.05 hectares (ha) and is partly situated within the land boundaries of the consented Able Marine Energy Park (AMEP). The application site is situated to the east of Rosper Road. Although the majority of the application site falls to the south of Station Road, a small element of the land is situated to the north and east of Station Road.

Figure 2.1: Application Site and Immediate Context



² [AMEP TaxSite 1to1250 \(publishing.service.gov.uk\)](http://AMEP.TaxSite.1to1250.publishing.service.gov.uk)

Photograph 2.1 – View of Hazel Dene, Looking south from within the Application Site boundary



- 2.5 The site accommodates nine over-ground pipelines. Two further pipelines pass under the site: one is a 12" pipe that forms part of the former Government Pipeline and Storage System (GPSS) and is now operated by Exolum; the other is a disused 10" pipe owned by Phillips 66.

Photograph 2.2 – Overground pipelines through the application site



- 2.6 The nearest residential properties comprise a vacant property owned by AHPL situated north of Station Road (north east corner of the application site) and Hazel Dene, which is occupied, on Marsh Lane immediately to the south of the site. A public right of way, FP100, also runs along Marsh Lane.
- 2.7 In terms of topography, the application site is generally flat and relatively low lying at around 2.1- 2.6m AOD and 3.2m AOD at the north eastern plot; with a more inclined level change towards the west at 2.4–6.4m AOD.
- 2.8 Upon review of the Environment Agency's (EA) Flood Map for Planning, the majority of the site lies within Flood Risk Zone 3 as it is at risk of flooding from the sea, and as such a Flood Risk Assessment will be required to support any planning application. A small section of the site in the North West corner adjacent to Rosper Road falls within Flood Zones 1 & 2.
- 2.9 From an ecological perspective the application site lies outside the Humber Estuary SPA/SAC/Ramsar/SSSI (the closest point, the Killingholme Marshes Foreshore, is located circa 390m north east from the application site boundary).

- 2.10 The site also lies approximately 1.3 km south of the North Killingholme Haven Pits SSSI. This SSSI forms part of the Humber Estuary SPA/Ramsar site however is notified as an SSSI separately. Eight additional Local Wildlife Sites (LWS) are located within 2km of the application site including for example Rosper Road Pool and Burkinshaw's Covert.
- 2.11 Additionally, the application site (south of Marsh Lane) abuts the north east corner of the Rosper Road Pools nature reserve.
- 2.12 In terms of cultural heritage, three Grade II Listed Buildings (Lighthouses) are situated to the east of the application site.

Planning History

- 2.13 This sub-section outlines the relevant planning history for the application site and surrounding area.

Able Marine Energy Park (AMEP)

- 2.14 As illustrated on the accompanying 'Proposed Layout' drawing (drawing number AHP-022-00003) part of the application site falls within the limits of the consented Able Marine Energy Park (AMEP) which is a consented Nationally Significant Infrastructure Project (NSIP). However, it is important to note that despite this land overlap in part, the proposed works falling within the DCO limits will still be undertaken in accordance with the AMEP DCO, as noted on the accompanying 'Proposed Layout' drawing (Drawing Number: AHP-022-00003).
- 2.15 The NSIP received its Order granting Development Consent (DCO) for AMEP in 2014 (The Able Marine Energy Park Development Consent Order 2014 No.2935). The DCO permits the development of a new quay and associated development at Killingholme, in North Lincolnshire, on the south bank of the Humber estuary. The development on the south bank comprises a quay, reclaimed estuarine habitat and the provision of onshore facilities for the manufacture, assembly and storage of

components relating to the offshore renewable energy sector. The DCO further permits other associated development comprising of environmental habitat on the north bank of the Humber, in the East Riding of Yorkshire.

- 2.16 AMEP will provide a new and substantial manufacturing base for the offshore marine energy sector. As well as having quays to receive and export related raw materials and products, the development also aims to provide facilities that are necessary to assemble the offshore generators, including offshore wind turbines (OWT), in preparation for loading onto installation vessels for direct transport from their place of manufacture to the offshore development site.
- 2.17 Two small pockets of land within the application site situated both to the north and east of Station Road (north east corner of the application site) are excluded from AMEP's Order limits as is the land formally referred to as Mitigation Area A and the area of land to the south of Marsh Lane.

Amendments to the AMEP DCO

- 2.18 Two amendments to the DCO have been made since the Order came into force in 2014.
- 2.19 A non-material change (NMC) to the DCO was issued by the Secretary of State for Transport on 13 May 2021 to re-site Mitigation Area A to Halton Marshes. In his decision, the Secretary of State was satisfied that land at Halton Marshes would be a suitable alternative site for Mitigation Area A.
- 2.20 This NMC amended the text of the legislation to clarify the interpretation of the "*Order limits*" as "*the limits shown as the limits within which the authorised development and works may be carried out on the works plans save for former Mitigation Area A*". This clarified that whilst former Mitigation Area A lies within the Order Land of the AMEP DCO, the land is not authorised for development and/or works by the DCO.
- 2.21 As a result of the Secretary of State deciding to make this Amendment Order, it resulted in the removal of 'former Mitigation Area A' from the Order Limits, which

includes part of the application site, which is the subject of this development proposal.

2.22 An application for a material change was submitted to the Planning Inspectorate on 16 July 2021. The following amendments to the authorised development were sought:

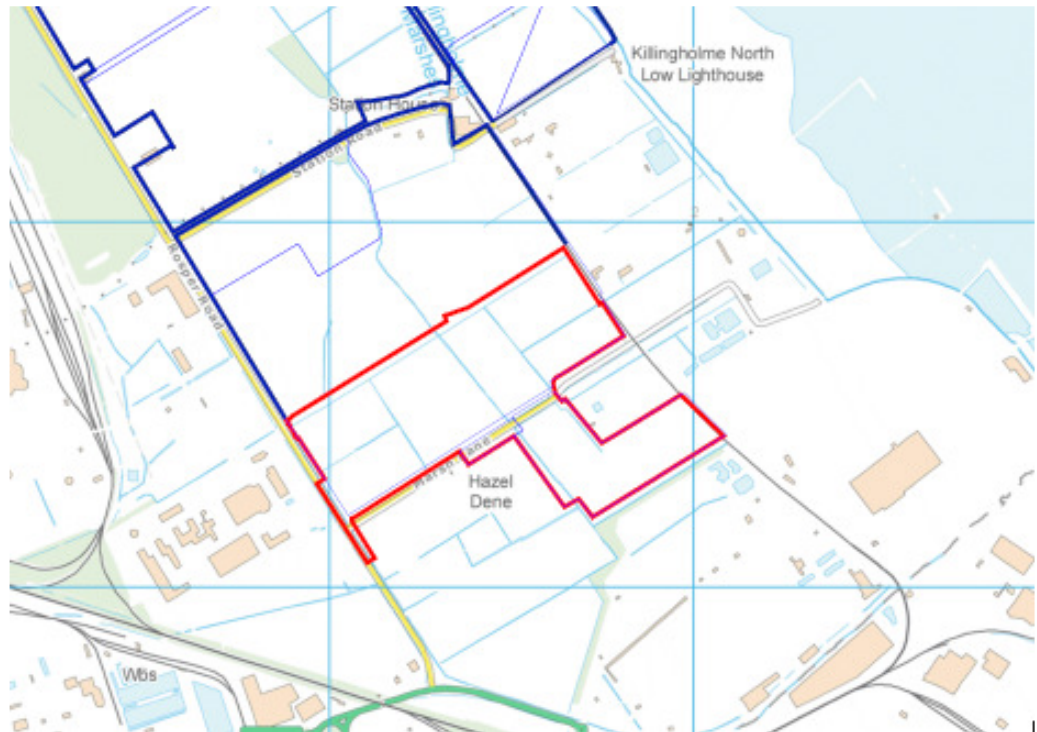
- Minor changes to the size and construction of the authorised quay, resulting in less land being reclaimed from the estuary;
- Minor changes in the diversion of a public footpath in North Lincolnshire
- Increased flexibility in the form of construction and construction methods; and
- Amendments to dredging volumes, authorised in the DML, to the extent necessary to dredge.

2.23 The Examining Body recommended that the Amendment Order be made, and this came into force in August 2022.

Other Planning History

2.24 In 2018, a southern section of the application site was included within the boundary for a proposed car storage and distribution facility, as shown in Figure 2.2 below. This application was withdrawn in November 2020 (planning reference: PA/2017/2141).

Figure 2.2: Site Location Plan of withdrawn application for car storage facility



- 2.25 In February 2022 GRI Gestamp Renewable Industries submitted an EIA Scoping Report in relation to a proposed full planning application for an Offshore Manufacturing Facility on land within the application site (north of Marsh Lane). In March 2022 North Lincolnshire Council issued their EIA Scoping Opinion (LPA Ref: PA/SCO/2022/3) and also advised that they do not wish to raise any objection to the principle of the proposed scheme at that moment in time.
- 2.26 A combined EIA Screening and Scoping opinion request for a proposed monopile manufacturing facility was submitted in December 2020 located to the east of the application site and within the boundary of the AMEP DCO (planning reference: PA/SCO/2020/3). Following this, an EIA application for the monopile factory was submitted in August 2021. This application was granted full planning permission on 8th August 2022 (planning reference: PA/2021/1525).
- 2.27 A request for an EIA scoping opinion has been submitted in relation to the 'V Net Zero Pipeline' project (nationally significant infrastructure project). The 'V Net Zero Pipeline' project comprises a new 53 km (approx.) onshore underground pipeline

from the point of receipt of dense phase CO₂ at Immingham, through its transportation to facilities at TGT, and transportation from TGT through the existing LOGGS pipeline to Mean Low Water Spring (MLWS). The project starts at Immingham where it is proposed that the pipeline will tie-in south of the existing VPI Immingham combined heat and power station.

3.0 Proposed Development

Introduction

- 3.1 In summary the works comprise: regrading of land with general fill and raising site levels with imported material; installation of ground drainage as required; installation of boundary fencing; widening of Marsh Lane (vertical alignment to be retained) and construction of new footpath - hedge to be replaced North of road widening; upgrades at Marsh Lane junction with Rosper Road, including extending an existing drainage culvert; diversion of a section of Station Road and construction of new road; new ditch culvert under Marsh Lane; new entrances to proposed sites to be created (5no); demolition of buildings; construction of new 33kV Substation; new drainage ditch/diversion & new ditch crossings; diversion of part of Station Road; new crossings of existing overground pipelines; diversion to existing Exolum Underground Pipeline, and construction of new rail sidings.

Site Access

- 3.2 The access to the north of the works will be from Station Road. Bell-mouth junctions have already been formed as part of the Station Road reconstruction works pursuant to North Lincolnshire planning permission PA/2019/497, refer to **Photograph 3.1**.

***Photograph 3.1 – Existing Junction Between Rosper Road And Station Road
(Access Road 3)***



- 3.3 The access to the works from the South will be via Marsh Lane. New site entrances for each plot will be formed. Culverts and stoned fill will be required to cross existing drainage ditches. This will be undertaken in conjunction with the Marsh Lane widening works and drainage ditch realignment works that are included in the Proposed Development.

Photograph 3.2 – Existing Junction Between Rosper Road And Marsh Lane



Photograph 3.3 – Arial Image station road with existing buildings to be demolished



Proposed Engineering Works

Earthworks

- 3.4 The general principle of the Proposed Development is to raise the site to a minimum level of 3.1m which is the minimum level required to the new drainage ditch banks. In general the typical site level will be 3.1-6.0m AOD. As existing ground levels are in the range 2.1-2.6m AOD east, and 2.4-6.4m AOD to the west, there is a requirement to import approximately 700,000 m³ of general fill and 350,000 m³ of stone pavement material.
- 3.5 The application site shall be stripped to remove vegetation where necessary and then be brought to the required formation level by imported fill. Up to 300 HGV deliveries will be made each day. All HGVs will leave the site from Station Road and Marsh Lane turning left on to Rosper Road.
- 3.6 The 'Indicative Proposed Levels' Plan (Drawing number: AHP-022-00004) shows the areas of planned earthworks to raise ground levels.

Ground Reprofilng Works - General

- 3.7 It is the intention of the applicant to raise site levels to a minimum level of 3.1m AOD at the top of drainage ditch banks. The ground will generally fall to drainage points at minimum crossfall of 1:100.
- 3.8 It is also the intention for the site to be filled to 150mm below proposed finished levels so that the final finished pavement will be part of a subsequent planning application.
- 3.9 The assumed process comprises:
1. Vegetation clearance;
 2. Engineered fill to 600mm below finished level;
 3. Geogrid layer installed (if required); and

4. 450mm of Class 6F2/5 granular material to be filled on top of the engineering fill to 150mm below finished levels

Drainage

3.10 It is proposed that perforated drainage pipe will be laid in trench surrounded by filter material on a 1:500 fall to ditches. Pipes shall be bedded, jointed and backfilled in accordance with manufacturer's instructions

3.11 Manholes shall be pre-cast concrete or brick and comprise 150mm concrete (20N/mm²) base, 225mm sides in Class B engineering bricks in cement mortar (1:3) flush pointed internally, 150mm precast concrete cover slab and fine concrete benching to channels. Manholes to road and car park areas shall have D400 covers and frames to BS EN 124.

Perimeter Fencing

3.12 The perimeter of the development will be secured by minimum 2.4m high fence supported on steel posts. The fence will incorporate vehicular accesses.

Safety Fencing

3.13 Drainage ditches around the perimeter of the site will be protected by a timber safety fence.

Footpaths

3.14 As noted above, the Proposed Development includes the construction of a new footpath on Marsh Lane.

New Road Construction

3.15 Marsh Lane is a public highway and construction details will be in accordance with adoptable highway standards.

NELDB Ditches

- 3.16 These will be constructed in accordance with the approved NELDB surface water drainage strategy. Generally the new ditches will be: a trapezoidal cross section with bank levels set at 3.1m AOD and side slopes at a 2:1 gradient.

Ditch Crossings

- 3.17 These will be constructed in accordance with the approved NELDB surface water drainage strategy.

Pipe Corridor Crossings

- 3.18 Proposed details are contained on attached drawing showing 'Proposed Crossings of Overground Pipeline' (drawing number: AHP-022-00006).

Substation

- 3.19 Details can be found on the accompanying 'Proposed 33kV Substation' drawing (drawing number: AHP-022-00008). All connections to the substation will be via underground cables.
- 3.20 Although an EIA would typically assess both the construction and operational phases of a proposed development, it is reasonable to state that only the substation element of this project could be considered as operational development. As any potential environmental effects associated with the operation of a substation are imperceptible this report has been prepared on the basis that there are no operational impacts associated with this Proposed Development.

Embedded Mitigation

- 3.21 Where feasible, embedded mitigation has been designed into the Proposed Development and it is considered that the final development design and site layout represents the optimum approach to reduce environmental effects, as discussed in the accompanying Environmental Statement (March 2023).
- 3.22 The Proposed Development includes the installation of ground drainage as required; the installation of a new ditch culvert under Marsh Lane; and new drainage ditch/diversion and new ditch crossings. It is considered that these works will provide betterment, primarily from a flood risk perspective, but also ecologically, via the creation of waterside habitat and surrounding wet grassland. It is important to note that, the new drainage channels will encourage the recovery of water voles.
- 3.23 As shown on the accompanying indicative Landscape and Ecological Mitigation Plan (LEMP) (within Environmental Statement - Volume 3) it is the intention of the applicant that hedging removed from the north side of Marsh Lane to accommodate the proposed road widening will be replaced with a new hedge alongside the widened road. The hedge will comprise native species. Additionally, the existing hedge on Rosper Road will be maintained and gapped up to maintain vigour and long term viability. Most internal hedging will be lost due to the Proposed Development.
- 3.24 A combined Flood Risk Assessment (FRA) and Drainage Strategy has been produced to support the planning application (within Environmental Statement - Volume 2).

4.0 Planning Policy Context

4.1 This section of the Planning Statement sets out the planning policies that are of relevance to the Proposed Development.

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

4.3 The statutory Development Plan for the application site comprises of:

- Saved Policies of the North Lincolnshire Local Plan (NLLP) (2003);
- North Lincolnshire Core Strategy, June 2011; and
- Housing and Employment Land Allocations Development Plan Document (DPD), March 2016.

4.4 The application site falls within the South Killingholme Neighbourhood Plan area, however a neighbourhood plan has not been adopted for this area.

Saved Policies of the North Lincolnshire Local Plan 2003:

4.5 The following 'saved' policies from the North Lincolnshire Local Plan (2003) are considered relevant to the assessment of the Proposed Development:

'Saved' Policy IN3 - Industrial and Commercial Development in the Urban Area, Principal Growth Settlements, South Humber Bank Area

4.6 This 'saved' policy states that Proposals for B1, B2 and B8 industrial and commercial development, including extensions to buildings, limited infilling between buildings, redevelopment of existing sites and conversion of buildings in the... South Humber Bank Area... will be permitted provided that:

- i) the development should respect its position and setting within the landscape and be compatible with existing and proposed surrounding uses...; and

- ii) sites should be planned and laid out on a comprehensive basis. Particular attention should be paid to the layout, density, design, height and materials of the development. These should be in keeping and compatible with the layout of any existing nearby or adjacent development; and
- iii) outside storage areas which are open to public view from beyond the site should be screened. Open storage and handling of loose materials and refuse will not be permitted...; and
- iv) provision should be made within the curtilage of each industrial site for loading, off loading and vehicle turning facilities; and
- v) comprehensive landscaping schemes, including suitable boundary treatment, should be submitted as part of a detailed planning application and be treated as an integral part of the development.

‘Saved’ Policy IN4- Estuary Related Development - South Humber Bank

- 4.7 This ‘saved’ policy confirms that the South Humber Bank Industrial area between South Killingholme Haven and East Halton Skitter is proposed for estuary related B1, B2 and B8 industrial development and ancillary activities with close operational links. Proposals for estuary related development will be permitted provided that certain criteria are met.

‘Saved’ Policy DS1 – General Requirements

- 4.8 This ‘saved’ policy seeks a high standard of design in all new developments and states “proposals for poorly designed development will be refused”. Policy DS1 sets out criteria against which all new proposals will be considered including quality of design; amenity; conservation; resources; and utilities and services.

‘Saved’ Policy DS3 – Planning Out Crime

- 4.9 This ‘saved’ policy aims for new development to take into account personal safety and the security of people and property by making sure that paths, play areas and open spaces are overlooked by inhabited buildings; avoiding the creation of spaces with ill-defined ownership; ensuring the development is well integrated into the existing pattern of pedestrian and vehicular movement; ensuring that dark or secluded areas are not created by landscaping or buildings; and ensuring that streets and paths are adequately lit.

‘Saved’ Policy DS7 – Contaminated Land

- 4.10 This ‘saved’ policy states that *“in the case of proposals for development on land known or strongly suspected as being contaminated, applicants will be required to demonstrate that the level of contamination can be overcome by remedial measures or improvements”*.

‘Saved’ Policy DS9 – Development of Land in the vicinity of established hazardous installations and pipelines

- 4.11 ‘Saved’ Policy DS9 states that *“in the significant risk area surrounding a hazardous installation or pipeline planning permission will only be granted for housing or any commercial, industrial, retail or recreational use which introduces a significant number of people into the risk area, where it can be demonstrated that the associated hazards and risks identified with locating in proximity to the installation are acceptable, or can be overcome through the imposition of appropriate planning conditions”*.

‘Saved’ Policy DS11 – Polluting Activities

- 4.12 This ‘saved’ policy states that *“planning permission for development will only be permitted where it can be demonstrated that the levels of potentially polluting emissions do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas”*.

‘Saved’ Policy DS12 – Light Pollution

- 4.13 ‘Saved Policy DS12 states that *“planning applications which involve light generating development including floodlighting will only be permitted where it can be demonstrated that there would be no adverse impact on local amenities”*.

‘Saved’ Policy DS14 - Foul Sewage and Surface Water Drainage

- 4.14 This saved policy states that *“the Council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on*

a planning permission or completing planning agreements to achieve the same outcome”.

‘Saved’ Policy DS15 – Water Resources

- 4.15 Development will not be permitted which would adversely affect the quality and quantity of water resources or adversely affect nature conservation, fisheries and amenity by means of pollution from the development or water abstraction unless the impact is mitigated to an acceptable level.

‘Saved’ Policy DS16 - Flood Risk

- 4.16 ‘Saved’ Policy DS16 advises that development will not be permitted in floodplains if it would increase the number of people or buildings at risk; impede the flow of flood water; impede access for maintenance of watercourses; reduce the storage capacity of the floodplain; increase the risk of flooding elsewhere; or undermine the integrity of flood defences unless adequate mitigation is undertaken.

‘Saved’ Policy T1 – Location of Development

- 4.17 This ‘saved’ policy requires developments that generate significant volumes of traffic to be located in urban areas and where there is good access to transport networks and foot, cycle and public transport provision.

‘Saved’ Policy T2 – Access to Development

- 4.18 This ‘saved’ policy requires all new developments to be provided with a satisfactory access and continues to state that larger developments should be served by a range of transport modes.

‘Saved’ Policy LC1 -Special Protection Areas, Special Areas of Conservation and Ramsar Sites

- 4.19 The ‘saved’ policy states that proposals for development which may affect an SPA, a proposed SPA, a SAC or candidate SAC will be assessed according to their implications for the site’s conservation objectives.

‘Saved’ Policy LC2 - Sites of Special Scientific Interest

- 4.20 ‘Saved’ Policy LC2 advises that proposals for development in, or likely to affect, Sites of Special Scientific Interest will be subject to special scrutiny. Where such development may have an adverse effect, directly or indirectly on the SSSI, it will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site itself and the national policy to safeguard the national network of such sites.

‘Saved’ Policy LC4 - Development Affecting Sites of Local Nature Conservation Importance

- 4.21 This ‘saved’ policy seeks to protect areas of local nature conservation importance and only permits developments that are likely to have an adverse impact on these areas if it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the intrinsic nature conservation value of the site. It also requires any damage to be kept to a minimum.

‘Saved’ Policy LC5 - Species Protection

- 4.22 Planning permission will not be granted for development which would have an adverse impact on protected species. Where development is granted that may impact on protected species, the use of conditions or planning agreements will be considered to mitigate this impact.

‘Saved’ Policy LC7 - Landscape Protection

- 4.23 The ‘saved’ policy states that where development is permitted within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.

‘Saved’ Policy LC20 - South Humber Bank – Landscape Initiative

- 4.24 The ‘saved’ policy advises that the following measures will be undertaken throughout the South Humber Bank Landscape Initiative area: softening; screening; habitat conservation; habitat creation; field boundary management; and tree and hedge planting.

‘Saved’ Policy HE5 - Development Affecting Listed Buildings

- 4.25 ‘Saved’ Policy HE5 advises that the Council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. Proposals which damage the setting of a listed building will be resisted.

‘Saved’ Policy HE9 - Archaeological Excavation

- 4.26 This ‘saved’ planning policy states that planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed developments is likely to affect them.

North Lincolnshire Core Strategy (2011)

- 4.27 The following Policies of the Core Strategy (adopted 2011) are considered relevant to the Proposed Development:

Policy CS1: Spatial Strategy for North Lincolnshire

- 4.28 Policy CS1 confirms the broad spatial framework for the plan area driving the most significant development to most appropriate locations. Notably, clause d) of the policy provides the presumption in support of the development of key strategic employment sites at the South Humber Bank.

Policy CS2: Delivering More Sustainable Development

- 4.29 Policy CS2 provides a sequential approach to the location of future development, based upon the Plan’s settlement hierarchy. A key matter in determining the sustainability of a proposal, with respect to this policy, is the accessibility of the new development. Development is to be located where it is readily accessible by appropriate and sustainable transport options. In the case of large freight movements, *“the use of rail and water transport should be maximised”*.
- 4.30 Development should also contribute to economic growth to *“support a competitive business or industrial sector”*, which applies to the Proposed Development, which seeks to enable future investment on the Humber from the growing Offshore Wind industry.

Policy CS3: Development Limits

- 4.31 Policy CS3 restricts inappropriate development in the countryside steering development within ‘development limits’ as defined within the Housing and Employment Land Allocations DPD.

Policy CS5: Delivering Quality Design in North Lincolnshire

- 4.32 Policy CS5 requires that all new development is to be “*well designed and appropriate for their context*”. The Policy stance seeks to foster development attractive to residents, visitors and investors and considers a broad array of constraints, including: appropriateness to existing built heritage; minimising energy consumption; creating safe and secure environments; creating distinguishable public and private spaces; supporting complementary and flexible mix of uses (where appropriate); readily and easily accessible with adequate car parking and cycle provision; and, incorporating appropriate landscaping with enhanced biodiversity/geodiversity.

Policy CS6: Historic Environment

- 4.33 The aim of Policy CS6 is to protect, conserve and enhance assets and sites of historic and built heritage value. This includes conservation areas, registered parks and gardens, scheduled ancient monuments, archaeological remains and both statutory listed and locally listed (non-designated) buildings.

Policy CS11: Provision and Distribution of Employment Land

- 4.34 Policy CS11 seeks to ensure that “*the right amount and quality of employment land is available in North Lincolnshire to support the growth of the local economy and help deliver the vision for the area*”.

Policy CS12: South Humber Bank Strategic Employment Site

- 4.35 Policy CS12 states: “*The South Humber Bank Strategic Employment Site (SHBSES) will be reserved for B1, B2 and B8 port related activities to take special advantages of its location, flat topography and adjacent a deep water channel of the River Humber as an extension to Immingham Port and the Humber Sea Terminal*”. The scope of the Policy is explained to be not a strategic allocation as, in order to be flexible in an ever-changing policy climate, the Plan could not afford to specify precise

land boundaries, particularly with respect to identified infrastructure requirements or habitat enhancements.

Policy CS16: North Lincolnshire's Landscape, Greenspace and Waterscape Policy

- 4.36 CS16 looks to protect and enhance key strategic spaces. Strategic spaces in respect to this policy are defined landscape areas, greenspaces, estuaries, water environments and archaeology.

Policy CS17: Biodiversity

- 4.37 Policy CS17 seeks to conserve and enhance North Lincolnshire's wildlife, ensuring appropriate consideration of nationally and internationally important habitats and species. It also includes a requirement for development to seek a net gain in biodiversity and mitigation for unavoidable adverse impacts.

Policy CS18: Sustainable Resource Use and Climate Change –

- 4.38 Policy CS18 seeks to “*actively promote development that utilises natural resources as efficiently and sustainably as possible*”.

Policy CS19: Flood Risk

- 4.39 Policy CS19 broadly following national policy on the development of land in flood zones. The Policy states that proposals should look to avoid areas of current or future flood risk following a sequential approach. Where proposals are located in areas of flood risk, the policy states that development will be permitted where:

- “1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.*
- 2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously development land.*
- 3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development”.*

Policy CS25: Promoting Sustainable Transport

- 4.40 The policy states that *“the council will support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools”*.

Housing and Employment Land Allocations DPD

Policy SHBE-1 (South Humber Bank)

- 4.41 As illustrated on the Housing and Employment Land Allocations DPD inset map (March 2016) for South Humber Bank, part of the application site falls on land allocated for development for port related activities and part within a preferred site for waterbird mitigation under Policy SHBE-1 (South Humber Bank).
- 4.42 The South Humber Bank employment site (900 ha – gross area) is North Lincolnshire’s ‘jewel in the crown’, premier employment site. It is allocated as a strategic site for port related activities to take special advantage of its location, flat topography and being adjacent to a deep water channel of the River Humber. Adjacent to Immingham Port and Humber Sea Terminal, the site has a unique employment offer. Policy SHBE-1 (Former reference number IN1-1, 57-1) identifies a need for 900 hectares (gross area) of B1 (Offices/Light Industrial), B2 (General Industry) and B8 (Storage and Distribution) port related development.
- 4.43 The Policy states that the employment site will be developed with the following site specific criteria:
- *“The site should provide only B1, B2 and B8 industrial land uses and ancillary development that are associated with port activities, including land based development allowing for the potential future development of a port that meet the tests of the Habitats Regulations.*
 - *The land within the site along the deep-water frontage of the Humber Estuary between the Port of Immingham and the Humber Sea Terminal has special locational characteristics and is unique, being one of the last undeveloped deep-water estuaries in Europe. New development is therefore required to maximise the*

potential for high value jobs and high job densities and this part of the site will be safeguarded against piecemeal development proposals that do not meet these employment maxims.

- Development of the site shall only take place if there has been appropriate consideration given to the international, national and local protected sites for nature conservation. This includes complying with the tests of the European Habitats Regulations (Birds and Habitat Directives).*
- All development proposals within the site will have to comply with the Waterbird Mitigation identified in the SHB Mitigation Strategy. The preferred alternative sites for on-site waterbird mitigation areas at Halton Marsh (A) and Killingholme Marsh (B) are indicated on the proposal map for SHBE-1. Off-site mitigation may be required depending on what on-site options are chosen.*
- A Transport Assessment and Travel Plan will be required for all large developments*
- An ecological assessment will be required*
- Any proposals for new transport infrastructure will need to consider the design and timescales for the Highways Agency's A160 Port of Immingham Improvement Scheme.*
- Pollution and waste control measures should be implemented wherever practical and relevant to the proposed development*
- Use of materials and development works shall be sensitive to the location*
- A structural landscape scheme is required as a buffer to limit the visual impact of development and improve the amenity of nearby communities between the western edge of the employment site and the villages of South Killingholme, North Killingholme and East Halton.*
- On site and off site landscaping schemes and biodiversity enhancement shall be considered within the framework of the South Humber Bank Landscaping Initiative in relation to development proposals.*
- Landscape buffering of at least 15 metres width around the Local Wildlife Sites will be required*
- A surface water and sewage management solution is required to accommodate development on the employment site to the satisfaction of the North East Lindsey Water Management Board and the Anglian Water Authority.*

- *A Flood Risk Assessment will be required for individual developments on the majority of the site in compliance with National and Local flood risk guidance and Core Strategy Policy CS19.*
- *Land to the north of the Humber Sea Terminal will require a flood defence enhancement scheme to be resolved with the Environment Agency, Natural England and landowners in relation to the existing flood defences and proposed development behind these flood defences.*
- *A Heritage Assessment will be required to demonstrate that the development will have no adverse impact on the historic environment. Particular regard will need to be undertaken of the impact of any proposals upon those elements which contribute to the significance of the Scheduled Monuments to the west of this allocation. Development proposals should ensure that those elements which contribute to their significance are conserved”.*

4.44 The supporting text to Policy SHBE-1 explains that land in the South Humber Bank is used by significant numbers of waterbirds related to the Humber Estuary SPA and Ramsar site. Associated waterbird mitigation has therefore been allocated within the South Humber Bank employment area linked to two projects, AMEP and Able Logistics Park (ALP). As shown on the Inset 57 Proposals Map, one of the preferred locations for this waterbird mitigation land overlaps with the application site. However, it is important to clarify that the supporting text to the policy states that a flexible approach will nevertheless be adopted and *“Developers could bring forward other alternative mitigation proposals, of at least equivalent area to that agreed under the ALP and AMEP projects, provided that they have an evidence base sufficient to demonstrate the ability of such waterbird mitigation to contribute to the overall mitigation strategy and avoid Adverse Effects on the integrity of the SPA/Ramsar site. This approach will enable to keep Policy SHBE-1 flexible and give the policy longevity, without future cause to involve formal amendments to the DPD or possible DPD departure procedures”.*

4.45 As noted in Section 2.0 of this Planning Statement, an alternative ecological site to the land within the application site (outside the 2014 Order limits), has been sourced on an area known as Halton Marshes Wet Grassland (“HMWG”). This was permitted (May 2021) through an approved non-material change to the AMEP DCO. In his decision, the Secretary of State was satisfied that HMWG would be a suitable

alternative to Mitigation Area A, providing the same functional ecological requirements and that the conclusions to the HRA undertaken in 2014 remained unchanged. Therefore, there is an opportunity to develop the application site (currently allocated in part for waterbird mitigation) for port related industrial purposes, which is consistent with the aims of creating industrial development as advocated by Policy SHBE-1.

Policy PS1 (Presumption in Favour of Sustainable Development)

- 4.46 When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.

Emerging North Lincolnshire Local Plan

- 4.47 North Lincolnshire Council is preparing a new single Local Plan for North Lincolnshire. Once formally adopted, it will replace the current North Lincolnshire Local Plan, the Core Strategy and the Housing and Employment Land Allocations Development Plan Documents (DPDs) mentioned above.
- 4.48 The emerging North Lincolnshire Local Plan is currently at the submission and examination stage (stage 6) where the Council have submitted the plan and supporting evidence to the Government's Planning Inspectorate for testing its 'soundness' and legal compliance.
- 4.49 The draft proposals map of the emerging North Lincolnshire Local Plan shows part of the application site as being allocated as a strategic employment site and part falls within land for the South Humber Bank Landscape Initiative.

4.50 The relevant draft policies from the emerging North Lincolnshire Local Plan – Submission Version (November 2022) include:

- SS1: Presumption in Favour of Sustainable Development
- SS2: A Spatial Strategy for North Lincolnshire
- SS3: Development Principles
- SS8: Employment Land Requirements
- SS10: Strategic Site Allocation – South Humber Bank
- SS11: Development Limits
- EC1: Employment Land Supply
- EC 2: Existing Employment Areas
- EC4: South Humber Bank – Landscape Initiative
- DQE1: Protection of Landscape, Townscape and Views
- DQE2: Landscape Enhancement
- DQE3: Biodiversity and Geodiversity
- DQE5: Managing Flood Risk
- DQE7: Climate Change and Low Carbon Living
- DQE12: Protection of Trees, Woodland and Hedgerows
- HE1: Conserving and Enhancing the Historic Environment
- CSC1: Health and Wellbeing
- WAS1: Waste Management Principles
- WAS6: Waste Management in Development
- T3: New Development and Transport
- DM1: General Requirements
- DM3: Environmental Protection

Material Considerations

National Planning Policy & Guidance

National Planning Policy Framework

- 4.51 The revised NPPF (July 2021) is a material consideration in planning decisions. The NPPF sets out a national planning policy framework for the purpose of informing Local Plan making and decisions on the determination of planning applications. The NPPF includes a number of key elements including setting a presumption in favour of sustainable development. For decision taking the presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan without delay or, where development plan policies are irrelevant or out-of-date, approving development proposals unless they would conflict with NPPF policies seeking to protect areas or assets of particular importance or where the adverse impacts of development would significantly and demonstrably outweigh the benefits (when assessed against NPPF policies).
- 4.52 The NPPF also confirms the Government's stance that *"achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*
- *a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - *b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

- *c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.*

4.53 As a means of achieving sustainable development and alongside the presumption in favour of sustainable development, the following specific sections of the document are relevant in considering the Proposed Development.

- Building a Strong and Competitive Economy;
- Promoting Healthy and Safe Communities;
- Promoting Sustainable Transport;
- Making Effective Use of Land;
- Achieving Well-Designed Places;
- Meeting the Challenge of Climate Change, Flooding and Coastal Change;
- Conserving and Enhancing the Natural Environment; and
- Conserving and Enhancing the Historic Environment.

National Planning Practice Guidance

4.54 The National Planning Practice Guidance (NPPG) complements the NPPF in terms of how the NPPF should be implemented in practice. The NPPG can be a material consideration in the decision-making process. The following topics are considered relevant to this application:

- Air Quality;
- Climate Change;
- Design: Process & Tools;
- Determining a Planning Application;
- Environmental Impact Assessment;
- Flood Risk and Coastal Change;
- Healthy and Safe Communities;
- Historic Environment;
- Land Affected by Contamination;

- Light Pollution;
- Natural Environment;
- Noise;
- Travel Plans, Transport Assessments & Statements; and
- Water Supply, Wastewater & Water Quality.

5.0 Statement of Community Involvement

- 5.1 This section of the Planning Statement set's out how the applicant has undertaken public consultation in accordance with North Lincolnshire Council's Statement of Community Involvement (2018) document.
- 5.2 The consultation strategy was designed to reflect guidance contained within the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the North Lincolnshire Council Statement of Community Involvement (2018).
- 5.3 The consultation brochure (see Appendix 1) included details of the proposed works and details on how to respond. This original brochure was issued on 14th December 2022 with a response date of 13th January 2023. The brochure was subsequently amended and re-delivered, with additional contact details (see Appendix 2). The consultation response deadline was amended to reflect the distribution of this updated brochure.
- 5.4 The following addresses were notified of the proposed enabling works:
- Associated Petroleum Terminals Ltd;
 - Exolum;
 - Phillips66;
 - Port of Immingham ABP;
 - Prax Group;
 - Hazel Dene;
 - VPI – Immingham Power Station; and
 - North East Lindsey Drainage Board (NELDB).

5.5 The responses received during this consultation process can be found in Appendix 3 of this Planning Statement. The response to these comments received during consultation is found within the pre-application consultation tracker (Appendix 4). In summary, the consultation responses raised the following observations:

- **Associated Petroleum Terminals Ltd** raised some questions and views:
 - During any works they require 100% uninterrupted access down the full length of Marsh Lane between Rosper Road and our South Killingholme Terminal for workers and emergency services at all times, including during the road widening works; and
 - Further information requests in relation to: drainage design; culvert installations; programme of works; vehicle numbers; and vertical alignment of Marsh Lane.

Applicant's response:

- The proposed development will seek to ensure uninterrupted access to Marsh Lane, if possible.
 - The site will drain into the drains that are currently being widened and improved. These drains are connected into the Killingholme Marsh Pumping Station (KMPS), which are being funded by Able UK with grant support from the Local Enterprise Partnership. The KMPS drainage scheme is intended to protect the wider catchment area from future flooding.
 - The predicted vehicle movements and mitigation measures are included within the accompanying Construction Traffic Management Plan (CTMP) and draft Construction Environmental Management Plan (CEMP).
-
- **Local residents** on Marsh Lane expressed concerns about the principle of the development on the specified land, querying the relationship between the present application and the existing consent for Able Marine Energy Park. They raised concerns about cumulative effects of this proposed development with other proposed works being undertaken as part of the Humber Zero development of hydrogen and

carbon capture technology to the east of Rosper Road, and the subsequent impact on residential amenity, the semi-rural character of the environment, the noise environment, and the safety of the area.

Applicant's response:

- The principle of the Proposed Development is discussed in section 6.0 of this Planning Statement;
- The submitted Environmental Statement considers the potential for cumulative effects of the Proposed Development, alongside issues of noise, landscape and visual impacts.
- **NELDB's** response to this planning consultation confirmed the need that *"any proposed development must be in accordance with the agreed Drainage Strategy for the site. This includes the new pumping station being operational prior to any further ground raising. In addition, further works may be required to ensure third parties are not detrimentally affected by the proposals"*.
- In their response they also confirmed the need for prior written consent of the Board for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse. The Drainage Board also advised that it is essential that appropriate access is provided in order the network of watercourses within the site can be maintained. Their full response can be found in Appendix 3.

Applicant's Response:

- Previous consultation responses from the Internal Drainage Board (ND-6088-2022-PLN, dated 14/06/2022) have been received through the EIA Scoping process (PA/SCO/2022/7). Subsequent consultation with NELDB is recorded within Chapter 11 (Flood Risk, Drainage and Water Resources) of the accompanying Environmental Statement and associated Flood Risk Assessment (Volume 2 of the Environmental Statement).

- **Port of Immingham Associated British Ports (ABP)** requested further clarification as to the relationship of these proposed works to the existing AMEP DCO boundary and the purpose of the proposed enabling works.

Applicant's Response:

- A response was issued back confirming that development that was originally consented within the former Mitigation Area A has been relocated to the Able Energy Park (formerly known as the Able Logistics Park). Accordingly, the proposed enabling works are being undertaken to prepare the former Mitigation Area A land for B1, B2, B8 development.
- **Exolum** responded with a request that the red line boundary be extended in part across Rosper Road to cover the length of their pipeline.

- *Applicant's Response:*

The red line boundary for the application site was extended to include Exolum's pipeline running parallel to Rosper Road.

- **Prax Group** responded to the consultation and sought further information to check whether previous comments on the Proposed Development had been addressed. Their response also questioned how the changes to drainage and increased in water run-off will impact on their site? Questions were also asked about the potential impacts of the proposed rail sidings on the local rail network. Finally, their response questioned the extent of the proposed works in relation to the diversion of the Exolum pipeline, and whether the reconnection to the existing pipeline could be carried out on the east side of Rosper Road which will remove the need for a new road crossing and work on PLOR land?

- *Applicant's Response:*

The latest bridge designs are shown on the drawings, which accompany this planning application.

The site will drain into the drains that are currently being widened and improved. These drains are connected flow into the circa £11 million Killingholme Marsh Pumping Station (KMPS) which are being funded by

Able UK with grant support from the Local Enterprise Partnership. The KPMS drainage scheme is intended to protect the wider catchment area from future flooding including Prax and Phillip 66s and Prax refineries, CRO Port amongst others and will safeguard circa 1,500 jobs.

The rail line is currently operational but has been unused from some time and the sidings will provide the ability for more sustainable freight movements if required. Any impacts are not there quantifiable but would be considered by Network rail.

Options for the relocation of the Exolum pipeline are being considered.

- **Phillips 66 Limited** responded confirming the fact that both Phillips 66 and Associated Petroleum Terminals (APT) JV own land adjacent to the proposed works. This includes land which they are developing for their Gigastack green hydrogen project with Orsted. In their response, Phillips 66 Limited advised that it would be good to discuss Phillips 66's proposals on their land in the Immingham region.
- Their response also confirmed that P66 own and operate the Humber Refinery which sits on a 480-acre site at South Killingholme on the Humber Estuary. Another joint venture between P66 and Calor Gas Limited, HLPGTL, own and operate the Gas Caverns situated at the eastern end of Marsh Lane. The consultation response confirms that *"neither party has any objection to the proposed works provided that their legitimate interests and operational requirements are protected and their ability to carry out business is not impeded. In fact development within the area is welcomed as is the possibility of collaboration in mutually beneficial areas. With that in mind P66 and HLPGTL have reviewed the Public Consultation document and would ask that the following points and concerns are considered and, where appropriate, addressed by Able prior to the application for the Works being made"*.
- Other issues raised related to access; drainage and flood risk; construction process and impact on the caverns; cathodic protection; pipelines and easements; and contamination. The full consultation response can be found in Appendix 3 of this Statement.
 - *Applicant's Response: The applicant responded to the consultee confirming that the proposed enabling works will not impact on Phillips 66's proposed*

project. The applicant is fully supportive of this project and will liaise with Phillips 66 during the implementation of the enabling works to ensure that there are no adverse or disruptive impacts upon Phillips 66 or its projects.

- 5.6 This section of the Statement demonstrates that the applicant has undertaken the necessary level of consultation in accordance with North Lincolnshire Council's Statement of Community Involvement (2018) document, and therefore complies with local and national planning policy and guidance in respect to consultation.

6.0 Planning Assessment

Introduction

- 6.1 This section of the Statement summarises the findings of the technical assessments within the accompanying Environmental Statement (ES) and planning application submission documents (e.g. Transport Statement), demonstrating the proposal's accordance with both national and local planning policy.
- 6.2 Section 38 of the Planning and Compulsory Purchase Act 2004 states that local planning authorities (LPAs) are required to determine planning applications in accordance with the Statutory Development Plan, unless material considerations indicate otherwise.

Principle of Development

- 6.3 The Proposed Development is for enabling works to get the application site development ready for the future development of port related activities.
- 6.4 As noted in section 4.0 of this Statement part of the application site falls on land allocated for development for port related activities and part within a preferred site for waterbird mitigation under Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations Development Plan Document (DPD), March 2016.
- 6.5 The South Humber Bank employment site (900 ha – gross area) is North Lincolnshire's 'jewel in the crown', premier employment site. It is allocated as a strategic site for port related activities to take special advantage of its location, flat topography and being adjacent to a deep water channel of the River Humber as an extension to Immingham Port and Humber Sea Terminal the site has a unique employment offer. Policy SHBE-1 (Former reference number IN1-1, 57-1) of the identifies a need for 900 hectares (gross area) of B1 (Offices/Light Industrial), B2 (General Industry) and B8 (Storage and Distribution) port related activities to take special advantage of its location within an existing port environment, flat topography and being adjacent to a deep water channel of the Humber Estuary.

- 6.6 The supporting text to Policy SHBE-1 explains that land in the South Humber Bank is used by significant numbers of waterbirds related to the Humber Estuary SPA and Ramsar site. Associated waterbird mitigation has therefore been allocated within the South Humber Bank employment area linked to two projects, AMEP and Able Logistics Park (ALP). As shown on the Inset 57 Proposals Map, one of the preferred locations for this waterbird mitigation land overlaps with the application site. However, it is important to clarify that the supporting text to the policy states that a flexible approach will nevertheless be adopted and *“Developers could bring forward other alternative mitigation proposals, of at least equivalent area to that agreed under the ALP and AMEP projects, provided that they have an evidence base sufficient to demonstrate the ability of such waterbird mitigation to contribute to the overall mitigation strategy and avoid Adverse Effects on the integrity of the SPA/Ramsar site. This approach will enable to keep Policy SHBE-1 flexible and give the policy longevity, without future cause to involve formal amendments to the DPD or possible DPD departure procedures”*.
- 6.7 An alternative ecological site to the land within the application site (outside the 2014 Order limits), has been sourced on an area known as Halton Marshes Wet Grassland (“HMWG”). This was permitted (May 2021) through a non-material change to the AMEP DCO. In his decision, the Secretary of State was satisfied that HMWG would be a suitable alternative to Mitigation Area A, providing the same functional ecological requirements and that the conclusions to the HRA undertaken in 2014 remained unchanged. Therefore, there is an opportunity to develop the application site for port/ estuary related industrial purposes, which is consistent with the aims of creating industrial development as advocated by Policy SHBE-1. The proposed enabling works is to get the application site development ready for such port related industrial activities.
- 6.8 The northern part of the application site overlaps with the consented Able Marine Energy Park which permits the construction and operation of onshore facilities for the import, export, manufacture, assembly and storage of marine renewable energy components. The proposed enabling works, by getting land ready for development will help with the implementation of forthcoming port related facilities. It is therefore

considered that the Proposed Development is in accordance with Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations Development Plan Document (DPD).

- 6.9 There is clear support in the NPPF for development that supports sustainable economic growth. Indeed section 2.0 of the revised NPPF advises that in order to help build a strong, responsive and competitive economy, then sufficient land of the right type needs to be available in the right places and at the right time to support growth, innovation and improved productivity. As the proposed works, will enable land to come forward for port related development it will help to achieve economic benefits in accordance with the NPPF.
- 6.10 Therefore, on balance, the proposed development is considered to be in accordance with Policy SHBE-1 (South Humber Bank) and PS1 (Presumption in favour of sustainable development) of the Housing and Employment Land Allocations Development Plan Document (DPD), in addition to the revised NPPF.

Traffic and Transport

- 6.11 The revised NPPF states that in assessing sites for specific applications for development, it should be ensured that:

*“a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
b) safe and suitable access to the site can be achieved for all users;
c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree”.*

- 6.12 Paragraph 111 of the revised NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Within this context, Paragraph 112 provides for a number of criteria against which new development proposals should be assessed, with Paragraph 113 stating

that all developments that will generate significant amounts of movement should be required to provide a Travel Plan (TP), and the application should be supported by a Transport Statement (TS) or Transport Assessment (TA) so that the likely impacts of the proposal can be assessed.

- 6.13 'Saved' Policy T1 of the North Lincolnshire Local Plan 2003 requires developments that generate significant volumes of traffic to be located in urban areas. 'Saved' Policy T2 requires all new developments to be provided with a satisfactory access and continues to state that larger developments should be served by a range of transport modes.
- 6.14 Policy CS1 from the North Lincolnshire Core Strategy confirms the broad spatial framework for the plan area driving the most significant development to most appropriate locations. Notably, clause d) of the policy provides the presumption in support of the development of key strategic employment sites at the South Humber Bank.
- 6.15 Policy CS2 from the North Lincolnshire Core Strategy notes that a key matter in determining the sustainability of a proposal, with respect to this policy, is the accessibility of the new development. Development is to be located where it is readily accessible by appropriate and sustainable transport options. In the case of large freight movements, "*the use of rail and water transport should be maximised*". Policy CS25 promotes sustainable transport and advocates a choice of transport modes.
- 6.16 Policy SHBE-1 (South Humber Bank) from the Housing and Employment Land Allocations DPD (2016) states that the South Humber Bank employment site will be developed in accordance to certain criteria, including that a Transport Assessment and Travel Plan will be required for all large developments.
- 6.17 This planning application has been supported by a Transport Statement (March 2023) and Construction Traffic Management Plan (March 2023). A Travel Plan has not been prepared for this application due to the fact the application is for enabling works. This would be submitted alongside applications for buildings on the site in the future.

- 6.18 As noted in the Transport Statement (March 2023) a review of accident history on the local highway network has been undertaken using the Crashmap Pro Collision Analysis System which has identified that there are no existing accident trends on the local highway network that are likely to be exacerbated by traffic generated by the proposed development.
- 6.19 The overall construction programme for the Enabling Works is split into two stages with a total duration of ~2 years.
- 6.20 The proposed development traffic generation equates to ~1.4 vehicle movements (two-way) per minute during the weekday AM and Saturday network peak periods and ~0.8 vehicle movements (two-way) per minute during the weekday PM peak period. It is considered unlikely that this level of traffic generation would have any discernible adverse impacts upon the operation of the local highway network.
- 6.21 As acknowledged within the Transport Statement the proposed rail sidings would facilitate the importation of fill to the application site by rail. However, the transport assessment has been undertaken on the basis that all fill material will be imported by HGVs to assess the worst case scenario.
- 6.22 Further to the above, it should be noted that the existence of the expected construction traffic on the local highway network would only be temporary in nature. Once the construction programme has been completed, the construction traffic associated with the Enabling Works would discontinue.
- 6.23 The presence of limited “sensitive receptors” and the volume and composition of the existing traffic on the immediate and wider highway are such that the presence of the construction traffic is not considered likely to give rise to a significant adverse impact.
- 6.24 In relation to highways safety, the application is supported by a Construction Traffic Management Plan (CTMP), which concludes that there are sufficient opportunities to enable the deliveries of building material and any plant and machinery to be made.

- 6.25 The applicant and their chosen Principal Contractor will actively encourage the use of sustainable transport for all construction operatives to limit the daily number of vehicles accessing the site during the construction period.
- 6.26 The CTMP is a 'live' document that will be regularly updated to include any alterations to traffic routes and anticipated daily movement of the construction traffic which has been calculated for each phase. It will also include further details of any significant management and monitoring activities that needed to be revised.
- 6.27 Attention is drawn to paragraphs 110 and 111 of the NPPF, which advises that in making decisions, local planning authorities should take account of whether opportunities for sustainable transport modes are taken up (where appropriate), safe and suitable access to the site is provided, and that development should only be prevented or refused on highways grounds *"if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.
- 6.28 Whilst it is acknowledged that the potential for sustainable travel to the Proposed Development is limited (as previously acknowledged in the DCO application and consent), the accompanying Transport Statement has demonstrated that, with the benefit of the proposed highway improvements on Rosper Road and Marsh Lane, the expected traffic arising from the Enabling Works can be accommodated on the highway network.
- 6.29 The Proposed Development is considered to be in accordance with Policy CS1 (Spatial Strategy for North Lincolnshire) on the basis that its implementation will *"support the continued growth of the chemical and renewable energy industries"*. The application has been supported by a Transport Statement in accordance with Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations DPD.
- 6.30 As such the potential impacts of the Proposed Development upon the operation of the local highway network are not considered to be severe and, therefore, in the context of the National Planning Policy Framework paragraph 111, the proposals should not be prevented on highways grounds.

Air Quality and Dust

- 6.31 Part 8 of the NPPF provides advice on how development can achieve healthy, inclusive and safe places. Parts 12 and 15 of the revised NPPF require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
- 6.32 'Saved' Policy DS11 (Polluting Activities) from the North Lincolnshire Local Plan 2003 states that *"planning permission for development will only be permitted where it can be demonstrated that the levels of potentially polluting emissions do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas"*.
- 6.33 As noted in section 2.0 of this Statement, the nearest residential properties comprise a vacant property owned by AHPL situated north of Station Road (north east corner of the application site) and Hazel Dene, which is occupied, on Marsh Lane immediately to the south of the site. A public right of way, FP100, also runs along Marsh Lane.
- 6.34 The Proposed Development has the potential to cause air quality impacts as a result of fugitive dust emissions and road traffic exhaust emissions associated with vehicles travelling to and from the site during construction. As such, an Air Quality Environmental Impact Assessment was undertaken in order to determine baseline conditions and assess potential effects, as recorded in the accompanying Environmental Statement.
- 6.35 During the construction phase of the Proposed Development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. It is considered that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level.

- 6.36 Potential impacts during the construction phase of the proposals may also occur due to road traffic exhaust emissions associated with vehicles travelling to and from the application site. Dispersion modelling was undertaken to predict pollutant concentrations as a result of emissions from the local highway network both with and without the application site in place. Results were subsequently verified using local monitoring data.
- 6.37 Review of the dispersion modelling results indicated that air quality effects on human receptors as a result of traffic generated by the development were not predicted to be significant.
- 6.38 Review of the results, including consultation with the Project Ecologist, also indicated that air quality effects as a result of road vehicle exhaust emissions on ecological receptors were not predicted to be significant.
- 6.39 As noted within the ES a Construction Environmental Management Plan (CEMP) will be produced to control potential air quality impacts during the construction phase. This will be secured through a suitably worded planning condition. A draft CEMP forms part of this planning application submission to outline at an early stage the suggested mitigation measures to help alleviate construction phase impacts.
- 6.40 It is therefore considered that the proposed development would not result in any adverse impacts to justify withholding planning permission for the development and subject to the implementation of mitigation measures, the proposed enabling works would preserve the amenity of existing residents in line with the aims of the NPPF, and in accordance with the requirements of 'Saved' Policy DS11 (Polluting Activities) from the North Lincolnshire Local Plan 2003 and draft policies CSC1; DM1 and DM3 of the emerging North Lincolnshire Local Plan.

Noise and Vibration

- 6.41 Part 8 of the revised NPPF provides advice on how development can achieve healthy, inclusive and safe places. Parts 12 and 15 of the revised NPPF require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
- 6.42 'Saved' Policy DS11 (Polluting Activities) from the North Lincolnshire Local Plan 2003 states that *"planning permission for development will only be permitted where it can be demonstrated that the levels of potentially polluting emissions do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas"*.
- 6.43 The applicant has carried out an assessment of the potential impact of noise and vibration from the construction phases of the Proposed Development on existing noise-sensitive receptors, which is recorded in the accompanying Environmental Statement (ES).
- 6.44 The identified sources of potential noise and vibration impact on existing receptors (e.g. Hazel Dene) are associated with activities during the construction phase including on-site plant and machinery and off-site traffic (HGV's).
- 6.45 As recorded in the ES embedded mitigation has been included in the scheme, which includes a restricted operating times throughout the construction phase of the Proposed Development. Due to the nature of construction noise, the assessment found that the impact of noise during the construction phase is likely to, at times, have the potential to cause significant effects without appropriate mitigation.
- 6.46 Additionally due to the nature of construction vibration, the assessment found that the impact of human response to vibration during the construction phase is likely to, at times, have the potential to cause significant effects without appropriate mitigation.

- 6.47 The increase in road traffic noise levels at existing receptors (as a result of construction traffic associated with the Proposed Development) has the potential to cause Significant Effects once improvement works have been undertaken to Marsh Lane. However, the ES identifies a range of measures to help alleviate the potential adverse effects.
- 6.48 To mitigate the impact of construction noise and vibration, a range of good site practices will be adopted by the contractor in order to control any potential disturbance to nearby sensitive receptors. This will be implemented through a Construction Environmental Management Plan (CEMP). Additionally, temporary barriers will be installed and where required, moved throughout the different construction phases to provide further noise mitigation for the sensitive receptors. As noted above, a draft CEMP forms part of this planning application submission to outline at an early stage the suggested mitigation measures to help alleviate construction phase impacts. Therefore, the proposed enabling works would preserve the amenity of existing residents in line with the aims of the NPPF; the requirements of 'Saved' Policy DS11 (Polluting Activities) from the North Lincolnshire Local Plan 2003; and draft policies CSC1; DM1 and DM3 of the emerging North Lincolnshire Local Plan.

Biodiversity & Ecology

- 6.49 Paragraph 174 of the revised NPPF makes clear that planning policies and decisions should contribute to and enhance the natural and local environment, setting out a number of criteria in which this can be achieved, including by minimising impacts on and providing net gains for biodiversity.
- 6.50 Paragraph 180 of the NPPF states that when determining planning applications, Local Planning Authorities should apply a number of principles, the first of which indicates that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 6.51 'Saved' Policy LC1 of the North Lincolnshire Local Plan 2003 states that proposals for development which may affect an SPA, a proposed SPA, a SAC or candidate

SAC will be assessed according to their implications for the site's conservation objectives.

- 6.52 'Saved' Policy LC2 advises that proposals for development in, or likely to affect, Sites of Special Scientific Interest will be subject to special scrutiny.
- 6.53 'Saved' Policy LC4 also seeks to protect areas of local nature conservation importance and only permits developments that are likely to have an adverse impact on these areas if it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the intrinsic nature conservation value of the site. It also requires any damage to be kept to a minimum.
- 6.54 'Saved' LC5 states that planning permission will not be granted for development which would have an adverse impact on protected species. Where development is granted that may impact on protected species, the use of conditions or planning agreements will be considered to mitigate this impact.
- 6.55 Policy CS17 from the North Lincolnshire Core Strategy (2011) seeks to conserve and enhance North Lincolnshire's Wildlife, ensuring that appropriate consideration to nationally and internationally important habitats and species. It also includes a requirement for development to seek a net gain in biodiversity and mitigation for unavoidable adverse impacts.
- 6.56 As illustrated on the Housing and Employment Land Allocations DPD inset map (March 2016) for South Humber Bank, part of the application site falls on land allocated for development for port related activities and part within a preferred site for waterbird mitigation under Policy SHBE-1 (South Humber Bank). The policy states that the South Humber Bank employment site will be developed in accordance to certain ecological criteria, as listed in Section 4.0 of this Statement, for example proposed development shall only take place if there has been appropriate consideration given to the international, national and local protected sites for nature conservation.

- 6.57 The supporting text to Policy SHBE-1 explains that land in the South Humber Bank is used by significant numbers of waterbirds related to the Humber Estuary SPA and Ramsar site. As discussed above within this Statement, one of the preferred locations for waterbird mitigation land (identified in the Housing and Employment Land Allocations DPD) overlaps with the application site boundary for the proposed enabling works. However, as discussed within the 'Principle of Development' sub-section of this Statement, Halton Marshes Wet Grassland ("HMWG") has been consented as a suitable alternative to land within the application site.
- 6.58 The application site lies outside the Humber Estuary SPA/SAC/Ramsar/SSSI (the closest point, the Killingholme Marshes Foreshore, is located circa 420m north east from the application site boundary. Another designation of interest is the North Killingholme Haven Pits SSSI. Eight additional Local Wildlife Sites (LWS) are located within 2km of the application site including for example Rosper Road Pool and Burkinshaw's Covert.
- 6.59 The planning application includes a Habitats Regulations Assessment Report and Environmental Statement (ES), which includes an assessment of the potential effects of proposed enabling works on the ecological receptors. As recorded within the ES, where feasible, embedded mitigation has been designed into the Proposed Development and it is considered that the final development design and site layout represents the optimum approach to reduce environmental effects.
- 6.60 The Proposed Development includes the installation of ground drainage as required; the installation of a new ditch culvert under Marsh Lane; and new drainage ditch/diversion & new ditch crossings. It is considered that these works will provide betterment, primarily from a flood risk perspective, but also ecologically, via the creation of waterside habitat and surrounding wet grassland. It is important to note that, the new drainage channels will encourage the recovery of water voles.
- 6.61 As shown on the accompanying Landscape and Ecological Mitigation Plan (LEMP) it is the intention of the applicant that where feasible, hedging removed to accommodate the proposed development will be replaced, including native species, and existing hedge planting to be supplemented.

6.62 The ecology chapter of the accompanying ES (March 2023) notes the key ecological receptors identified during the baseline surveys included: Non-breeding waterbirds; breeding birds; priority habitats; and protected species, including water vole, bats, badger, hedgehog and great crested newt.

6.63 The potential effects on these receptors included the following during construction:

- Barrier to species movement
- Introduction of light
- Physical loss (to land or freshwater habitat): (1) loss of grassland, hedgerow and trees
- Physical loss (to land or freshwater habitat): (2) hedgerows (mostly species-poor) and trees
- Physical loss (to land or freshwater habitat): (3) potential bat roosts
- Physical loss (to land or freshwater habitat): (4) ditches/ponds
- Noise disturbance
- Visual disturbance
- Air quality effects

6.64 It is important to note that additional mitigation measures will be put in place during the construction phase to protect key species. A draft CEMP has been provided as part of this application to set out how potential effects during the construction phase can be alleviated.

6.65 An Environmental Clerk of Works (ECoW) will be appointed to monitor adherence to such additional mitigation measures set out in this chapter, and formalised through a final CEMP and LEMP, both of which can be controlled through planning conditions.

6.66 In summary, the following additional mitigation measures will be implemented:

- Wet grassland to be provided at HMWGS.
- Species-rich hedgerow planting to screen Development.

- Noise barrier to be erected during construction along Marsh Lane, and adjacent to the perimeter of Rosper Roads Pools to reduce impact on the LWS and curlew feeding fields.
- Breeding Bird Protection Plan to avoid disturbance to Schedule 1 species and destruction of all birds' nests
- No known bat roosts to be affected but precautionary re-felling/demolition bat surveys required to check occupancy and inform need for any further mitigation/licencing.
- If present during construction, water voles would be affected by ditch re-engineering so pre-construction survey required to inform mitigation/licencing.
- Similarly, pre-construction surveys will be carried out for great crested newts.

6.67 The ES concludes that the Proposed Development would comply with relevant planning policies to ecology assuming that the mitigation measures referred to in this chapter are adopted. Overall, with the implementation of additional mitigation measures, the predicted residual effects on certain ecological receptors are slight adverse in EIA terms (not significant) during the construction phase. Upon completion of the enabling works, no significant adverse effects on ecological receptors are predicted. Therefore, subject to additional mitigation, the Proposed Development is considered acceptable when considered against 'saved' Policy LC1; LC2; LC4; LC5 of the North Lincolnshire Local Plan (2003); Policy CS17 of the North Lincolnshire Core Strategy (2011); and is in line with the aims of the revised NPPF.

Landscape and Visual

- 6.68 Section 12 of the revised NPPF seeks to secure high quality design, with Paragraph 126 explaining that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 of the revised NPPF also seeks to ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of layout and appropriate and effective landscaping; are sympathetic to local character; and establish or maintain a strong sense of place.
- 6.69 'Saved' Policy LC7 (Landscape Protection) of the North Lincolnshire Local Plan (2003) states that where development is permitted within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.
- 6.70 'Saved' Policy LC20 advises that the following measures will be undertaken throughout the South Humber Bank Landscape Initiative area: softening; screening; habitat conservation; habitat creation; field boundary management; and tree and hedge planting.
- 6.71 Policy CS16 from the North Lincolnshire Core Strategy (2011) looks to protect and enhance key strategic spaces. Strategic spaces in respect to this policy are defined landscape areas, greenspaces, estuaries, water environments and archaeology.
- 6.72 Policy SHBE-1 (South Humber Bank) from the Housing and Employment Land Allocations DPD (2016) states that the South Humber Bank employment site will be developed in accordance to certain criteria, including landscape buffering of at least 15 metres width around the Local Wildlife Sites will be required.
- 6.73 As shown on the accompanying Landscape and Ecological Mitigation Plan (LEMP) (found within Volume 3 of the Environmental Statement) it is the intention of the applicant that hedging removed from the north side of Marsh Lane to accommodate the proposed road widening will be replaced with a new hedge alongside the widened

road. The hedge will comprise native species. Additionally, the existing hedge on Rosper Road will be maintained and gapped up to maintain vigour and long term viability. Most internal hedging will be lost due to the Proposed Development. The indicative LEMP also shows an area of wet meadow grass seeding, which will act as a landscape buffer of at least 15 metres width around the north east corner of Rosper Road Pool Local Wildlife Site.

- 6.74 The application site does not fall within a designated landscape area. The land does not have a high scenic value and the landscape fabric, although well defined by the rectilinear field pattern and established hedges, is not historic. All land on the application site is likely to have been reclaimed from estuarine marshland during the C18th. Most of the land is no longer actively managed although the southern fields are used for horse grazing. The former farmland is isolated from surrounding agricultural except for some connectivity to pockets of remaining farmland to the south of Marsh Lane. There is no physical connection to open countryside around local settlement. The hedging within and around the application site contributes to local green infrastructure. The hedgerows and grassland contribute to local biodiversity.
- 6.75 The site and adjoining land is considered to have a low sensitivity to the Proposed Development due to the nature of the proposals, the condition and landscape value of the land and the industrial character of adjoining land and the wider area around Killingholme.
- 6.76 The Proposed Development would result in the substantial loss of internal hedgerows and existing grass cover. There would be a loss of three grazed paddocks to the south of Marsh Lane. Some drainage ditches would be realigned within the site. Boundary hedging would be removed on the north side of Marsh Lane. This highway would be widened, and junction improvements made on Rosper Road. A replacement hedge would be planted on the new road alignment. A new pedestrian footway would be provided on Marsh Lane on form part of the England Coast Path connecting to the Humber embankment. The site area would be secured with 2.4m high steel mesh fencing. A substation would be constructed in the central western part.

- 6.77 The predicted landscape effects on the site and adjoining land are predicted to be slight and adverse at all stages of the development. Such effects are not considered significant.
- 6.78 The landscape effects on published landscape character areas/types are predicted to be no greater than slight at all stages of the development. Such effects are not considered significant. There are no significant landscape effects predicted on the setting of the Killingholme lighthouses.
- 6.79 The landscape assessment has identified four visual receptors which may be affected by the Proposed Development, including the residents living at Hazel Dean and users of the England Coast Path. Visual effects are predicted to be no greater than slight at all stages of the development. Such impacts are not considered significant. Over the long term, any slight adverse effects experienced by walkers using the England Coast Path would be mitigated by the embedded mitigation works which includes the reinstatement of the hedge on the new road alignment of Marsh Lane following widening works.
- 6.80 Subject to the implementation of mitigation, the Proposed Development is considered acceptable when measures against 'saved' Policies LC7, LC20 of the adopted North Lincolnshire Local Plan (2003); Policy CS16 from the North Lincolnshire Core Strategy (2011); Policy SHBE-1 (South Humber Bank) from the Housing and Employment Land Allocations DPD (2016); and Part 12 of the revised NPPF.

Cultural Heritage and Archaeology

- 6.81 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard should be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. This is a statutory presumption in favour of preservation. However, it has been established through case law that the decision maker needs to give appropriate 'special regard' to the preservation (or no harm) to heritage assets and their settings within this 'weighing up' process where it is concluded harm will be caused.
- 6.82 Paragraph 135 of the revised NPPF establishes that the Local Planning Authority should *"seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as materials used)"*.
- 6.83 Paragraph 194 of the revised NPPF states that *"in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation"*.
- 6.84 Paragraph 195 of the revised NPPF confirms that *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage*

asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal".

- 6.85 Paragraph 197 of the revised NPPF states that *"in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness"*.
- 6.86 In terms of considering potential impacts from new development paragraph 199 of the revised NPPF states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance"*. Paragraph 200 states that *"any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional"*.
- 6.87 Paragraph 201 states that *"where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit,*

charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use”.

- 6.88 Paragraph 202 of the revised NPPF states that “*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*”. Paragraph 203 also advises that “*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*”.
- 6.89 ‘Saved’ Policy HE5 from the North Lincolnshire Local Plan (2003) advises that the Council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. Proposals which damage the setting of a listed building will be resisted.
- 6.90 ‘Saved’ Policy HE9 states that planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed developments is likely to affect them.
- 6.91 Policy CS6 of the North Lincolnshire Core Strategy (2011) aims to protect, conserve and enhance assets and sites of historic and built heritage value. This includes conservation areas, registered parks and gardens, scheduled ancient monuments, archaeological remains and both statutory listed and locally listed (non-designated) buildings.
- 6.92 Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations DPD states that the employment site will be developed with the following site specific criteria including that “*a Heritage Assessment will be required to demonstrate that the development will have no adverse impact on the historic environment. Particular regard will need to be undertaken of the impact of any proposals upon those elements which contribute to the significance of the Scheduled*

Monuments to the west of this allocation. Development proposals should ensure that those elements which contribute to their significance are conserved”.

- 6.93 There are no designated heritage assets within the application site. Three lighthouses are situated on the south shore of the Humber at South Killingholme, which are Grade 2 Listed Buildings.
- 6.94 Chapter 12 of the submitted Environmental Statement (ES) (March 2023) assesses the likely significant effects of the Proposed Development on Cultural Heritage and Archaeology (also known as the Historic Environment) in that part of the southern shore of the Humber Estuary that may be affected by the proposed enabling works. The assessment was informed by the results of additional site investigations undertaken in January 2023 (see Archaeological Evaluation Report - included within Volume 2 of the ES).
- 6.95 The ES has considered the likely significant effects of the Proposed Development on the historic environment, in the context of national planning policy and guidance, local planning policy, legislation and consultation with statutory consultees. The study has used data obtained from a range of previous and newly commissioned archaeological surveys, the former largely derived from investigations undertaken by Able UK Ltd as part of the AMEP DCO. Mitigation works in the form of archaeological excavation, analysis and assessment reporting are complete for the northern part of the application site and a final phase of palaeo-environmental analysis, which includes the whole of the application site is to be undertaken in Spring 2023.
- 6.96 The principal adverse effects of the proposed enabling works have been assessed to relate to the presence of an area of Romano-British occupation close to the south west boundary of the site adjacent to Rosper Road. These effects do not fully arise as part of the enabling works, but will be an indirect consequence of the Proposed Development and so have been assessed at this stage. While the significance of effects on this non-designated heritage asset is considered to be Slight/ Moderate adverse, which, may be considered substantial harm in terms of the NPPF definition. However, with the implementation of additional mitigation in place the details of which

are to be agreed with the NLC Historic Environment Officer in a forthcoming Written Scheme of Investigation (WSI), it is predicted that these effects will reduce to Neutral.

- 6.97 Further adverse effects relate to the historic boundary, which will be removed during the construction phase. The significance of effects on this non-designated heritage asset is considered to be slight adverse (not significant in EIA terms). Appropriate additional mitigation is proposed, as discussed in the ES.
- 6.98 In the case of the traces of ridge and furrow medieval cultivation, and the former Marsh Farm these will also be removed during the construction phase. The significance of effects on these non-designated heritage assets is considered to be slight adverse (not significant in EIA terms). No additional mitigation is proposed.
- 6.99 In the case of the palaeo-environmental deposits associated with the former inlet of the river Humber, There will be no direct adverse effects from the Proposed Development, but there may be localised adverse effects from future development that arise as an indirect consequence of the enabling works. The significance of effects on this non-designated heritage asset is considered to be slight adverse and (not significant in EIA terms). No additional mitigation is proposed as this has been previously secured as part of the AMEP DCO.
- 6.100 The ES concludes that there are no identified adverse effects on designated heritage assets.
- 6.101 In conclusion, based on the submitted environmental information and taking into account the suggested mitigation measures, it is considered that the proposed development would comply with: 'saved' policies HE5 and HE9 of the North Lincolnshire Local Plan (2003); Policy CS6 of the North Lincolnshire Core Strategy (2011); Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations DPD; draft policy HE1 of the emerging North Lincolnshire Local Plan; and section 16 of the NPPF.

Climate Change

- 6.102 Section 14 of the NPPF looks at meeting the challenge of climate change. Paragraph 152 of the NPPF states that *“the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”*.
- 6.103 Policy CS18 of the North Lincolnshire Core Strategy seeks to *“actively promote development that utilises natural resources as efficiently and sustainably as possible”*.
- 6.104 This planning application is accompanied by an Environmental Statement (ES) (March 2023), which also considers the potential effects of the Proposed Development on climate change, both in terms of how the proposed enabling works might affect climate change, but also in terms of how climate change may affect the Proposed Development.
- 6.105 For many environmental topics climate change is not of direct relevance, and no direct interactions or relationships have been identified. For example, topics such as heritage and archaeology, and landscape and visual impact. However, as set out in other chapters, there are several ways in which climate change is of relevance to the proposed development.
- 6.106 The air quality assessment contained within the ES is focused on the main air quality issues as agreed through the EIA Scoping process, and is focussed around the common and locally focused issues surrounding key air-borne pollutants (NO₂, PM10 and PM2.5).
- 6.107 Changes in climate can result in impacts on local air quality. For example, atmospheric warming associated with climate change has the potential to increase

ground-level ozone. However, the impact of climate change on other air pollutants, such as particulate matter, is less certain. Given this uncertainty, it is not feasible to incorporate the effects of climate change within the air quality assessment at this time.

- 6.108 Overall, the effects of climate change are considered unlikely to materially affect the results of the air quality and dust assessment contained within Chapter 7 of the ES. Furthermore, it is considered that should the effects of climate change have the potential to result in any worsening of air pollutant levels at the site in the future, any such effect would be counterbalanced by the forecasted reduction in polluting vehicles on the road network in the future due to the introduction of electric vehicles. This is supported by the UK target to cut the purchasing of new petrol and diesel fuelled cars by 2030 (Business, Energy and Industrial Strategy Committee (2018) Fourteenth Report Session of 2017-2019).
- 6.109 It is considered that the proposal provides an appropriate response to climate change in accordance the requirements and expectations of Policy CS18 of the North Lincolnshire Core Strategy; Draft Policy DQE7 of the Emerging North Lincolnshire Local Plan; and the revised NPPF.

Ground Investigation and Contamination

- 6.110 In terms of ground conditions and pollution, paragraph 184 of the revised NPPF states that *“where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”*.
- 6.111 ‘Saved’ Policy DS7 of the North Lincolnshire Local Plan (2003) states that *“in the case of proposals for development on land known or strongly suspected as being contaminated, applicants will be required to demonstrate that the level of contamination can be overcome by remedial measures or improvements”*.
- 6.112 ‘Saved’ Policy DS11 states that *“planning permission for development will only be permitted where it can be demonstrated that the levels of potentially polluting*

emissions do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas”.

- 6.113 Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations DPD states that the employment site will be developed with the following site specific criteria: *“Pollution and waste control measures should be implemented wherever practical and relevant to the proposed development”.*
- 6.114 The planning application is supported by a Geo-Environmental Desk Study (Document Ref. D/I/D/138434/515, dated February 2023), which details desk-based information concerning the history of the application site and the potential geotechnical and geo-environmental constraints to the proposed enabling works.
- 6.115 The Desk Study makes reference to a number of third party reports relating to the application site including a Factual Report from a 2013 site investigation undertaken by Delta Simons (Document Ref. 13.0054.02, dated July 2013), which included 14 No. boreholes undertaken within the application boundary. A review of the chemical test results (undertaken by Fairhurst) indicates that no concentrations of determinants tested for were elevated above human health, landscaping or built development assessment criteria for a commercial end use.
- 6.116 The Desk Study (February 2023) concludes that site investigation is recommended to characterise the underlying ground and groundwater conditions and derive geotechnical design parameters for the discrete development elements. In-situ and laboratory testing will be required along with a programme of gas and groundwater monitoring.
- 6.117 It is also recommended that a botanical survey is undertaken prior to development to discount the presence of invasive species and that the asbestos register is reviewed for the buildings to be demolished, and appropriate demolition and refurbishment surveys undertaken.

- 6.118 Subject to the above and future tests, it is considered that the proposed development would not conflict with 'saved' Policy DS7 and DS11 of the North Lincolnshire Local Plan; Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations DPD; Draft Policy DM3 (Environmental Protection) of the Emerging North Lincolnshire Local Plan; or the revised NPPF.

Flood Risk and Drainage

- 6.119 National planning advice within the revised NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where it is informed by a site-specific flood risk assessment.
- 6.120 'Saved' Policy DS16 of the North Lincolnshire Local Plan advises that development will not be permitted in floodplains if it would increase the number of people or buildings at risk; impede the flow of flood water; impede access for maintenance of watercourses; reduce the storage capacity of the floodplain; increase the risk of flooding elsewhere; or undermine the integrity of flood defences unless adequate mitigation is undertaken.
- 6.121 Policy CS19 of the North Lincolnshire Core Strategy states that proposals should look to avoid areas of current or future flood risk following a sequential approach. Where proposals are located in areas of flood risk, the policy states that development will be permitted where:

"1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.

2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously development land.

3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development”.

6.122 Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations DPD states that the employment site (which the application site falls within) will be developed with the following site specific criteria:

“• A surface water and sewage management solution is required to accommodate development on the employment site to the satisfaction of the North East Lindsey Water Management Board and the Anglian Water Authority.

• A Flood Risk Assessment will be required for individual developments on the majority of the site in compliance with National and Local flood risk guidance and Core Strategy Policy CS19”.

6.123 Upon review of the Environment Agency’s (EA) Flood Map for Planning, the majority of the application site lies within Flood Risk Zone 3 as it is at risk of flooding from the sea, and as such a Flood Risk Assessment will be required to support any planning application.

6.124 The application has been supported by a Flood Risk Assessment (FRA) (Including High Level Drainage Strategy), which is an appendix to the Environmental Statement (March 2023).

6.125 As noted in Chapter 11 (Flood Risk, Drainage and Water Resources) of the Environmental Statement, when considering the impacts of the proposed works on the water environment, it is important to attach weight to the required upgrade / diversion works of the existing ditch network and the installation of a new surface water pumping station associated with the AMEP DCO. The culverts provided under the AMEP DCO allow the Proposed Development to discharge surface water runoff unrestricted into the Humber Estuary, these flows have been considered during the initial modelling of the channels.

6.126 The upgrade works on the ditches will be completed in accordance with the Drainage Strategy approved by North East Lindsey IDB. The majority of the channel upgrades

will be widening to a two-stage profile, with the majority having a 7m wide berm along one side for increased conveyance during high flows and provide additional online storage during tide lock. Drain 9B will have a 22m wide, 495m long berm from the northern side of the above ground pipeline crossing to the junction with Drain 10. This widened berm will provide additional storage here that mitigates for the impact of new culverts downstream and the phasing of the Proposed Development as a whole.

- 6.127 The submitted FRA notes that the application site is located in an area located close to watercourses that are under the management of the Environment Agency and North East Lindsey Internal Drainage Board. Both North Lincolnshire's SFRA and the Online Flood Maps for Planning state that flood risk as a result of these assets is considered to be low. The FRA concludes that with the upgrade works to be carried out to NELIDB's watercourses within the application site including an allowance for climate change on peak river flow, the risk to the application site during the construction phase and on the final development is considered to be low.
- 6.128 The site is currently shown to be at risk from pluvial flooding through the site, these areas are considered to be 'low lying' and as a result standing water will appear during heavy and prolonged rainfall events.
- 6.129 The works proposed in this application is to raise the existing ground levels and provide a formal drainage regime that will allow these large parcels of land to drain into the improved ditch network throughout the application site.
- 6.130 The raising of levels and the introduction of the formal drainage will reduce the risk of pluvial flooding as the excess rainwater will have a method of draining away, therefore the risk of pluvial flooding to the site is considered to be low.
- 6.131 The risk of groundwater flooding is considered to be low due presence of the impermeable strata layers present on site.
- 6.132 As noted in the submitted FRA, the application site is going to consist of significant areas of land raising as a result of imported engineering fill. This material upon

compaction will limit infiltration, and increase surface water runoff compared to existing. Grip style drainage channels are to be provided within the side areas helping to direct water flows within that segment of site to the 'lower' lying central channel where a filter drain will be located to convey the flows unimpeded into the drainage ditches located throughout the site.

- 6.133 No surface water attenuation is to be provided for the enabling works. An unrestricted discharge is to be provided into the ditch network. The upgraded ditch network provides online storage during high tide events and as a result new culverts added onto the ditch network prior to discharge into the Humber Estuary.
- 6.134 As explained within Chapter 11 (Flood Risk, Drainage and Water Resources) of the accompanying Environmental Statement, a number of additional mitigation measures have been recommended to help alleviate potential effects. It is recommended that a final Construction Environment Management Plan (CEMP) is prepared, which will set out detailed methodologies and monitoring requirements of the suggested measures to help alleviate effects on the water environment. The CEMP can be controlled by a planning condition. A draft CEMP has been prepared to accompany this application.
- 6.135 With the appropriate mitigation in place, it is considered the proposed development is acceptable in accordance with 'saved' Policy DS16 of the North Lincolnshire Local Plan; Policy CS19 of the North Lincolnshire Core Strategy; Policy SHBE-1 of the Housing and Employment Land Allocations DPD; Draft Policies DQE5 and DM3 of the Emerging North Lincolnshire Local Plan; and the revised NPPF.

7.0 Summary and Conclusions

- 7.1 Fairhurst have been appointed by Able UK Ltd (AUK) to prepare a Planning Statement, which forms part of the full planning application for enabling works (the 'Proposed Development'), on land to the east of Rosper Road, Killingholme. The application site boundary includes land within and adjacent to land known as the Able Marine Energy Park (AMEP) which benefits from a Development Consent Order (DCO) permitting the construction and operation of onshore facilities for the import, export, manufacture, assembly and storage of marine renewable energy components.
- 7.2 Through this Statement, and with reference to supporting information, including the accompanying Environmental Statement (March 2023), it has been demonstrated that the proposed enabling works represent a sustainable and appropriate development for the site.
- 7.3 Section 5.0 of this Planning Statement demonstrates that the applicant has undertaken the necessary level of consultation in accordance with North Lincolnshire Council's Statement of Community Involvement (2018) document, and therefore complies with local and national planning policy and guidance in respect to consultation.
- 7.4 As this Statement has confirmed, the proposed enabling works are to get the application site development ready for port related industrial activities in accordance with Policy SHBE-1 (South Humber Bank) of the Housing and Employment Land Allocations Development Plan Document (DPD) and the aims of the revised NPPF for sustainable economic growth.
- 7.5 A number of planning and environmental issues have been considered as part of this application, as discussed in the supporting information. In terms of potential highway impacts, the accompanying Transport Statement (March 2023) demonstrates that, with the benefit of the proposed highway improvements on Rosper Road and Marsh Lane, the expected traffic arising from the Enabling Works can be accommodated on the highway network. In relation to highways safety, the application is supported by

a Construction Traffic Management Plan (CTMP) (March 2023), which concludes that there are sufficient opportunities to enable the deliveries of building material and any plant and machinery to be made.

- 7.6 Overall, it is considered that the proposed enabling works would not result in a level of harm to the amenity of local residents which would justify withholding planning permission. Additional mitigation measures are discussed in the accompanying ES, to ensure that this is the case and provide assurance that noise levels, air quality and visual impacts at receptors is at or below acceptable thresholds in accordance with the aims of the revised NPPF and the requirements of the Development Plan.
- 7.7 The proposals are considered acceptable in respect of flooding and drainage with appropriate conditions.
- 7.8 The Proposed Development would comply with relevant planning policies to ecology assuming that the appropriate mitigation measures are adopted. Overall, with the implementation of additional mitigation measures, the predicted residual effects on certain ecological receptors are slight adverse in EIA terms (not significant) during the construction phase. Upon completion of the enabling works, no significant adverse effects on ecological receptors are predicted.
- 7.9 Subject to the implementation of mitigation, the Proposed Development is considered acceptable in terms of landscape and visual effects and is policy compliant.
- 7.10 The ES concludes that there are no identified adverse effects on designated heritage assets within the study area. In terms of archaeology, potential effects may arise on certain assets, e.g. the presence of an area of Romano-British occupation, a historic boundary, and palaeo-environmental deposits etc. as a result of either the proposed enabling works or future development on the site. However, the ES notes that effects can be alleviated, through additional mitigation measures e.g. an archaeological excavation, followed by analysis, archiving and publication of the results.

7.11 In the overall planning balance, any adverse impacts identified within the accompanying Environmental Statement (ES) are considered to be outweighed by the positive aspects of the proposed enabling works. The proposed works, by getting the site development ready will help facilitate future sustainable economic growth in the form of port related development, in a suitable location, adjacent to key transport links. The proposed development is therefore considered acceptable in this respect and, it is recommended that planning permission be granted.

APPENDICIES

APPENDIX 1

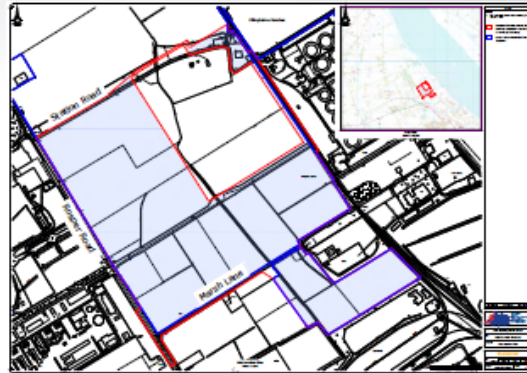
PUBLIC CONSULTATION

Able Humber Ports - Enabling Works South



Able would love to hear what you think

Able UK are currently preparing a planning application to undertake enabling works on Able Humber Ports (formerly known as Able Marine Energy Park) land to the east of Rosper Road. As a neighbour to the site, we value your opinion and views on the proposed development.



The site benefits from a Development Consent Order (DCO) permitting the construction and operation of onshore facilities for the import, export, manufacture, assembly, and storage of marine renewable energy components. In summary, the Proposed Development comprises (see plan below).

- Regrading of land with general fill and raising site levels with imported fill;
- Installation of ground drainage as required.
- Installation of ground drainage as required.
- Installation of boundary fencing.
- Widening of Marsh Lane (Vertical alignment to be retained) and construction of new footpath - hedge to be replaced North of road widening
- Upgrades at junction of Marsh Lane with Rosper Road, including widening of drainage culvert.
- Diversion of a section of Station Road and construction of new road.
- New ditch culvert under Marsh Lane.
- New entrances to proposed sites to be created (5no);
- Demolition of buildings.
- Construction of new 33kV Substation.
- New drainage ditch/diversion & new ditch crossings.
- New crossings of existing overground pipelines.
- Diversion to existing Exolum Underground Pipeline; and
- Construction of new rail sidings.



Able UK seek your views and you can provide comments via email to: [REDACTED]@ableuk.com
responses should be made by **Friday 13 January 2023**.

APPENDIX 2

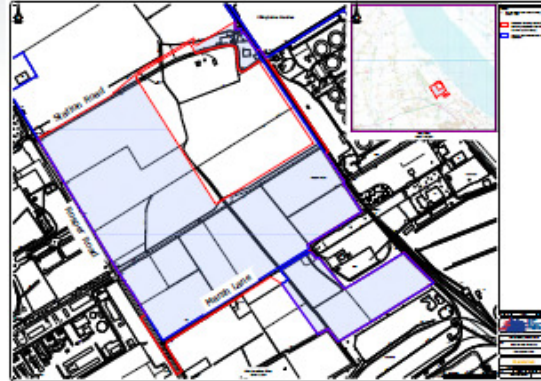
PUBLIC CONSULTATION

Able Humber Ports - Enabling Works South



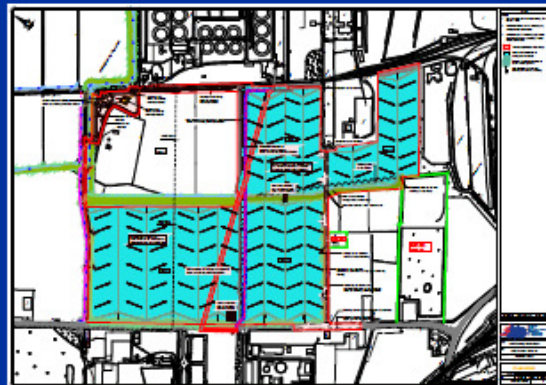
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- Construction of new 33kV Substation.
- New drainage ditch/diversion & new ditch crossings.
- New crossings of existing overground pipelines.
- Diversion to existing Exolum Underground Pipeline; and
- Construction of new rail sidings.



Able UK seek your views and you can provide comments to [redacted] on 07 [redacted]

responses should be made by **Friday 27th January 2023.**

APPENDIX 3

Pre-Application Consultation responses

Associated Petroleum Terminals Ltd

Dear Mr Walker,

As a neighbouring occupier to the site of the above proposed development we would like to raise the following questions and views as part of your consultation process.

During any works we require 100% uninterrupted access down the full length of Marsh Lane between Rosper Road and our South Killingholme Terminal. We are a 24 hour / 365 day a year operation and must have full site access for workers and emergency services at all times, including during the road widening works.

We have previously commented on the flood risk with respect to land elevation changes etc. but have the following further questions:

Is there any surface water drainage attenuation?

Culvert installations – method of installation (pipe jacking or open cut). This will determine any access restriction at Marsh Lane junction.

Number of vehicles expected during the construction phase and when operational?

Is a Programme of works available?

Marsh Lane vertical alignment to remain unchanged – is there a cross section showing the adjacent land in relation to Marsh Lane? If the adjacent land is raised as detailed on the plan, there is a risk that Marsh Lane will flood regularly with surface water run off at the new junctions.

Could you please acknowledge receipt of this email and provide any further information in answer to the above directly to me or Mr Matt Dearnley.

Local Residents

Dear Mr M. Walker

Thank you for reaching out to us, the residents of Marsh Lane, asking for our opinions and views on Able's proposed development. Able were granted a DCO in 2014, for the construction and operation of onshore facilities for the import, export, manufacture, assembly and storage of marine renewable energy components, and to help Able to accomplish this, they were handed millions of pounds of public money. To my knowledge none of these activities has yet to be commenced, and the money has not been handed back. Please correct me if I'm wrong. The 2014 DCO did not however allow for development on a portion of Able's land which sits directly opposite our properties, originally designated as 'Mitigation Area A'. Able successfully applied to have the DCO amended in 2018. This area has now been re-designated as agricultural land and appears to be included in Able's present proposal. Although it is no surprise to me that Able have deemed this piece of land ripe for development, it is never the less a dismaying prospect.

In 2016 a planning application was made by Able for this part of their site, formally designated as 'Mitigation Area A', to be developed for a 'car storage and distribution facility, port related storage, engineering works, pre-delivery inspection facility, other minor building, lighting columns and other minor works.' The 2014 DCO presumably is only valid for the 'construction and operation of onshore facilities for the import, export, manufacture, assembly and storage of marine renewable energy components' which is, I assume, why Able's present proposal, unlike that of 2016, refers to these activities. Taking into account the 2016 planning application though, the actual purpose of the proposed development could be open to question. I wonder if the site will ever be used for marine renewable energy components or will ultimately become just a regular port facility. This eventuality probably explains the name change from 'Able Marine Energy Park' to the more general 'Able Humber Ports.'

At present it is difficult to offer any detailed comments without a more comprehensive account of Able's proposals, as the details provided are somewhat vague. As Able say, we are neighbours, and it looks like, even from the little information provided, that we will become very close neighbours indeed, if these plans are given the go ahead.

I will be better able to respond more fully to Able's proposals as part of the formal planning process once they have submitted their planning application in full. What would be even better though would be a face to face meeting between us, Able and the local planning department, especially if Able really would love to hear what we think, because we certainly would like to tell Able what we think. After all if these proposals were to go ahead unchallenged, it would seriously affect the way we currently enjoy our properties, effectively taking away our semi rural quiet domestic environment and placing us at the heart of a potentially dangerous and noisy industrial centre, particularly when Phillips 66's proposed hydrogen plant and VPI's carbon capture plant are added to the mix.

North East Lindsey Drainage Board

Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area. The site also includes a number of watercourses that are scheduled and maintained by the Board.

Any proposed development must be in accordance with the agreed Drainage Strategy for the site. This includes the new pumping station being operational prior to any further ground raising. In addition, further works may be required to ensure third parties are not detrimentally affected by the proposals.

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse. It is essential that appropriate access is provided in order the network of watercourses within the site can be maintained.

Under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.

A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. Access should be agreed with the Local Planning Authority, LLFA and the third party that will be responsible for the maintenance

The Board will continue to engage with ABLE UK for all drainage matters connected to this and the wider site.

Associated British Ports

Dear Marcus

Able Humber Ports – Enabling Works South - Public Consultation

I hope you are well and enjoying the role. You may recall we worked together on the HCF / CATCH board several years ago. I also moved roles from BP to ABP around 5 years ago which has been a refreshing change.

Thank you for your advance notice regarding Able UK's proposals *"to undertake enabling works on Able Humber Ports (formerly known as Able Marine Energy Park) land to the east of Rosper Road"*.

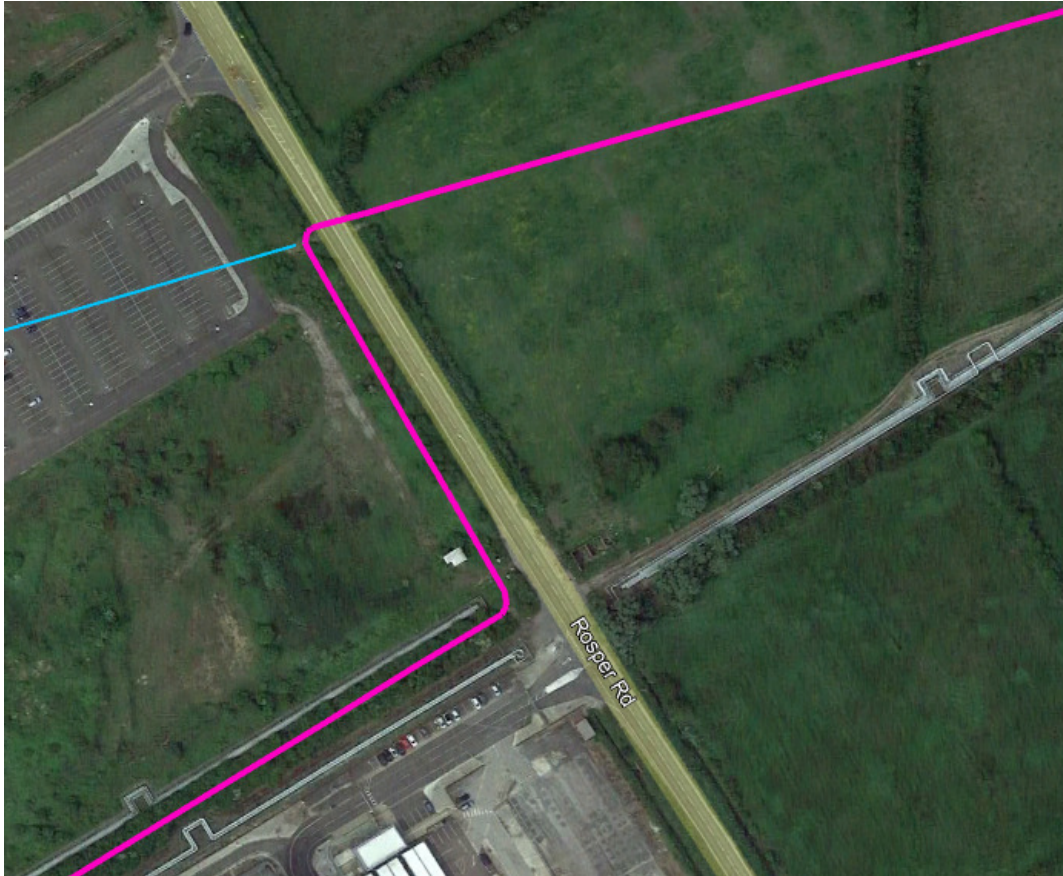
Having discussed internally, we note your reference in general terms to the AMEP DCO and the plan was extremely helpful. That said, we do query whether the works that you are proposing to undertake are intended to incorporate the DCO consented land or indeed are actually related to the consented AMEP development. In reviewing the plan that you provided, it is our understanding that the land identified falls partly outside the permitted DCO boundary whilst also falling partly within what was the former Mitigation Area A designated as such by the AMEP DCO.

It would also be helpful if you could clarify the purpose of the proposed enabling works, some of which seem to be quite substantive.

It is therefore difficult for us to comment on your proposals without a little more detail. Any further information that you can provide in relation to our questions above and more generally would be much appreciated.

Exolum

With regards to your planning application it would be worth increasing the footprint to cover the length of our pipeline running parallel to Roper Road so that we do not have to carry out our own planning application:



Kind Regards

exolum

Ashdon Road, Saffron Walden

Essex CB10 2NF

t: 01799 564107

m: 07540 138353

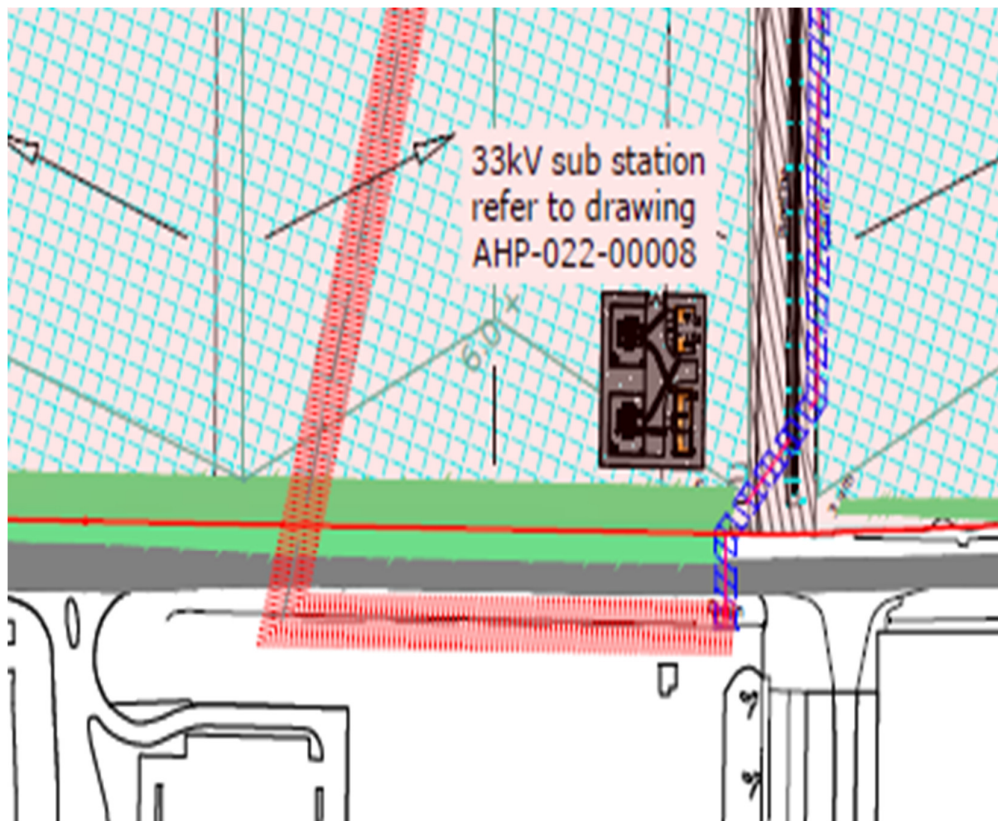
e: paul.lewis@exolum.com

w: www.clhps.uk

Prax Group

Comments from Prax Lindsey Oil Refinery (PLOR) in relation to the attached Public Consultation:

1. In Nov-21 there were discussions between Able, P66, and PLOR regarding the proposed design of the bridge crossings. Can you please provide a copy of your latest revision of design drawing AHP-022-00006 so that we can check and confirm that the design has incorporated our comments.
2. How will the changes to drainage, and increase in water run off from the paved area, impact our site?
3. Construction of rail sidings indicates an increase in rail movements. What is the impact on the local rail network?
4. For the diversion of the Exolum pipeline, what is preventing the reconnection to the existing pipeline being carried out on the east side of Rosper Road which will remove the need for a new road crossing and work on PLOR land?



Phillips 66 Limited

Good Afternoon. I work as the Commercial Manager for Phillips 66 Emerging Energy team and have received your consultation documentation for the Able Humber Ports – Enabling Works South. As you will appreciate, both Phillips 66 and our Associated Petroleum Terminals (APT) JV own land adjacent to the proposed works. This includes land which you will be aware that we are developing for our Gigastack green hydrogen project with Orsted.

It would be good to arrange some time to meet; preferably in Humberside (alternatively in London) to discuss the ABLE proposal and both our plans around land in the Immingham region.

If possible, can we target something the week commencing January 23rd? Please let me know your availability.

Phillips 66 Limited (P66) and Humber LPG Terminal Ltd (HLPGTL) - Response to Able UK Limited (Able) Public Consultation – Enabling Works South (Works).

P66 own and operate the Humber Refinery which sits on a 480-acre site at South Killingholme on the Humber Estuary and HLPGTL, a joint venture between P66 and Calor Gas Limited, own and operate the Gas Caverns situate at the north end of Marsh Lane.

Neither party has any objection to the Works provided that their legitimate interests and operational requirements are protected and their ability to carry out business is not impeded. In fact development within the area is welcomed as is the possibility of collaboration in mutually beneficial areas. With that in mind P66 and HLPGTL have reviewed the Public Consultation document and would ask that the following points and concerns are considered and, where appropriate, addressed by Able prior to the application for the Works being made.

Access

The proposed improvements to Marsh Lane are welcomed. However, where affected by the Works, Marsh Lane is a public highway. HLPGTL operate the Caverns continuously and uninterrupted access is required at all times.

Drainage and Flood Risk

The Caverns already lie within a designated flood risk area and the Works include raising land levels. This has the potential to affect drainage and cause flooding on the Caverns surface site. The area is already very wet and the raised levels could have unintended consequences to volume of water in the surrounding land. Please advise what steps are proposed to address this concern.

In addition, South Killingholme drain is the main surface water outfall for the Humber Refinery and any modifications to the drainage system downstream of the Refinery outfall may affect the performance of flow of water from the Refinery. P66 require full drainage calculations and designs to be submitted for comment and approval prior to any drainage works being carried out to ensure that the Refinery drainage systems are not affected by the development.

Construction Process and Impact on the Caverns

HLPGTL consider there should be an impact assessment carried out on how the construction techniques proposed for the Works may affect the Caverns. There has been no previous construction in the vicinity and it is assumed that neither Able nor its contractors have any experience of the impact on structures such as the Caverns. Certain piling methods, construction vehicles and construction activities may affect the behaviour of sensitive equipment and electrical items in the field. The proximity of the port related storage needs some clarifications. What materials will be stored there, heights, flammability, ignition sources etc.

In addition the Caverns are rated a Tier 1 COMAH site and in carrying out the Works and thereafter Able should ensure that nothing is done that would adversely affect that rating.

Cathodic Protection

The Caverns buried pipework is protected from corrosion by an electrical cathodic protection system of which the ground bed is positioned 1.5m deep on land defined as the Port Related Storage Area. The exact position will be marked on the ground where excavation or heavy vehicle movements need to be controlled to avoid damage. If this protection system is damaged this could lead to higher corrosion rates with the potential for a process leak.

Pipelines

P66 have the benefit of a Deed of Easement dated 22 December 2011 made between Elba Securities Limited (now Able) and P66. The Easement permits (among other matters) the installation, maintenance and renewal of 12 pipelines (the Pipelines) used at various times for the passage of multi-purpose hydrocarbon fuels. The rights afforded by the Easement should not be interrupted during the carrying out of the Works and under the terms of the Easement Able covenants not to do anything that may interfere with or damage the Pipelines or interfere with, impede or obstruct P66's access to them.

Contamination

P66 occupy an area of land on the south eastern boundary of the proposed Works used for the storage and processing of battery coke prior to export. There is concern that during the construction period there will be a risk of contamination of product from construction activity windblown dust. Able are asked to provide details of what mitigation measures will be put in place to prevent contamination during construction.

January 2023

APPENDIX 4

Pre-Application Consultation Tracker

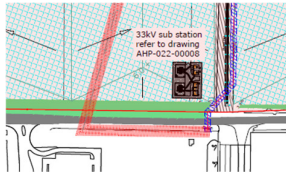
Ref	Respondent	Comment	Response
EWS-1	Dr Graham Milner, Hazeldene	<p>Dear Mr M. Walker</p> <p>Thank you for reaching out to us, the residents of Marsh Lane, asking for our opinions and views on Able's proposed development. Able were granted a DCO in 2014, for the construction and operation of onshore facilities for the import, export, manufacture, assembly and storage of marine renewable energy components, and to help Able to accomplish this, they were handed millions of pounds of public money. To my knowledge none of these activities has yet to be commenced, and the money has not been handed back. Please correct me if I'm wrong. The 2014 DCO did not however allow for development on a portion of Able's land which sits directly opposite our properties, originally designated as 'Mitigation Area A'. Able successfully applied to have the DCO amended in 2018. This area has now been re-designated as agricultural land and appears to be included in Able's present proposal. Although it is no surprise to me that Able have deemed this piece of land ripe for development, it is never the less a dismaying prospect.</p> <p>In 2016 a planning application was made by Able for this part of their site, formally designated as 'Mitigation Area A', to be developed for a 'car storage and distribution facility, port related storage, engineering works, pre-delivery inspection facility, other minor building, lighting columns and other minor works.' The 2014 DCO presumably is only valid for the 'construction and operation of onshore facilities for the import, export, manufacture, assembly and storage of marine renewable energy components' which is, I assume, why Able's present proposal, unlike that of 2016, refers to these activities. Taking into account the 2016 planning application though, the actual purpose of the proposed development could be open to question. I wonder if the site will ever be used for marine renewable energy components or will ultimately become just a regular port facility. This eventuality probably explains the name change from 'Able Marine Energy Park' to the more general 'Able Humber Ports.'</p> <p>At present it is difficult to offer any detailed comments without a more comprehensive account of Able's proposals, as the details provided are somewhat vague. As Able say, we are neighbours, and it looks like, even from the little information provided, that we will become</p>	<p>Able's Development Consent Order (DCO) was privately funded without public subsidy as are all works undertaken thus far. The Lincolnshire Local Enterprise Partnership awarded a grant to support the development of the Killingholme Marshes Pumping Station (KMPS) which will prevent the future flooding of the wider catchment area including the Hazeledene property, Phillips66 and Prax refineries, CRO Port amongst others and will safeguard circa 1,500 jobs.</p> <p>The principle of the application site being developed for employment uses is firmly established in planning policy.</p> <p>The application site is proposed for industry (Inset 57) as identified by saved policies IN-3 and IN-4 of the North Lincolnshire Plan (2003).</p> <p>Policy IN-3 states pproposes 'B1, B2 and B8 industrial and commercial development, including extensions to buildings, limited infilling between buildings, redevelopment of existing sites and conversion of buildings' on the application site.</p> <p>Policy IN-4 states 'The South Humber Bank Industrial area between South Killingholme Haven and East Halton Skitter is proposed for estuary related B1, B2 and B8 industrial development and ancillary activities'.</p> <p>The allocation of this site for employment uses is confirmed in the North Lincolnshire Core Strategy. Policy CS12 – South Humber Bank Strategic Employment Sites states 'The South Humber Bank Strategic Employment Site (SHBSES) will be reserved for B1, B2 and B8 port related activities to take special advantages of its location, flat topography and adjacent a deep-water channel of the River Humber as an extension to Immingham Port and the Humber Sea Terminal'.</p>

Ref	Respondent	Comment	Response
		<p>very close neighbours indeed, if these plans are given the go ahead.</p> <p>I will be better able to respond more fully to Able's proposals as part of the formal planning process once they have submitted their planning application in full. What would be even better though would be a face to face meeting between us, Able and the local planning department, especially if Able really would love to hear what we think, because we certainly would like to tell Able what we think. After all if these proposals were to go ahead unchallenged, it would seriously affect the way we currently enjoy our properties, effectively taking away our semi rural quiet domestic environment and placing us at the heart of a potentially dangerous and noisy industrial centre, particularly when Phillips 66's proposed hydrogen plant and VPI's carbon capture plant are added to the mix.</p> <p>Yours Sincerely Dr Graham Milner</p>	<p>The North Lincolnshire Employment Housing and Employment Allocations Development Plan Document (HELADPD) adopted 2016 also supports the development of the of the site for employment uses.</p> <p>The HELADPD allocates part of the site for employment development and part as a wildlife mitigation area. Policy SHBE-1 identifies two sites for mitigation including the Killingholme Marsh area located on this application site.</p> <p>Supporting text for Policy SHBE-1 (Para-4.33 states that 'Developers could bring forward other alternative mitigation proposals of at least equivalent area, to that agreed under ALP and AMEP proposals'. It is made clear that this is to provide flexibility in developing the site. A revision to Development Consent Order consented the relocation of Killingholme Marsh Mitigation Area A elsewhere to precisely enable this to happen so this site could be developed. The respondent is incorrect is stating this areas has therefore been 'redesignated as agricultural land.</p> <p>Furthermore, the principle of this has been established since the relocation of the area as an application for a wind turbine monopile factory has been consented on part of this site.</p> <p>The Respondents objections to the proposal are noted as they were taken fully into account at previous local plan public examinations that were rejected by the Planning Inspectorate.</p>
EWS-2	<p>Guy Hird Head of Technical & Engineering Services North East Lindsey Drainage Board Witham House,Meadow LaneNorth Hykeham, LINCOLN, LN6 9QU (<i>for sat nav use LN6 9TP</i>) Tel: 01522 697123</p>	<p>ND-6298-2023-PLN</p> <p>Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area. The site also includes a number of watercourses that are scheduled and maintained by the Board.</p> <p>Any proposed development must be in accordance with the agreed Drainage Strategy for the site. This includes the new pumping station being operational prior to any further ground raising. In addition, further works may be required to ensure third parties are not detrimentally affected by the proposals.</p> <p>Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse. It is essential that appropriate access is provided in order the</p>	

Ref	Respondent	Comment	Response
		<p>network of watercourses within the site can be maintained.</p> <p>Under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion. A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed.</p> <p>Access should be agreed with the Local Planning Authority, LLFA and the third party that will be responsible for the maintenance</p> <p>The Board will continue to engage with ABLE UK for all drainage matters connected to this and the wider site.</p> <p>Regards Guy Hird Head of Technical & Engineering Services</p>	
EWS-3	Chris Bowlas Head of Commercial (Humber) Associated British Ports	<p>ABP query that the works Able UK propose to undertake 'are intended to incorporate the DCO consented land or indeed are actually related to the consented AMEP development. In reviewing the plan that you provided, it is our understanding that the land identified falls partly outside the permitted DCO boundary whilst also partly falling within what was the former mitigation area A designated as such by the AMEP DCO.</p> <p>It would also be helpful if you could clarify the purpose of the proposed enabling works, some of which seem to be quite substantive.</p> <p>It is therefore difficult to comment on your proposals without a little more detail. Any further information you can provide in relation to our questions above and more generally will be appreciated.</p>	<p>The development that was originally consented within the former Mitigation Area A has been relocated to Able Energy Park in accordance with Policy SHBE-1 of the North Lincolnshire Housing and Employment Land Allocation DPD. This policy provides the flexibility to re-provide this mitigation area elsewhere (which has been consented and implemented) to enable the site to be developed. Accordingly, the works are being undertaken to prepare the works.</p> <p>That part of the application site falling within the jurisdiction of the Development Consent Order will be developed in accordance with these provisions.</p> <p>This application site is to prepare the land for development and does not identify the defined use.</p>
EWS-4	Mike Wailes Commercial Manager, Emerging Energy (Europe) Phillips 66 Limited O+44 (0)1469- 555719 M: +44 (0)7566- 289873	<p>Good Afternoon. I work as the Commercial Manager for Phillips 66 Emerging Energy team and have received your consultation documentation for the Able Humber Ports – Enabling Works South. As you will appreciate, both Phillips 66 and our Associated Petroleum Terminals (APT) JV own land adjacent to the proposed works. This includes land which you will be aware that we are developing for our Gigastack green hydrogen project with Orsted.</p> <p>It would be good to arrange some time to meet; preferably in Humberside (alternatively in</p>	<p>Noted. The enabling works will not affect P66's proposed Orsted Gigastack green hydrogen project. Able UK are fully supportive of this project and will liaise with P66 during the implementation of the enabling works to ensure that there are no adverse or disruptive effects upon P66 or its projects.</p>

Ref	Respondent	Comment	Response
	<p>phillips66.com jetlocal.co.uk</p> <p>Helen Lindley Legal Counsel (Contractor) Phillips 66 Limited 01469 555648 (Humber Refinery) mobile: 07986 162629 email. helen.lindley@contractor.p66.com</p>	<p>London) to discuss the ABLE proposal and both our plans around land in the Immingham region. If possible, can we target something the week commencing January 23rd? Please let me know your availability.</p> <p>Best Regards,</p> <p>Mike</p> <p>Mike Wailes Commercial Manager, Emerging Energy (Europe) Phillips 66 Limited</p> <p>Phillips 66 Limited (P66) and Humber LPG Terminal Ltd (HLPGTL) - Response to Able UK Limited (Able) Public Consultation – Enabling Works South (Works). P66 own and operate the Humber Refinery which sits on a 480-acre site at South Killingholme on the Humber Estuary and HLPGTL, a joint venture between P66 and Calor Gas Limited, own and operate the Gas Caverns situate at the north end of Marsh Lane.</p> <p>Neither party has any objection to the Works provided that their legitimate interests and operational requirements are protected and their ability to carry out business is not impeded. In fact development within the area is welcomed as is the possibility of collaboration in mutually beneficial areas. With that in mind P66 and HLPGTL have reviewed the Public Consultation document and would ask that the following points and concerns are considered and, where appropriate, addressed by Able prior to the application for the Works being made.</p> <p>Access The proposed improvements to Marsh Lane are welcomed. However, where affected by the Works, Marsh Lane is a public highway. HLPGTL operate the Caverns continuously and uninterrupted access is required at all times.</p> <p>Drainage and Flood Risk The Caverns already lie within a designated flood risk area and the Works include raising land levels. This has the potential to affect drainage and cause flooding on the Caverns surface site. The area is already very wet and the raised levels could have unintended consequences to volume of water in the surrounding land. Please advise what steps are proposed to address this concern.</p>	

Ref	Respondent	Comment	Response
		<p>In addition, South Killingholme drain is the main surface water outfall for the Humber Refinery and any modifications to the drainage system downstream of the Refinery outfall may affect the performance of flow of water from the Refinery. P66 require full drainage calculations and designs to be submitted for comment and approval prior to any drainage works being carried out to ensure that the Refinery drainage systems are not affected by the development.</p> <p>Construction Process and Impact on the Caverns HLPRTL consider there should be an impact assessment carried out on how the construction techniques proposed for the Works may affect the Caverns. There has been no previous construction in the vicinity and it is assumed that neither Able nor its contractors have any experience of the impact on structures such as the Caverns. Certain piling methods, construction vehicles and construction activities may affect the behaviour of sensitive equipment and electrical items in the field. The proximity of the port related storage needs some clarifications. What materials will be stored there, heights, flammability, ignition sources etc. In addition the Caverns are rated a Tier 1 COMAH site and in carrying out the Works and thereafter Able should ensure that nothing is done that would adversely affect that rating.</p> <p>Cathodic Protection The Caverns buried pipework is protected from corrosion by an electrical cathodic protection system of which the ground bed is positioned 1.5m deep on land defined as the Port Related Storage Area. The exact position will be marked on the ground where excavation or heavy vehicle movements need to be controlled to avoid damage. If this protection system is damaged this could lead to higher corrosion rates with the potential for a process leak.</p> <p>Pipelines P66 have the benefit of a Deed of Easement dated 22 December 2011 made between Elba Securities Limited (now Able) and P66. The Easement permits (among other matters) the installation, maintenance and renewal of 12 pipelines (the Pipelines) used at various times for the passage of multi-purpose hydrocarbon fuels. The rights afforded by the Easement should not be interrupted during the carrying out of the Works and under the terms of the Easement Able covenants not to do anything that may interfere with or damage the Pipelines or interfere with, impede or obstruct P66's access to them.</p>	

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		<p>Contamination P66 occupy an area of land on the south eastern boundary of the proposed Works used for the storage and processing of battery coke prior to export. There is concern that during the construction period there will be a risk of contamination of product from construction activity windblown dust. Able are asked to provide details of what mitigation measures will be put in place to prevent contamination during construction.</p> <p>January 2023</p>	
EWS-4	<p>Thomas Willson CSD Manager Prax Group Finance Lindsey Oil Refinery Eastfield Road North Killingholme DN40 3LW</p>	<p>Comments from Prax Lindsey Oil Refinery (PLOR) in relation to the attached Public Consultation:</p> <ol style="list-style-type: none"> 1. In Nov-21 there were discussions between Able, P66, and PLOR regarding the proposed design of the bridge crossings. Can you please provide a copy of your latest revision of design drawing AHP-022-00006 so that we can check and confirm that the design has incorporated our comments. 2. How will the changes to drainage, and increase in water run off from the paved area, impact our site? 3. Construction of rail sidings indicates an increase in rail movements. What is the impact on the local rail network? 4. For the diversion of the Exolum pipeline, what is preventing the reconnection to the existing pipeline being carried out on the east side of Rosper Road which will remove the need for a new road crossing and work on PLOR land?  <p>Kind regards Thomas Willson CSD Manager Prax Group Finance Lindsey Oil Refinery Eastfield Road North Killingholme DN40 3LW</p>	<p>The latest bridge designs will be forwarded separately.</p> <p>The site will drain into the drains that are currently being widened and improved. These drains are connected flow into the circa £11 million Killingholme Marsh Pumping Station (KMPS) which are being funded by Able UK with grant support from the Local Enterprise Partnership. The KPMS drainage scheme is intended to protect the wider catchment area from future flooding including Prax and Phillip 66s and Prax refineries, CRO Port amongst others and will safeguard circa 1,500 jobs.</p> <p>The rail line is currently operational but has been unused from some time and the sidings will provide the ability for more sustainable freight movements if required. Any impacts are not there quantifiable but would be considered by Network rail.</p> <p>Options for the relocation of the Exolum pipeline are being considered.</p>

Ref	Respondent	Comment	Response
EWS-5	Kevin Powell Business Support Controller and Company Secretary Associated Petroleum Terminals Ltd Queens Road Immingham North East Lincs DN40 2PN	<p>Dear Mr Walker,</p> <p>As a neighbouring occupier to the site of the above proposed development we would like to raise the following questions and views as part of your consultation process.</p> <p>During any works we require 100% uninterrupted access down the full length of Marsh Lane between Rosper Road and our South Killingholme Terminal. We are a 24 hour / 365 day a year operation and must have full site access for workers and emergency services at all times, including during the road widening works.</p> <p>We have previously commented on the flood risk with respect to land elevation changes etc. but have the following further questions:</p> <p>Is there any surface water drainage attenuation?</p> <p>Culvert installations – method of installation (pipe jacking or open cut). This will determine any access restriction at Marsh Lane junction.</p> <p>Number of vehicles expected during the construction phase and when operational?</p> <p>Is a Programme of works available?</p> <p>Marsh Lane vertical alignment to remain unchanged – is there a cross section showing the adjacent land in relation to Marsh Lane? If the adjacent land is raised as detailed on the plan, there is a risk that Marsh Lane will flood regularly with surface water run off at the new junctions.</p> <p>Could you please acknowledge receipt of this email and provide any further information in answer to the above directly to me or Mr Matt Dearnley.</p> <p>Thank you Regards Kevin</p> <p>Kevin Powell Business Support Controller and Company Secretary Associated Petroleum Terminals Ltd Queens Road Immingham North East Lincs DN40 2PN</p>	<p>The development will seek to ensure uninterrupted access to Marsh Lane if technically possible.</p> <p>The site will drain into the drains that are currently being widened and improved. These drains are connected flow into the circa £11 million Killingholme Marsh Pumping Station (KMPS) which are being funded by Able UK with grant support from the Local Enterprise Partnership. The KPMS drainage scheme is intended to protect the wider catchment area from future flooding including Exolum, Prax and Phillip 66s and Prax refineries, CRO Port amongst others and will safeguard circa 1,500 jobs.</p> <p>The vehicle movement will be confirmed in the planning application as will a Construction Transport / Construction Environmental Management Plan.</p> <p>Detailed plans will be available at the planning application stage.</p>

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