

Mr Scott Jackson
Development Control
North Lincolnshire Council
Civic Centre
Ashby Road
Scunthorpe
DN16 1AB

Adams Hendry Consulting Ltd

Sheridan House
40-43 Jewry Street
Winchester
SO23 8RY

T 01962 877414

www.adamshendry.co.uk

Email: _____

p.rowell@adamshendry.co.uk

Our Ref: _____

N/A

Your Ref: _____

PA/2018/1416

Project No: _____

ABP/1118

2 October 2018 – By Email

Dear Mr Jackson

Application PA/2018/1416: Application to construct a new railway siding including loading and unloading ramps

We write on behalf of Associated British Ports (Port of Immingham) in respect of the above application.

Having regard to the fact that rail access to the site of the proposed new siding is along rail infrastructure that forms part of the ABP Port of Immingham, ABP is somewhat surprised that it has not been formally consulted on this application, which clearly has potential implications for ABP's ongoing port operations at the Port of Immingham.

That said, having now reviewed the very limited information that has been submitted as part of this application, ABP is not actually in a position to determine what impacts the proposal will have on the rail facilities within the Port of Immingham - and whether increased rail traffic through the port is even practically feasible. Both in this respect, and generally, ABP is of the view that the information submitted by the applicant is insufficient to enable the Council to properly consider the proposal and reach a decision on it.

Further details of the proposals – including in particular information on how it is going to operate, the number of train movements per day, the timing of those movements and the potential length of trains – must be submitted and ABP must then be given the opportunity to examine such information carefully and understand the implications for the Port of Immingham.

In the absence of such detail and information, and the clear potential for the proposal to impact detrimentally upon the Port of Immingham, ABP has no option but to strongly object to this planning application.

In addition, ABP notes that as applied for, the application would appear to be unimplementable. This is because the application boundary (which is currently said to cover an area of 0.91 hectares) has seemingly been drawn tightly around only certain elements of the proposed works and does not appear, in any event, to include any allowance for construction activity or access to the site. ABP fully suspects that when a more realistic boundary is drawn, the “area of the works” (as defined in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017) would exceed 1 hectare – meaning that the proposal would constitute development falling within the description given in Schedule 2(10)(d) of the same EIA regulations. As a result, the proposal would need to be screened to determine whether it requires environmental impact assessment.

Understandably, this is not an exercise which has, as yet been carried out bearing in mind that your authority similarly has insufficient/inadequate information on which to base a decision. In considering the need for EIA, we would also suggest that cumulative and in-combination considerations – having regard to other developments being proposed by the applicant in the vicinity of the site – would need to be undertaken.

Finally, it is noted that planning permission is being sought for the rail siding to be a permanent facility. No information has been provided by the applicant which explains why such a permanent development does not hinder the implementation of the Able Marine Energy Park (AMEP) DCO scheme. As has previously been indicated in respect of other developments applied for across the AMEP site, piecemeal developments across that site which hinder the implementation of the AMEP DCO scheme would be contrary to policy SHBE-1 of the Housing and Employment Land Allocations DPD (March 2016).

Policy SHBE-1 is the site-specific policy of relevance to the site in question and, for the avoidance of doubt, contains a series of criteria against which development proposals on the site are required to comply. One of the criteria requires new development on this site to *“maximise the potential for high value jobs and high job densities”*, before making it clear that the site in question *“will be safeguarded against piecemeal development proposals that do not meet these employment needs”*. The rail siding proposal currently before the Council cannot be said to comply with this important policy requirement.

We trust that the above matters are self-explanatory. We would be grateful if you could confirm that the application will not be progressed further until the requisite information has been provided, and upon which our client will also wish to comment.

Yours sincerely



Philip Rowell
Director