



North Lincolnshire Housing and Employment Land Allocations DPD Examination

Written Statement in Response to the Inspector's Matter 4 (Employment Land Allocations) and Policy SHBE-1 (South Humber Bank)

Prepared for
Associated British Ports

December 2014

Contents

1	Introduction	3
2	Policy	4
3	Objections and Requested Changes	6

Appendices

Appendix 1	North Lincolnshire Council's Suggested Revised Inset 57 Plan	9
Appendix 2	ABP's Previous Statement to North Lincolnshire Council October 2014	10
Appendix 3	North Lincolnshire Council's Suggested Changes to Policy SHBE-1 Received on 12 September 2014	11
Appendix 4	ABP's Requested Changes to the H&ELA DPD	12

1 Introduction

- 1.1 BNP Paribas Real Estate has been instructed by Associated British Ports (ABP), to prepare a written statement in response to Matter 4 (Employment Land Allocations) and Policy SHBE-1 (South Humber Bank) for the North Lincolnshire Housing and Employment Land Allocations (H&ELA) DPD Examination in respect of ABP's:
 - i. Main Operational Area of the Port of Immingham located within North Lincolnshire; and
 - ii. Triangular area of land located to the north of the Main Operational Area, comprising the last remaining undeveloped land with riverside frontage at the Port of Immingham, and therefore crucial to the future growth and development of the port.
- 1.2 These areas are identified as the "Operational Area of the Port of Immingham" on the Council's suggested revised Inset 57 plan at Appendix 1.
- 1.3 This statement is submitted pursuant to ABP's representations to the Submission Version of the North Lincolnshire H&ELA DPD. It also makes reference to ABP's previous statement submitted to North Lincolnshire Council in October 2014 (see Appendix 2) in response to the Council's suggested changes to Policy SHBE-1 received on 12 September 2014 (see Appendix 3) following ABP's representations to the Submission Version consultation.
- 1.4 The context in which ABP's objections are made is set out in paragraphs 3.1 and 3.2 of ABP's previous statement at Appendix 2. In brief, the Port of Immingham is the UK's largest port by tonnage, handling over 50 million tonnes of cargo per annum in recent years, and plays a strategic role in the movement of major volumes of coal and petroleum products. The Port is also an anchor to the wider resource intensive industries that are critical bedrocks of the UK economy, including the major power plants in Yorkshire and Tata Steel. Furthermore, the port plays a fundamental role in the North Lincolnshire and wider regional economies in terms of substantial job creation (almost 7,000 FTE direct, indirect and induced jobs), generating economic investment (£331m projected over the next 5 years) and its function as a vital transport hub.
- 1.5 Pursuant to the above, ABP's objections to the North Lincolnshire H&ELA DPD and request for changes to be made to the DPD to ensure it meets the tests of soundness are summarised in section 2 and 3 below.

2 Policy

- 2.1 Together the following policy documents provide clear and strong support for ABP's proposed future growth and development of the Port of Immingham as summarised below.

National Policy Statement for Ports

- 2.2 As set out in more detail at paragraphs 2.1 and 2.2 of ABP's previous statement at Appendix 2, the National Policy Statement for Ports (NPSP) recognises and supports the vital role the UK's ports play in local, regional and the national economies, as well as the "compelling need for substantial additional port capacity over the next 20–30 years".
- 2.3 Furthermore, the NPSP is clear in its support for "judgments about when and where new developments might be proposed to be made on the basis of commercial factors by the port industry or port developers operating within a free market environment".

National Planning Policy Framework

- 2.4 Important provisions from the National Planning Policy Framework (NPPF) (2012) include:
- i. Paragraph 33, which identifies that local authorities' plans should take account of the growth of ports and their role in serving the needs of business.
 - ii. Paragraph 35, which requires plans to "protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people" and paragraph 41, which requires local planning authorities to identify and protect sites "which could be critical in developing infrastructure to widen transport choice", and therefore including ports.
 - iii. Paragraph 30, which requires local planning authorities to "facilitate the use of sustainable modes of transport" when preparing their Local Plans, by supporting, amongst other things, ports.

Port of Immingham Master Plan

- 2.5 The Department for Transport's (DfT) "Guidance on the Preparation of Port Master Plans" (2008) sets out that Master Plans should be produced by major ports (defined as those handling at least 1 million tonnes), with one of the main aims be to "(a)ssist local and regional planning bodies and transport network providers in preparing and revising their development strategies"
- 2.6 ABP subsequently published its final Port of Immingham Master Plan in October 2012 following consultation with key stakeholders, including North Lincolnshire Council. This sets out the anticipated requirements for the development of the port's infrastructure up to 2030, with a number of major developments proposed within North Lincolnshire as set out in more detail at paragraph 3.4 of ABP's previous statement at Appendix 2. These developments include the proposed Immingham Western Deepwater Jetty on ABP's triangular area of land to the north, being the last remaining undeveloped land with riverside frontage at the Port of Immingham, and therefore crucial to the future growth and development of the port.

- 2.7 North Lincolnshire Council responded to ABP's consultation Master Plan on 30 April 2010 confirming that "the council commends the masterplan" and shares ABP's "ambitions for the port, (which are) vital in helping realise the long-term prosperity of northern Lincolnshire". No objection was raised to any of the major developments proposed for the Main Operation Area of the Port of Immingham or the proposed Immingham Western Deepwater Jetty on ABP's triangular area of land to the north, which were set out in the consultation Master Plan.

Core Strategy

- 2.8 Key provisions from the North Lincolnshire Core Strategy (adopted June 2011) include (emphasis added):
- i. Spatial Objective 2, paragraphs 4.8 and 4.9 which seeks to secure the major growth potential of the South Humber Bank ports of Grimsby and Immingham, key to which will be "ensuring that appropriate infrastructure and investment is put in place to support their development as well as secure improved access to these key locations".
 - ii. Policy CS12 and paragraph 9.36 which note that there is "a **major opportunity for these ports (Grimsby and Immingham to have significant growth and expansion)**", with the role and function of the South Humber Bank allocation (and therefore Policy SHBE-1 of the H&ELA DPD) required to:

"Maintain, increase and enhance the role of Immingham Port as part of the busiest port complex in the UK, by extending port related development northwards from Immingham Port to East Halton Skitter in harmony with the environmental and ecological assets of the Humber Estuary. This will include **safeguarding the site frontage to the deep water channel of the River Humber for the development of new port facilities and the development of new pipe routes needing access to the frontage**. The deep water channel offers the opportunity of developing a new port along the River Humber frontage between Immingham Port and the Humber Sea Terminal. The role of the South Humber Ports should be strengthened by providing an increased number of jobs particularly giving employment opportunities for North Lincolnshire and North East Lincolnshire residents."

Local Plan

- 2.9 Saved Policy INV4A and paragraph 5.37 of the adopted North Lincolnshire Local Plan (2003) acknowledge the "local, regional and national economic and functional importance of the Port of Immingham" and supports port related development on both the Main Operational Area of the Port of Immingham and ABP's triangular area of land to the north.
- 2.10 This allocation and policy support for the port related development of ABP's triangular area of land to the north of the Main Operational Area is in recognition of the fact the land was acquired for the purposes of the Port of Immingham's statutory port undertaking and, as such, forms part of the port's operational estate.

3 Objections and Requested Changes

- 3.1 ABP **strongly object** to the North Lincolnshire H&ELA DPD and consider it to be **unsound** for the reasons set out below.

Deletion of Policy INV4A

- 3.2 Saved Policy INV4A of the adopted Local Plan, which supports port related development on both the Main Operational Area of the Port of Immingham and ABP's triangular area of land to the north, is proposed to be deleted and replaced by Policy SHBE-1.

Wording of Policy SHBE-1

- 3.3 As drafted in the Submission Version of the DPD, Policy SHBE-1 does not provide support for the proposed future development of the Main Operational Area of the Port of Immingham nor ABP's triangular area of land to the north. The Main Operational Area is also not included within this nor any other proposed allocation.
- 3.4 Furthermore, although reference to the development of ABP's Operational Port Area was included in the revised wording for Policy SHBE-1 suggested to ABP by the Council in September 2014 (see Appendix 3), the wording makes clear that this "will only be supported if it meets all the criteria set out in Policy SHBE-1".
- 3.5 ABP does not consider the current wording of Policy SHBE-1 in the Submission Version of the H&ELA DPD, or the Council's suggested changes to ABP in September 2014 to be sound, for the reasons discussed in more detail at paragraphs 4.1 to 4.7 of ABP's previous statement at Appendix 2 and summarised below.
- 3.6 The wording is considered to effectively restrict ABP's proposed future growth and expansion of the Port of Immingham, particularly the strategically important future development ABP's triangular area of land to the north. More specifically, it is not clear how the requirement to create "major employment, high job densities and inward investment" would be measured and it is requested that further clarification is provided on this in the supporting text.
- 3.7 Furthermore, most port facilities and port related development are by their nature more akin to logistics development, for which it is acknowledged that **direct** job creation and density is typically lower than general industrial development. The Port of Immingham and port development more generally are, however, recognised to be major drivers of significant **indirect** job generation. It is therefore important that this is reflected in the wording of Policy SHBE-1 to ensure such important development is clearly supported as, based on the current wording, it is questionable whether port development could comply with this policy criterion.
- 3.8 Turning to the Council's suggested changes to ABP to the wording of Policy SHBE-1 (see Appendix 3), it is not clear how the requirement for the potential future development of port facilities to be "linked to fully developing the SHBE-1 allocation in terms of maximising land based employment development opportunities equivalent to the sites strategic offer" would be measured. Furthermore, this suggested revised wording of Policy SHBE-1 could be interpreted as one which seeks to prevent any development other than a single development of the area, such as that proposed in the Able Marine Energy Park.

- 3.9 These policy criteria are certainly far more onerously worded than in saved Local Plan Policy IN4A or Core Strategy Policy CS12. In our opinion, the current wording would restrict other port related developments (including the Immingham Deep Water Jetty for which there is an extant application before the Marine Management Organisation), and therefore the job and investment creation associated with these, including the growth and expansion of the Port of Immingham. It cannot be the purpose of Policy SHBE-1 to solely to support the Able Marine Energy Park development to the exclusion of any other possible port related development on the land – since this would have the effect of sterilising the development and job and investment creation potential of this area in the event that (for whatever reason) the scheme does not come forward in its entirety. The policy wording therefore needs to provide flexibility to support other developments that may be brought forward.
- 3.10 In particular, it is important to note that ABP's triangular area of land to the north of the Main Operational Area was acquired for the purposes of the Port of Immingham's statutory port undertaking and, as such, it forms part of the port's operational estate. It also comprises the last remaining undeveloped land with riverside frontage at the Port of Immingham, and is therefore crucial to the future growth and development of the port. In addition, as the owner of the triangular land, ABP has submitted a Harbour Revision Order application for the development of the land as the Immingham Deep Water Jetty, which is before the Marine Management Organisation (see paragraph 3.4 ii of ABP's previous statement at Appendix 2 for more detail). These factors are recognised and supported in the adopted North Lincolnshire Local Plan and it is important that they are also recognised in the H&ELA DPD.
- 3.11 Furthermore, it is quite possible that agreement could be reached which would enable both the Able Marine Energy Park and ABP's proposed Immingham Western Deepwater Jetty to be developed alongside each other. It is therefore important that Policy SHBE-1 supports this.
- 3.12 In addition, the fact the Main Operational Area of the Port of Immingham is excluded from the SHBE-1 allocation, coupled with the proposed deletion of saved Policy IN4A of the adopted Local Plan, means there will be no local planning policy support for port related development on ABP's Main Operational Area within North Lincolnshire.
- 3.13 Finally, it is noted that bullet point 4 of the Submission Draft version of Policy SHBE-1 under "Proposed development projects must..." refers to a specific mitigation strategy. The supporting text at 4.33, however, provides flexibility for developers to bring forward alternative mitigation proposals, subject to overriding requirement for compliance with the Habitats Directive. It is therefore considered that bullet point 4 should make this clear also.

Summary

- 3.14 The Port of Immingham is a major economic asset and driver of significant **indirect** job generation across North Lincolnshire and the wider region. There is also clear and strong policy support for ABP's proposed future growth of and development of the port set out in section 2. Accordingly, ABP **strongly objects** to the H&ELA DPD as presently drafted for the following reasons:
- It proposes the deletion of saved Local Plan Policy INV4A which supports port related development on the Main Operational Area of the Port of Immingham and ABP's triangular area of land to the north.
 - The proposed wording of Policy SHBE-1 is considered to restrict ABP's proposed strategically important expansion of the Port of Immingham

through the development of the company's triangular area of land to the north (see paragraph 3.4 of ABP's previous statement at Appendix 2).

- iii. The DPD does not provide any support for the port related developments proposed in the Port of Immingham Master Plan (see paragraph 3.4 of ABP's previous statement at Appendix 2) on ABP's Main Operational Area at the Port of Immingham.

- 3.15 Accordingly, the H&ELA DPD is considered to **not be Positively Prepared, Effective nor Consistent with National Policy** and therefore **unsound**.
- 3.16 More specifically, by not providing support for ABP's proposed growth and expansion requirements set out in the Port of Immingham Master Plan, the DPD is considered contrary to the NPSP, the NPPF and the adopted Core Strategy (see paragraphs 2.2 to 2.4 and 2.8 of this statement). For the same reasons, the DPD is not considered to meet the development and infrastructure requirements of the Port of Immingham, nor be sufficiently flexible to respond to unexpected changes in, circumstances e.g. the Able Marine Energy Park development not being brought forward.

Changes Sought

- 3.17 In light of the above, ABP request that the changes set out at Appendix 4 are made to the H&ELA DPD to address the concerns set out above and ensure it is sound.

Appendix 1

North Lincolnshire Council's Suggested Revised Inset 57 Plan

**NORTH LINCOLNSHIRE LDF
Housing & Employment
Land Allocations
Development Plan Document
Revised Submission Draft
April 2014**

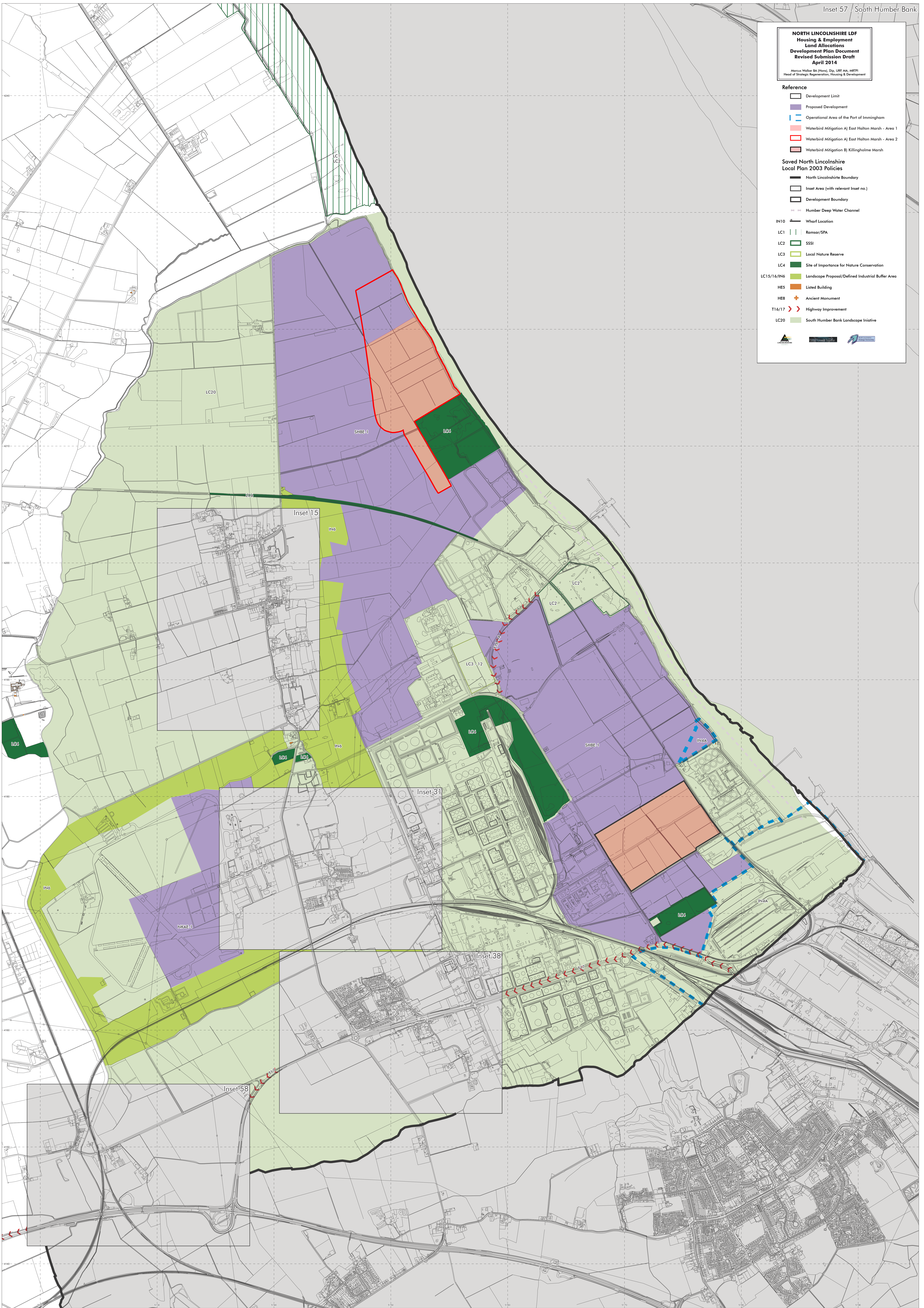
Marcus Walker BA (Hons), Dip, URP MA, MRTPI
Head of Strategic Regeneration, Housing & Development

Reference

- Development Limit
- Proposed Development
- Operational Area of the Port of Immingham
- Waterbird Mitigation A) East Halton Marsh - Area 1
- Waterbird Mitigation A) East Halton Marsh - Area 2
- Waterbird Mitigation B) Killingholme Marsh

**Saved North Lincolnshire
Local Plan 2003 Policies**

- North Lincolnshire Boundary
- Inset Area (with relevant Inset no.)
- Development Boundary
- Humber Deep Water Channel
- Wharf Location
- Ramsar/SPA
- SSSI
- Local Nature Reserve
- Site of Importance for Nature Conservation
- Landscape Proposal/Defined Industrial Buffer Area
- Listed Building
- Ancient Monument
- Highway Improvement
- South Humber Bank Landscape Initiative



Appendix 2

ABP's Previous Statement to North Lincolnshire Council October 2014



North Lincolnshire Housing and Employment Land Allocations DPD Response on behalf of Associated British Ports 16/10/2014

1 Introduction

- 1.1 Associated British Ports' (ABP) response to the North Lincolnshire Housing and Employment Land Allocations (H&ELA) DPD, following the proposed changes to the South Humber Bank policy received from Barrie Onions at North Lincolnshire Council on 12 September 2014, is set out below. This response is made pursuant to ABP's previous representations to the submission version of the H&ELA DPD.
- 1.2 The Port of Immingham is the UK's largest port by tonnage, handling over 50 million tonnes of cargo per annum in recent years, and plays a strategic role in the movement of major volumes of coal and petroleum products, as well as being an anchor to the wider resource intensive industries that are critical bedrocks of the UK economy. The port also plays a fundamental role in the North Lincolnshire and wider regional economies in terms of substantial job creation (almost 7,000 FTE direct, indirect and induced jobs), generating economic investment and its function as a vital transport hub.
- 1.3 Accordingly, this response sets out the need for amendments to the H&ELA DPD to recognise the economic importance of the port and support its future growth and development.

2 National Policy

- 2.1 The vital role the UK's ports play in local, regional and the national economies is recognised and supported in national policy. More specifically, the National Policy Statement for Ports (NPSP), published January 2012, recognises the "essential role of ports in the UK economy", particularly in terms of freight and bulk movements, energy supplies and tourism and leisure, as well as the wider economic benefits associated with these. The NPSP also provides at paragraph 3.3.1 the Government's policy for ports, including to:

"...allow judgments about when and where new developments might be proposed to be made on the basis of commercial factors by the port industry or port developers operating within a free market environment"
- 2.2 Paragraph 3.4.16 of the NPSP sets out the Government's belief that "there is a compelling need for substantial additional port capacity over the next 20–30 years, to be met by a combination of development already consented and development for which applications have yet to be received."
- 2.3 Paragraph 33 of the National Planning Policy Framework (NPPF) (2012) identifies that development plans should take account of the growth of ports and their role in serving the needs of business.
- 2.4 In July 2007, during the process of reviewing national ports policy, the Government recommended that the major UK ports produce Master Plans, and consult on them, to help coordinate future planning. The Department for Transport (DfT) subsequently published "Guidance on the Preparation of Port Master Plans" in 2008 which indicated that Master Plans should be produced by major ports (defined as those handling at least 1 million tonnes) to:
 - Clarify their strategic plans for the medium to long-term



- Assist local and regional planning bodies and transport network providers in preparing and revising their development strategies
- Inform port users, employees and local communities of expected development over the coming years.

3 Port of Immingham

3.1 The Port of Immingham is the UK's largest port by tonnage, handling over 50 million tonnes of cargo per annum in recent years, and plays a strategic role in the movement of major volumes of coal and petroleum products, as well as being an anchor to the wider resource intensive industries that are critical bedrocks of the UK economy. The port has seen a dramatic expansion of facilities over the last 10 years with significant investment made by ABP to develop riverside terminals, unit load terminals, new specialist warehousing and cargo-handling equipment. This investment in the port is part of an on-going cycle of up-grading facilities and evolution to ensure that the facilities are fit for purpose as the market evolves.

3.2 A Report by Ove Arup and Partners for ABP titled "The Economic Value of ABP in the Humber" and published in November 2013 identifies a number of Key Findings in relation to the Port of Immingham. These include the following:

- The Port plays a strategic role in the movement of major volumes of coal and petroleum products.
- The outlook for the Port of Immingham is continued economic strength, competitiveness and an economic role across the local and wider economy which offers substantial job opportunities and economic impacts.
- The current economic contribution of the Port of Immingham is estimated to be 6,821 FTE jobs through direct, indirect and induced effects.
- Detailed research has indicated that this job creation equates to 5,252 direct and indirect FTE jobs with a further 1,569 through induced effects.
- In addition, evidence from the survey indicates that firms employ temporary labour equivalent to 174 FTE posts.
- The wider catalytic impacts are evident in the role that the Port of Immingham plays as an anchor to wider resource intensive industries that are critical bedrocks of the UK economy. In particular, the major power plants in Yorkshire and high value manufactured goods and raw materials are crucial for wider economic activity and the competitiveness of UK plc. In addition, the Port plays a critical role in enabling Tata Steel's operations in the region (including at the Scunthorpe works in North Lincolnshire). The primary survey of firms on the port estate identified 162 FTE jobs that are related to the Port of Immingham but located off port. Employment at the two nearby oil refineries is also in order of 1,750 FTE jobs.
- It is estimated that the Port contributes in order of £460m of output to the economy through direct and indirect employment.
- Over the last decade ABP has invested substantially in the Port of Immingham; this is highly significant in the context of overall private sector investment in the Humber and is estimated to have contributed £399m to the economy.



- The role the deep water port plays across the South Bank of the Humber, with the active linkages to the Port of Grimsby in particular and its pivotal role in the heart of the petroleum and chemical cluster, as well as bulk dry goods means that the Port of Immingham is well placed to continue to support private sector led economic development in the area.
- The projected level of investment over the next 5 years represents a valuable injection of expenditure in the local economy supporting employment and income; it is estimated to generate £331m to the economy.

3.3 ABP adopted the Port of Immingham Master Plan 2010–2030 in October 2012 following consultation with key stakeholders, including North Lincolnshire Council. The Master Plan was developed taking into account the guidance published in 2008 by the DfT and is designed in part for use as a reference document to enable interested local planning authorities to recognise the port's future strategy in their emerging Local Plans.

3.4 The Port of Immingham Master Plan sets out the anticipated requirements for the development of the port's infrastructure up to 2030, with the following major developments proposed within North Lincolnshire (see Master Plan extract at Appendix 1).

i) Humber International Terminal (HIT) Berth 3

A proposed extension to the existing HIT berths to accommodate the anticipated significant increased demand for dry bulk cargoes, to be delivered through the redevelopment of the Immingham Gas Terminal Jetty and taken forward in tandem with separate plans for the development of the Immingham Western Deepwater Jetty (see below). The required authorising process for this proposal is underway.

ii) Immingham Western Deepwater Jetty

Located to the west, this development site offers the last remaining undeveloped riverside frontage for the port, and is of strategic importance to the future growth and development of the port. More specifically, as a result of its location adjacent to the Government Pipeline Storage System operated by the Oil and Pipelines Agency, the site is uniquely suited to the development of a new liquid bulks terminal to service existing cargoes and new bulk liquids transiting the port. An application for a Harbour Revision Order has been submitted and is awaiting determination. This seeks consent for the development of a port facility for the import, storage and onward distribution of liquid bulk goods to meet commercial demands both in the context of individual operators' needs and additional needs arising from the relocation of the existing liquid bulks facility required as part of the redevelopment of the Immingham Gas Terminal Jetty to facilitate HIT berth 3 (see above), thereby also enabling ABP to meet the forecast increase in liquid bulk traffic through UK ports.

iii) Humber International Terminal Rail Extension

Proposed works to increase the capacity of the HIT Rail Terminal and reduce turnaround times, to be completed to coincide with the development of the Immingham Renewable Fuels Terminal.

iv) Immingham Renewable Fuels Terminal

A proposed fully automated bulk handling terminal, located at HIT, with an estimated annual throughput of 3 million tonnes of biomass to serve the region's power generating industry.



v) West Gate Entrance Development

Proposed works to enhance the port's principal point of access to accommodate an anticipated increase in the amount of traffic at the port, and to facilitate improved security and safety checks at the port's entrance

vi) South Humber Bank Link Road

A new link road connecting the Port of Immingham to the proposed Immingham Western Deepwater Jetty and South Humber Bank development lands lying to the west of the port, including the Able (UK) Logistics Park

- 3.5 North Lincolnshire Council's response to this consultation Master Plan dated 30 April 2010 confirmed that "the council commends the masterplan" and shares ABP's "ambitions for the port, (which are) vital in helping realise the long-term prosperity of northern Lincolnshire". No objection was raised to any of the above development proposals which were set out in the consultation Master Plan. However, the Council did request that further consideration be given to how the Master Plan could proactively shift some of traffic from the congested southern ports to the Humber.

4 Requested Changes

4.1 In light of the above, ABP strongly object to the submission version of the H&ELA DPD on the basis that:

- i. Policy INV4A of the adopted North Lincolnshire Local Plan which supports port related development on ABP's land and port holdings within North Lincolnshire is proposed for deletion.
- ii. There is no recognition of the economic importance of the Port of Immingham nor proposed replacement for Policy IN4A which is vital to support the future development and expansion of the Port of Immingham required to meet the need for additional port capacity identified in the Port of Immingham Master Plan.

- 4.2 ABP welcome Mr Onions' Proposed Change to Inset 57 to thicken the blue dashed notation to clearly identify ABP's land and port holdings within North Lincolnshire and the opportunity to engage on further changes to the H&ELA DPD prior to the Examination.

- 4.3 The proposed changes to Policy SHBE-1, however, are not sufficient to address ABP's **strong objections** to the H&ELA DPD as they do **not**:

- i. Recognise nor provide any support for the port related developments proposed in the Port of Immingham Master Plan for ABP's land and port holdings to the south of the South Humber Bank allocation; nor
- ii. Provide specific support for the strategically important expansion of the Port of Immingham set out in the Master Plan through the future development of ABP's triangular area of land located within the South Humber Bank allocation.

- 4.4 As set out above, the NPSP makes clear that commercial port operators are best placed to make decisions about where and when to invest in the port sector. The NPSP also notes that "there is a compelling need for substantial additional port capacity over the next 20–30 years, to be met by a combination of development already consented and development for which



applications have yet to be received.” Furthermore, the NPPF identifies that development plans should take account of the growth of ports.

- 4.5 The Port of Immingham is the UK's largest port by tonnage, handling over 50 million tonnes of cargo per annum in recent years, and plays a strategic role in the movement of major volumes of coal and petroleum products, as well as being an anchor to the wider resource intensive industries that are critical bedrocks of the UK economy. The port also plays a fundamental role in the North Lincolnshire and wider regional economies in terms of substantial job creation (almost 7,000 FTE direct, indirect and induced jobs), generating economic investment and its function as a vital transport hub.
- 4.6 The Port of Immingham Master Plan has been prepared in response to the Government's recommendation that major UK ports produce Master Plans to help coordinate future planning and development strategies. The Master Plan was commended by North Lincolnshire Council as part of the 2010 consultation.
- 4.7 The need for ABP's future developments proposals outlined at paragraph 3.4 above are set out in detail in the Port of Immingham Master Plan (see also extract at Appendix 1), as well as in the supporting documents for the Immingham Western Deepwater Jetty Harbour Revision Order application (see Environmental Statement Non-Technical Summary extract at Appendix 2). These developments are vital to the continued operation and growth of the Port of Immingham, as well as the fundamental role it plays in the North Lincolnshire and wider regional economies.
- 4.8 In light of the above, ABP continue to **strongly object** to the H&ELA DPD and require the following changes.

i. New Port Related Development Policy

The inclusion of a new policy and supporting text which supports future port related development on ABP's land and port holdings within North Lincolnshire and identified on Inset 57. It is requested that this is drafted along the lines of Policy IN4A from the adopted Local Plan as set out below.

“Port related development within the Operational Area of the Port of Immingham identified on Inset 57 will be supported.”

It is acknowledged that there may be a need for the inclusion of additional wording to specifically state that any development must comply with the Habitats Regulations and potentially other policies in the H&ELA DPD. ABP would welcome further discussion with the Council regarding the wording of the requested new policy ahead of the Examination.

It is also requested that the supporting text for this new policy includes support for the major development proposals for this land, as outlined at paragraph 3.4 above and set out in detail in the Port of Immingham Master Plan.

ii. Amendments to Policy SHB-1

Amendments to Policy SHB-1 to specifically support the strategically important expansion of the Port of Immingham set out in the Master Plan through the future development of ABP's triangular area of land located within the South Humber Bank allocation. More specifically, this land is the last remaining undeveloped riverside frontage for the Port of Immingham and its proposed development is therefore vital to meeting the port's expansion needs in order to create additional capacity.



Notwithstanding this, following Mr Onions' amendments, there is still no specific support for the expansion of the Port of Immingham in Policy SHB-1. Furthermore, it is now proposed that the development of ABP's triangular area of land is only supported if "it is linked to fully developing the SHBE-1 allocation in terms of maximising land based employment development opportunities equivalent to the sites strategic offer in addition to meeting the tests of the Habitats Regulations".

In the light of the strategic importance of ABP's triangular area of land located within the South Humber Bank allocation as the only remaining riverside development land at the Port of Immingham, it should be noted that ABP is currently opposing the proposed compulsory acquisition of that land which it holds as a statutory undertaker. This objection to the compulsory acquisition proposed in the Able Marine Energy Park DCO is presently being pursued through Special Parliamentary Procedure before a Joint Committee of Parliament,

Despite its opposition to the proposed compulsory acquisition of its statutory undertaking, ABP has proposed a compromise which would enable both the AMEP and ABP's proposed Immingham Western Deepwater Jetty to co-exist.

In light of the above, the further requested amendments to Policy SHB-1 are shown as tracked changes to the proposed changes to the South Humber Bank policy received from Barrie Onions at North Lincolnshire Council on 12 September 2014 (see Appendix 3). These include an amendment requested by Natural England, the RSPB and Lincolnshire Wildlife Trust in their responses to the Council on the H&ELA DPD Submission Version consultation in order to address their concerns.

- 4.9 The changes set out above are vital in order to support the strategically important expansion of the Port of Immingham, as well as firmly establish the area within which port related development will be supported, both through the implementation of ABP's Permitted Development Rights and also where planning permission or other consent is required.
- 4.10 This is critical in order to support continued operation and growth of the Port of Immingham as the UK's largest port by tonnage, as well as recognising the fundamental role it plays in the North Lincolnshire and wider regional economies in terms of substantial job creation (almost 7,000 FTE direct, indirect and induced jobs), generating economic investment and its function as a vital transport hub.
- 4.11 The requested changes will also ensure the Local Plan is Positively Prepared, Justified and Consistent with National Policy, as well as being in line with the approach taken by other Local Authorities in their Local Plans.
- 4.12 **Accordingly, it is our strong view that without these changes the Local Plan will not meet the tests of soundness and therefore be found unsound.**
- 4.13 ABP would welcome the opportunity to meet with North Lincolnshire Council to discuss and hopefully agree changes to be made to the H&ELA DPD ahead of the Examination. If agreement cannot be reached, ABP intends to engage with the Inspector as part of the proposed Examination in order to debate the changes required to the H&ELA DPD.



**BNP PARIBAS
REAL ESTATE**

Appendix 1

Extract from ABP Port of Immingham Master Plan 2010 - 2030

Chapter 7

The Port of Immingham 2010 to 2030

Contents

- 7.1 This chapter sets out the requirements for the development of the Port's infrastructure between the present day and 2030.

Introduction

- 7.2 The history of the Port is one of continual reuse of land coupled with intensification of land use in response to constantly changing customer requirements and growth in international trade.
- 7.3 In the last 10 years ABP has invested over £250 million in developing the Port to maximise its benefits to the local and regional economies. Developments have been planned to ensure the Port grows in line with industrial and economic demands.

The Port today

- 7.4 Land use within the Port is summarised in Figure 7.1.
- 7.5 The current Port estate can be sub-divided into the following broad categories of land use:
- Dry bulks – energy/industrial
 - Dry bulks – agribulks
 - Liquid bulks
 - Unit load
 - General cargo/other bulks
 - Development land
 - Environmental Conservation Areas.

Growth strategy

- 7.6 The future growth of the Port will continue to be based on the existing strategy that has been so successful over the years. Developments will be completed to meet trade demand forecasts and the growth expectations and aspirations of ABP (see Chapter 5). These developments are vital to strengthen and further enhance the Port's role as an international gateway to the UK and the Yorkshire and Humber region in particular.
- 7.7 A number of developments are possible within the enclosed dock and associated businesses.

Opportunities also exist to take further advantage of the natural deep-water frontage through construction of further riverside berths to service new and existing trades and the economies of scale possible in facilitating the berthing of the largest vessels that can navigate up the Humber Estuary.

- 7.8 Areas of development land exist within the existing port boundaries for future expansion, but the restructuring and modernisation of existing terminal operations and rationalisation and consolidation of port uses will also be necessary to ensure that the Port operates most efficiently.
- 7.9 It is anticipated that all suitable development areas within the traditional boundaries of the Port will ultimately be used and at the appropriate time the Port will therefore have to link to the adjacent strategic land banks located to the east, south and west. These areas have been recognised by local and regional planning bodies as land for Port related use and as such form an important future resource to assist the growth of the Port and related economies.

Port developments 2010 – 2030

- 7.10 The developments discussed below and shown in Figure 7.2 are planned for implementation at the Port over the next 20 years. Each development will be undertaken in conjunction with customer commitment and subject to capital approval. All appropriate planning consents will be secured in the planning phase.
- 7.11 It is anticipated that these developments will be required to meet future trade demands and those of the Port's key customers and stakeholders. The Port has always adapted its development plans in line with evolving international market trends and will continue to do so to remain at the forefront of the UK ports industry. Even so, since ABP adopts a flexible approach to its strategic development programme individual projects may be modified over time and it is likely that additional key developments will arise.
- 7.12 These key developments will focus on the sustainable use of existing port land. They will also benefit Port-related developments outside the port

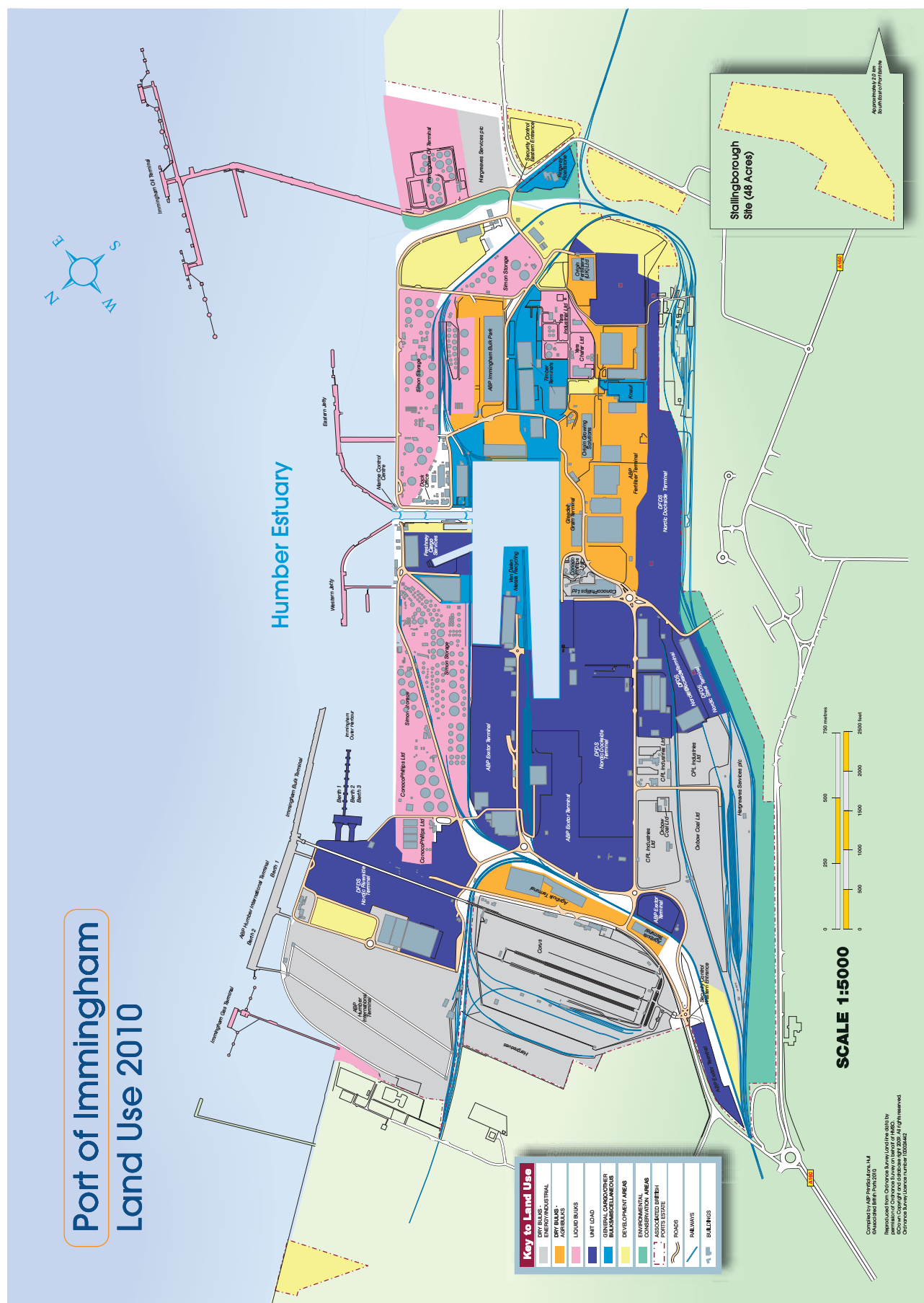


Figure 7.1: Port of Immingham land use plan 2010 (ABP)

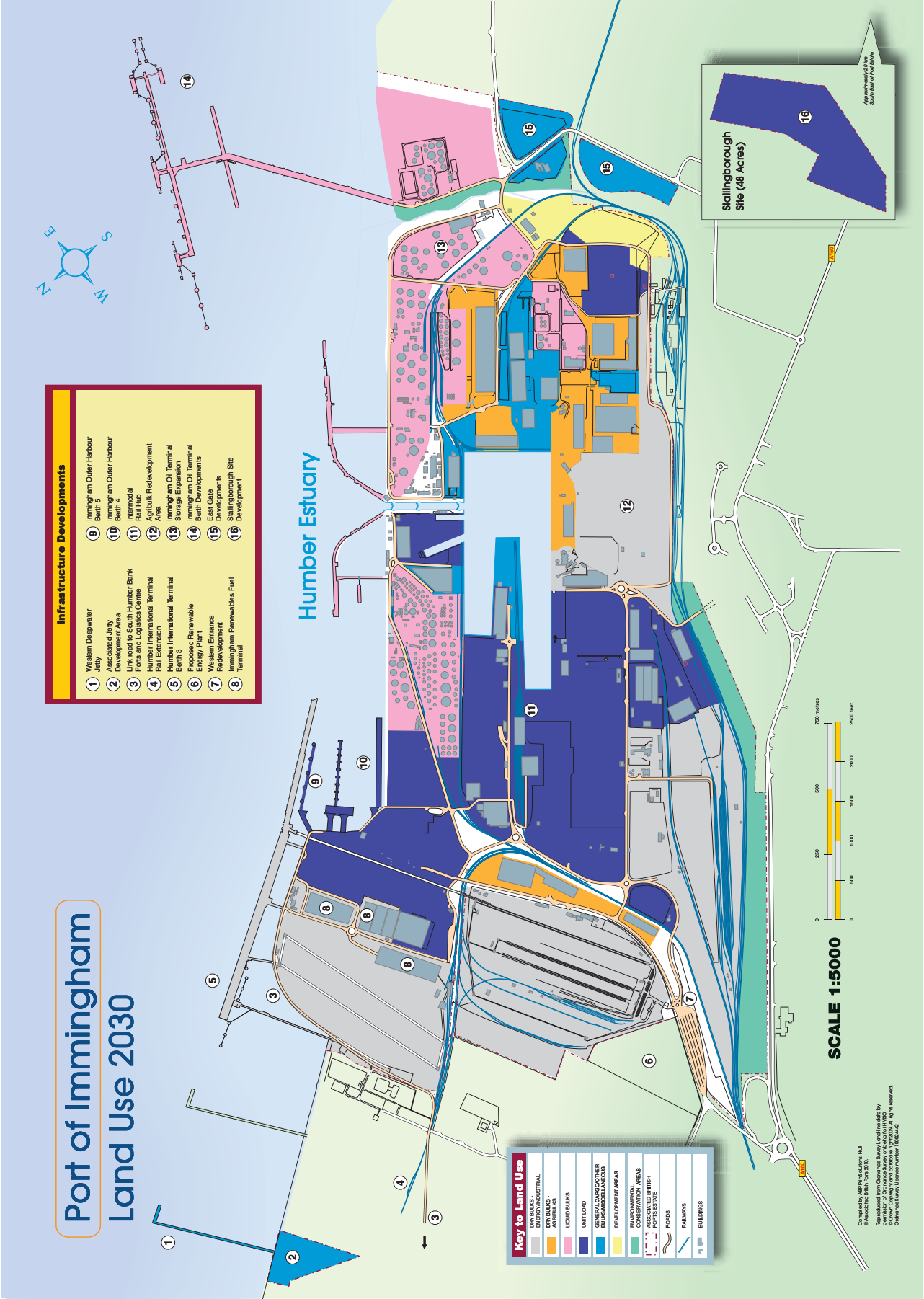


Figure 7.2: Port of Immingham land use plan 2030 (ABP)

estate and naturally extend the influence of the Port but without necessarily extending its existing boundaries.

Redevelopment of Immingham Fertiliser Terminal

- 7.13 Immingham Fertiliser Terminal, the Port's largest fertiliser terminal, has its origin in a manufacturing facility that was constructed in the 1930s. ABP has made considerable investment to relocate fertiliser handling facilities elsewhere on the port estate. Re-development of the older facilities will release some 20 acres of land to service the growth in trade in the energy and industrial sector.
- 7.14 Real Ventures have obtained planning permission for a 49MW biomass power station, which will utilise a proportion of land made available from consolidation of the fertiliser terminal. Scheduling plans indicate this will be operational in 2015.

Immingham Renewable Fuels Terminal

- 7.15 The development of Immingham Renewable Fuels Terminal, located at Humber International Terminal, will be undertaken within the next five years in

response to the increased demand for biomass volumes moving through the Port (Figure 7.3).

- 7.16 Once completed, the facility will be a fully automated bulk-handling terminal that will handle biomass for the region's power generating industry. The facility will have an annual throughput of around 3 million tonnes. The terminal will be able to support the requirements of both biomass-fuelled renewable power stations and co-firing operations at existing coal-fired power stations and statutory authority exist for its expansion.
- 7.17 Although a substitute for coal during the co-firing operation, there will be an overall increase in rail haulage due to the comparable reduction in product density of biomass in comparison to coal. Furthermore, biomass generally has a lower calorific value than coal, resulting in a need to burn greater volumes for the same amount of generated energy. The Humber International Terminal Rail Extension will assist in accommodating increased train volumes at the terminal, with completion planned for late 2013. Continued close collaboration between ABP and Network Rail will, however, be vital to ensure the forecasted volumes can be successfully accommodated.



Figure 7.3: Artist's impression of the Immingham Renewable Fuels Terminal

Humber International Terminal Rail Extension

- 7.18 Since becoming operational in 2006, the automated rail loading facility at the Humber International Rail Terminal has operated at near capacity. Having conducted investigation to determine ways to increase the rail terminal's capacity, ABP and Network Rail have undertaken works to extend the Rail Terminal into the existing Killingholme Branch Line corridor, which is owned and operated by Network Rail. This is commonly known as the HIT headshunt.
- 7.19 The proposed works will include additional track, turnouts, crossing improvements and a road bridge to the west of the Port that will reduce turnaround times by 25%, enabling trains to complete the existing 'run-round' of the locomotive off the terminal without causing delays to subsequent services.
- 7.20 These works will be completed to coincide with the development of Immingham Renewable Fuels Terminal and will allow more train paths to be scheduled from the terminal to assist in servicing the increase in future coal and biomass imports that is forecast.
- 7.21 Medium, to long term needs of the Port and South Humber business community are only likely to be adequately served by construction of the Killingholme Loop.

Border Inspection Post

- 7.22 A Border Inspection Post or 'BIP' is required at a port or airport for all products of animal origin imported into the UK from countries outside the European Union (EU). These products must be checked at an approved border inspection post (BIP) to ensure that they meet the animal and public health import conditions. These checks include:
- a check on the accompanying documentation
 - an identity check to ensure the product matches the details in the documentation
 - a physical check on the product itself, which may include laboratory analysis
- 7.23 The BIP for the Ports of Grimsby and Immingham is presently located at the Port of Grimsby, although increasingly, the product requiring inspection arrives at the Port of Immingham. The resulting return journey of some 18 miles from Immingham to Grimsby and back has obvious consequences to the supply chain. Together with North East

Lincolnshire Council (NELC), ABP is undertaking a review of the location of the BIP and a cost benefit analysis established so that an informed decision can be made.

Humber International Terminal Berth 3

- 7.24 The two-berth Humber International Terminal currently offers 520 metres of berth capable of accepting one Cape-sized and one Panamax vessel simultaneously berthed alongside. The Humber International Terminal 2 is a state-of-the-art operation, fitted with fully-automated conveyor systems, stacker-reclaimers and a rapid rail load-out facility. The original Humber International Terminal berth is equipped with three multi-purpose cranes and currently fulfils a supplementary role to berth 2 in handling additional coal volumes plus other dry bulks such as minerals, biomass, and animal feed. In 2012 the terminal handled its 100 millionth tonne since its inception in 2006.
- 7.25 The success of Humber International Terminal means that capacity has quickly been committed as new facilities have come on stream. The combined berths now have a throughput of over 11 million tonnes with incremental capacity limited to a maximum of 2-3 million tonnes. Since opening in 2000, the growth of the dry bulks business has underpinned the success and the need for further development of the facility. The trade demand projections outlined in Chapter 5 forecast continuing need for additional capacity by 2020, building on the advantages of the terminal's location, deep sea capabilities and high service levels. The further development of Humber International Terminal is therefore key to the Port's strategy (Figure 7.4).
- 7.26 Immingham Gas Jetty (IGJ) lies immediately upstream and offers an ideal opportunity to extend the existing Humber International Terminal berths, allowing for accommodation of a significantly increased demand for dry bulk cargoes. Modification of the jetty face would provide the opportunity to create a continuous 1,320-metre berth frontage stretching downstream to Immingham Bulk Terminal. This would be capable of accepting up to four Cape-sized vessels simultaneously. This development and replacement of IGJ will be subject to customer demand, which as demonstrated in chapter 6 is rapidly becoming a commercial reality.
- 7.27 It is envisaged that the Humber International Terminal 3 development will require a Harbour



Figure 7.4: Computer generated image (CGI) of Humber International Terminal including berth 3

Revision Order (HRO) and related consents. The required authorising process is currently underway. The development will be taken forward in tandem with separate plans for the development of the Western Deepwater Jetty, as outlined in paragraph 7.30 below.

- 7.28 Landside works associated with the expansion of Humber International Terminal will ultimately depend on the end user. It will be possible to link a conveyor off the berth into the existing automated system or to bypass directly to future planned or new developments on adjacent development land to the south west of the port estate. Another option is to support CCS initiatives working in conjunction with existing Port customers: CCS is the technology being trialled by power generators to reduce CO₂ emissions and is discussed in more detail in Chapter 6. Alternatively, the Humber International Terminal 2 conveyor system could be extended to create a flexible two-berth coal terminal feeding to rail and off-site backland storage areas.
- 7.29 An expanded terminal and new 'distant' end users would require additional rail capacity. Network Rail and regional and local planning and development bodies will be engaged and consulted in any requirement for infrastructure developments during the planning stages, which will be supported by further development of the Humber

International Terminal Rail Extension and in the long term, by the Killingholme Loop.

Western Deepwater Jetty

- 7.30 This site, lying to the west, offers the last remaining undeveloped riverside frontage for the Port of Immingham. It is uniquely suited to the development of a new liquid bulks terminal to service existing cargoes and new bulk liquids transiting the Port. It also presents as a realistic option to service flows of Liquid Petroleum Gas and White oils traffic displaced from the Immingham Gas Terminal Jetty, given the need for redevelopment of this berth. Proximity to the Phillips 66 and Calor Gas underground gas cavern network is also an important consideration for ensuring current gas jetty traffic remains located to the west of the Port. In addition, the Western Deepwater Jetty, when constructed will also provide further liquid bulk handling capacity at the Port to accommodate new cargoes, such as refined fuels and Liquefied Natural Gas (LNG).
- 7.31 The Port's liquid bulk cargoes are set to increase in volume, with increases in ship-size also an inevitable consequence of the ongoing globalisation of energy and fuel- related cargoes. Liquid bulk traffic through UK ports is set to become a significant business growth area, particularly when viewed in the context of

declining indigenous refining capacity and increased global interest in the international LNG market and other liquefied gases. The proximity of the Government Pipeline Storage system (GPSS) to the South Killingholme storage site makes the development of the adjacent Western Deepwater Jetty an important opportunity to increase energy security for the UK.

- 7.32 It is envisaged that the development of the Western Deepwater Jetty will require a HRO and related consents. The required authorising process is currently underway. The development will be taken forward in tandem with separate plans for the development of the Humber International Terminal Berth 3, as outlined in paragraph 7.24 above.

Sunk Dredged Channel Deepening

- 7.33 The Humber Estuary is a significant natural waterway fed by the rivers Trent and Ouse, which combined, drain one-fifth of England. The Estuary provides deep-water access to the Port of Immingham. The Sunk Dredged Channel guarantees 9.0 metres of water at all states of tide, allowing vessels drawing up to 12.8 metres to navigate into Immingham over all high water periods. Depths up to 14.2 metres can be accepted on spring high tides. The Port is consequently able to accept vessels of up to a capacity of 180,000 dwt tonnes, (290,000 tonnes dead weight tonnes part laden) meaning that the

largest Cape-size vessels can serve the Port on a part-cargo basis.

- 7.34 Commercial demand, particularly within the liquid bulk sector, has resulted in a proposal to deepen the Sunk Dredged Channel and ancillary approaches to 11 metres, thereby allowing vessels drawing 15 metres to access the Humber over all high-tide periods. Such an improvement will allow large crude oil carriers (and dry bulk vessels, subject to further dredging) to enter the Estuary with more cargo, thereby further enhancing the efficiency of operations.
- 7.35 The impetus for this development has derived from Total's need to feed its refinery with crude oils from more distant origins as a result of declining North Sea reserves. Applications to facilitate the deepening were submitted in early 2009 and the relevant dredging licences have been obtained. Works are expected to start in the near future. (Figure 7.5).

Immingham Oil Terminal Developments

- 7.36 Immingham Oil Terminal (IOT) provides the premier deep-water berthing facility within the Humber Estuary. For the last 43 years the terminal had been operated for the exclusive use of Total and Phillips 66, who are likely to continue to be primary users of the terminal for the medium to long-term. With the expiry of the exclusive lease new operational

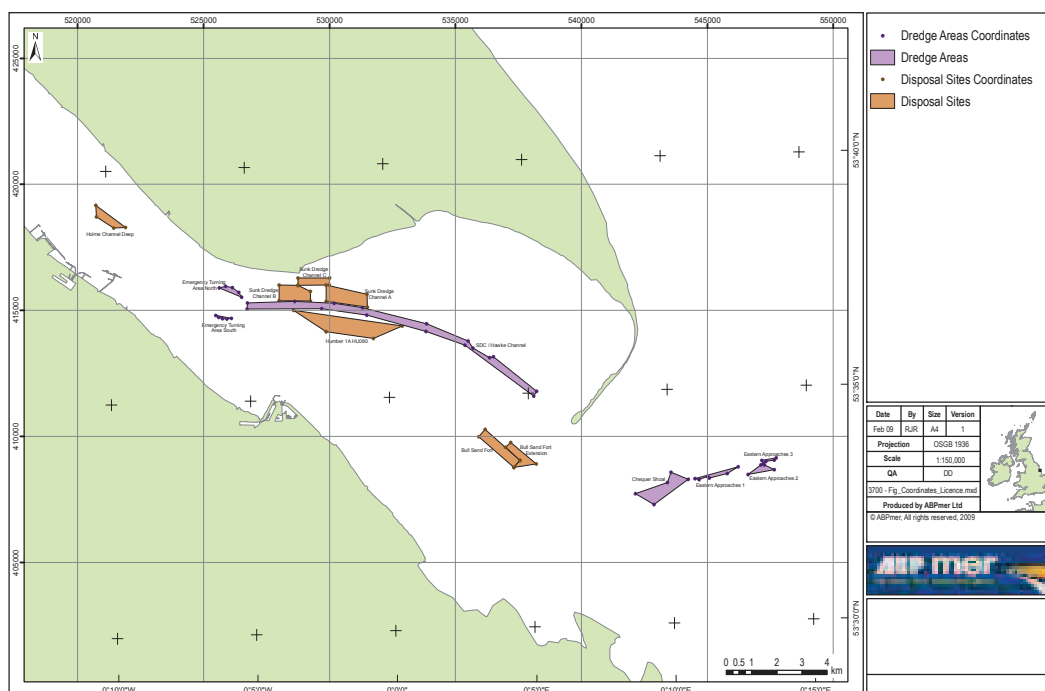


Figure 7.5: Map showing dredging areas of the Sunk Dredged Channel deepening scheme

arrangements will be introduced. The terminal's priority will remain the servicing of the existing refineries' needs. The opening up of access to the IOT, in conjunction with the existing users should, however, allow new cargo opportunities to be realised.

- 7.37 The terminal provides an important gateway for both crude oil imports and refined product exports. As such, security of the supply chain is a primary concern of the refineries and is the principal operating concern of the terminal management. The deepwater facilities at IOT, however, have the capability to service a wider customer base in the future. Land has been assembled in the vicinity of IOT to provide areas for future storage capacity for new traffic. The equipment at the terminal can be upgraded and improved to facilitate the movement of additional volumes, while still maintaining continuity of supply to the two refineries.
- 7.38 Opportunities exist for new liquid bulk traffics such as additional oil cargoes, aviation fuel, white oils and gases and will require further capital investment in the current facility to develop its commercial potential capacity and throughput. A new deep-sea berth for large tankers and a short-sea berth for intra-European and coastal trades can be constructed to meet these demands alongside additional tank storage. Furthermore, plans to redevelop the Immingham Gas Jetty as part of the Humber International Terminal berth 3 construction will require alternative exit supply routes for these white oil trades currently handled by the jetty. Part of this proposal is to transfer this operation to the Western Deepwater Jetty and / or IOT.

Immingham Outer Harbour new berth developments

- 7.39 Initial construction of the three-berth ro-ro ferry terminal for DFDS represented the first phase development of the Immingham Outer Harbour (IOH). The Harbour Revision Order which authorised the development additionally authorises the construction of a further ro-ro berth to the north. It is envisaged that the northern berth will be developed and constructed as an additional ro-ro facility by 2020.
- 7.40 A further phase of IOH authorised by the Harbour Revision Order is planned for implementation between 2020 and 2030. Building on the successful development of the outer harbour's ro-ro berth capacity, a lo-lo berth to the south of the outer harbour basin is planned to accommodate

future trade increases in less specialised general cargo sectors. Adjacent areas of land will be incorporated into the existing operations at the Port to support the berth development.

- 7.41 The opportunities for the IOH berths will be enhanced by logistical connectivity such as:
- A new link road connecting to the South Humber Bank development lands lying to the west of the Port, including the Able (UK) Logistics Park.
 - An intermodal rail hub at the Port's Mineral Quay to service growing unit load movements by rail.

Agribulk Storage Developments – Expansion of Immingham Bulk Park

- 7.42 Immingham Bulk Park was first constructed in 1999 to offer third-party handling and storage facilities mainly for the agribulk market. The facility was successful and further investment was made in 2006 to extend the original facility. In 2008, ABP committed to further extending the existing bulk handling facilities by undertaking the expansion of operations at 14, 15 and 16 sheds and in 2009 completed construction of 28 shed, an adjacent 10,000 square metre storage facility.
- 7.43 Agribulk volumes handled at the Port are currently constrained by the capacity of the on-dock covered storage available and additional storage facilities will be required within the next five years. It is anticipated that these will be located on an area of the redeveloped Fertiliser Terminal and Humber International Terminal. As part of the continuing development, ABP plans to extend into part of the existing Fertiliser Terminal and provide additional open and covered storage for a range of bulk products including fertilisers, feeds and minerals.

Immingham Container Terminal Redevelopment

- 7.44 The re-development and consolidation of Immingham Container Terminal will create a dedicated 40-acre container handling facility that will allow further growth in short-sea and feeder container trades, thereby potentially supporting the development of trade via the Outer Harbour.

Stallingborough Satellite Terminal

- 7.45 In 2008 ABP acquired 48 acres of farmland at Stallingborough. The land is situated within

approximately 2 km of the Port to the south east and is easily accessible by road. The site offers a number of different opportunities including car storage, energy-related developments and warehousing/ logistics hubs.

West Gate Entrance Development

- 7.46 In conjunction with the development of land around the Port's west gate, the planned improvements to the A160 being made by the Highways Agency and organic growth of port related traffic, it is intended to enhance the west gate entrance, which is the Port's principal access point. In particular, works will be necessary to accommodate an increasing amount of traffic serving the Port's unit load terminals and to facilitate improved security and safety checks to be carried out at the Port's entrance.



Figure 7.6: Aerial plan showing the East Gate development areas

East Gate Development

- 7.47 ABP owns 14 acres of land immediately adjacent to the east gate of the Port. This undeveloped land is ideally located for an eastward extension of the Port's perimeter as demand dictates. Combined with a reallocation of some of the existing land use at the east gate, the land would be available for either open or specialist storage, offering the possibility of further automotive storage, biofuel development to support future developments at IOT or wind turbines for embedded generation (Figure 7.6).



**BNP PARIBAS
REAL ESTATE**

Appendix 2

**Extract URS Environmental Statement for the Immingham
Western Deepwater Jetty HRO Application**

2 The Proposed Development

The Port of Immingham

- 2.1 The development site falls within the administrative area of North Lincolnshire Council, although the Port of Immingham falls within the administrative areas of both North Lincolnshire Council and North East Lincolnshire Council.
- 2.2 The Port of Immingham is the UK's largest port by tonnage, handling over 50 million tonnes of cargo each year. Its development history is one of continuous commercial 'evolution'. Today, the Port serves a myriad of commercial users operating through various facilities within the Port including, as shown on Figure 1:
- Immingham Oil Terminal;
 - Humber International Terminal (HIT);
 - Immingham Gas Terminal; and
 - East & West Jetty, Immingham.

The Proposed Development Site

- 2.3 The proposed Development Site ('the Site') is located approximately 750 m north-west of the main Port of Immingham, (the Immingham Gas Terminal) and lies approximately 400 m up estuary of South Killingholme Jetty (see Figure 2). The Site comprises a land element of almost 7 ha (currently unmaintained grassland) and a marine element of about 16 ha. An additional marine area of about 69 ha is needed for dredging.
- 2.4 To the south-east of the Site lies South Killingholme Jetty, which serves a tank farm and connection to the Government Pipeline Storage System (GPSS) system which is operated by the Oil and Pipelines Agency (OPA) site (see Figure 3). To the north-west are agricultural fields and a large area used for the storage of cars. To the west lie agricultural fields, with large industrial and commercial facilities beyond. To the east of the Site is the Humber Estuary.
- 2.5 The Site is accessed *via* Station Road, off Rosper Road, which joins the A160, A180 and M180 and lies beside (and will pass over) the Killingholme Branch railway line, which links to the national rail network *via* the Port.

Description of the Proposed Development

- 2.6 The proposed Development will comprise a port facility for the import, storage and onward distribution of liquid bulk goods, including Liquefied Natural Gas (LNG), Liquefied Petroleum Gas (LPG), white oils and kerosene/ aviation fuel. Figure 4 illustrates the indicative layout of the proposed Development.
- 2.7 The key elements of the proposed Development include:
- a berthing facility capable of mooring both a large Panamax vessel (on an outer berth) and a smaller coastal vessel (on an inner berth) simultaneously;
 - dredged berthing pockets for moored vessels;

- a larger dredged area to allow vessels to turn and hence approach or leave the jetty;
- an approach roadway along the finger pier between the land and the berthing facility;
- a transfer pipeline to move liquid bulk materials from vessels to the tanks on land;
- a storage 'farm' of five tanks;
- pumps and compressors to help move the liquid bulks through pipework once on land;
- a pipeline connection into the GPSS facility *via* the adjacent Oil and Pipelines Agency (OPA) facility;
- overhead load-out facilities to fill road tankers and train wagons;
- a new railway layout with some sidings parallel to the existing line, and other sidings within the Site to allow trains to be filled;
- a new bridge to cross the railway; and
- an administration building and other utility service structures.

Construction

- 2.8 Construction will be undertaken in one phase, which is estimated to last approximately two years. This will start in 2014, with work taking place seven days a week between 06:00 and 18:00 hrs.
- 2.9 The construction activities will include:
- piling;
 - capital dredging;
 - construction of the jetty and land-based infrastructure; and
 - provision of utility services.

Operation

- 2.10 Operation of the proposed Development is subject to the tidal range of the Humber Estuary, so access by vessels will be restricted by the depth of the water. Thus the largest laden vessels (Panamax class) that will be using the new facility will need to arrive around High Water. The length of the finger pier will ensure that the berthing facility is located in deep water, thereby minimising the need for dredging.
- 2.11 It is anticipated that IWDJ will become operational in 2016 and will employ approximately 50 staff in total, working three shifts over a 24 hour day. Operations will take place 24 hours a day, seven days a week.
- 2.12 It is estimated that about 4 million tonnes of liquid bulk material will pass through the proposed Development each year, with a maximum of approximately 300 vessel movements.
- 2.13 It is anticipated that approximately 80% of the liquid bulks will be distributed from the proposed Development via the GPSS network. Some 10% will be transported onward by rail, and a similar amount by road.

Need and Alternatives

Need

- 2.14 The need for the proposed Development is twofold. Historically, the Site has been held by ABP for port operational purposes as part of the Port of Immingham and has been designated and protected as such over the years by the planning Authority in its development plan, currently the North Lincolnshire Plan. The Site now presents as the last undeveloped area within the Port of Immingham available to ABP with immediate access to the Estuary. Proposals for its development have been brought to the fore principally by an approach made to ABP by a liquid bulks operator who wishes to take advantage of the site's unique location, namely direct access to the sea and direct access to the GPSS network *via* the OPA terminal. The proposed development will, therefore, service that customer's needs. In so doing, however, it will also assist in protecting the UK's vital energy supplies. In addition, however, ABP has since been approached by a number of other operators and end users similarly seeking liquid bulks import capacity at the Port.
- 2.15 ABP has also, however, been faced with a rapidly growing problem within the Port of Immingham; namely a pressing commercial requirement to expand its customer facilities albeit without any further riverside berthing space left within the Port estate. This requirement has arisen as a result of the promotion by Government of its green energy policies and the consequent increased demand placed upon the import of sustainable fuels into the UK, in this instance biomass. If the Port of Immingham is to be able to service the requirements of its commercial customers, it needs to expand its ability and capacity to bring more biomass into the Port.
- 2.16 Whilst IWDJ could of itself be developed as a biomass terminal, such a use would negate the locational advantage offered by the fact that the Site is immediately adjacent to the OPA site and the GPSS network.
- 2.17 ABP's current strategy, therefore, which underlines the need to construct the IWDJ at the earliest opportunity, is to expand the Humber International Terminal by the construction of HIT 3, which will facilitate the import of increased volumes of biomass. This expansion, however, will mean that, for customer and practical operational reasons, it will be necessary first to relocate the existing liquid bulks facility at the Immingham Gas Jetty to IWDJ.
- 2.18 Proximity to power stations and heavy industry and effective road and rail links will ensure that dry bulks remain a major feature of cargo streams transiting the Port thereby underpinning the need for the development of HIT 3, which in due course will be brought forward as a separate consent application.
- 2.19 The proposed IWDJ, therefore, represents a unique opportunity. It will service the needs of prospective liquid bulk operators and end users, whilst at the same time accommodating the bulk liquid cargoes that will have to be displaced from the Immingham Gas Jetty. This twofold need, however, is reinforced by the fact that the import and export of liquid bulk cargoes at the Port of Immingham is set to increase further in volume in order to meet the growing national need. Without the construction of the IWDJ, therefore, the Port will quickly face serious operational and commercial difficulties in servicing its customers' liquid bulks needs.
- 2.20 In addition, there is a perceived decline in the UK's liquid bulk capacity and indeed, the UK Government is currently engaged in a public consultation on the security of energy supply and energy infrastructure development in the UK. It is expected that the Government will

also recognise the pressing need to maintain and protect liquid bulk imports for regional and national energy purposes. The IWDJ will meet that need.

- 2.21 The fact that the IWDJ development site is located immediately adjacent to the OPA site, thereby enabling the importation of liquids for onward distribution through the nationally significant GPSS distribution pipeline, as well as its proximity to the Phillips 66 and Calor Gas underground caverns (one of the main liquid cargo storage areas in the general port area) together with its good road and rail connectivity, underlines the strategic importance of the IWDJ development and the location of the site.

Alternatives

- 2.22 The overall objectives of the IWDJ proposal are:
- to service the developing market for imported liquid bulks traffic as refining capacity in the UK reduces;
 - to service the needs of its prospective liquid bulk customers;
 - to accommodate the needs of relocated existing liquid bulk operations from within the Port of Immingham as a result of the need to extend biomass import facilities at the Humber International Terminal; and
 - to maintain and protect the UK regional and national energy supply.
- 2.23 It is in this context and given the proven need, that ABP has considered whether there are any alternatives to the proposed development, including:
- alternative sites at the Port of Grimsby and Immingham;
 - alternative locations on the east coast of the UK;
 - alternative locations in mainland Europe; alternative forms of development at the site; and
 - do nothing.
- 2.24 **Alternative Sites at the Port of Grimsby and Immingham** – The IWDJ site is the sole remaining undeveloped area of land within the Port of Immingham which offers direct access to the Humber. Whilst sites may become vacant from time to time within the Port estate, the entire river frontage of the Port is fully occupied and fully utilised whilst a backland site, should one be available, lacks the necessary connectivity and infrastructure, as well as proximity to the OPA site and the GPSS network.
- 2.25 **Alternative locations on the East Coast** – None of the ports that have been identified - and ABP's investigations ranged from the Tees to the Thames - offer the unique characteristics of being able to access the GPSS network at the same time as accommodating both the relocated liquid bulks facility from the Immingham Gas Terminal and new customers who require additional liquid bulks facilities, all from an immediately adjacent riverside berth.
- 2.26 **Alternative Locations in Mainland Europe** – In view of the growth of liquid bulk fuel imports through UK Ports, matched by the UK's declining indigenous refining capacity, together with the increased global interest in the international LNG market and other liquefied gases in the context of the need to maintain and protect the UK's energy supplies, an alternative location in mainland Europe would not meet the objectives of the proposed development.

- 2.27 **Alternative form of development at the Site** – Although alternative forms of development could be achieved within the IWDJ site (an obvious example being the construction of a biomass facility) none would meet and satisfy the objectives of the current development proposal.
- 2.28 **Do Nothing** – The 'do nothing' option would result in the loss of the opportunity now presented both to meet the needs of liquid bulks operators and end users whilst forgoing an opportunity to better protect the UK's energy supplies. This option has, therefore, been discounted.

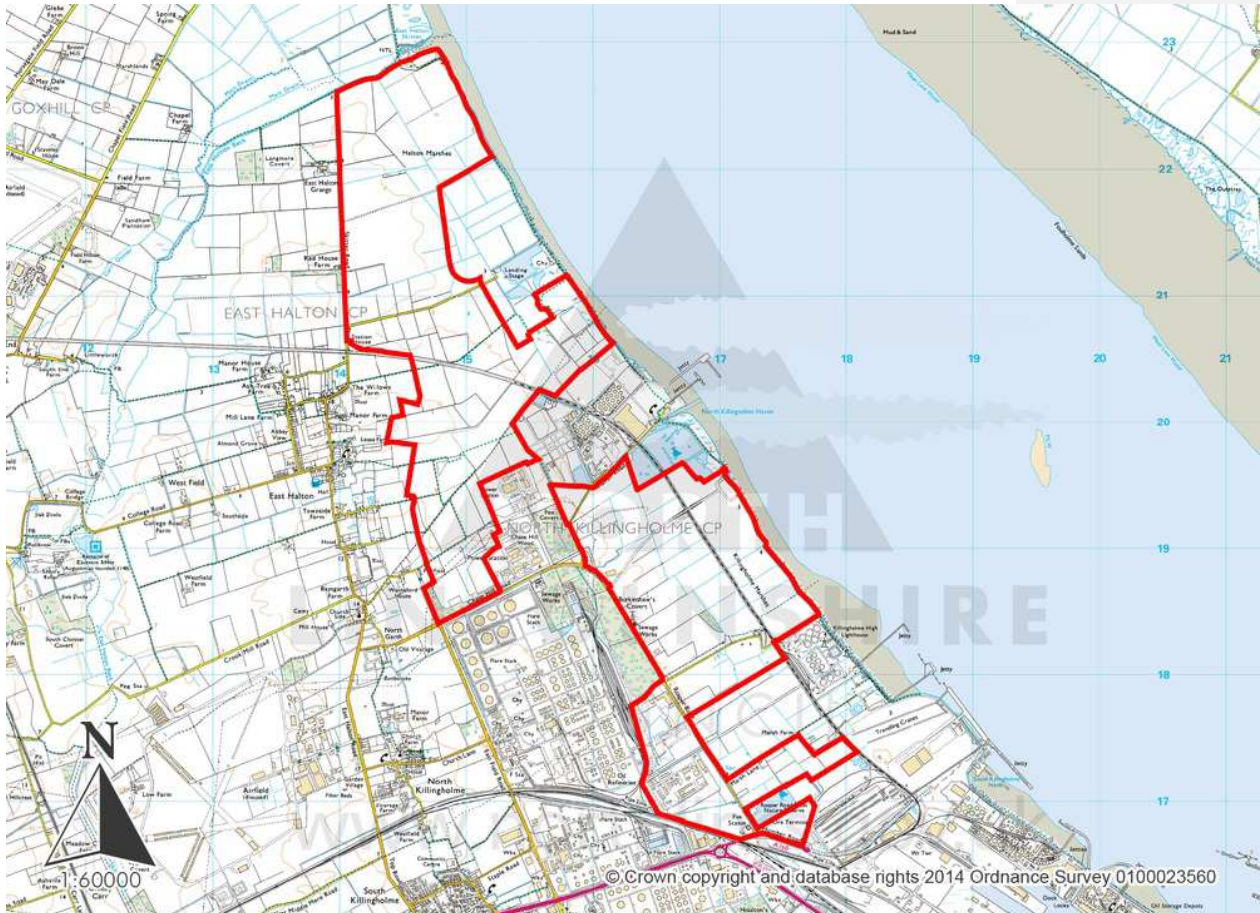


**BNP PARIBAS
REAL ESTATE**

Appendix 3

ABP Amendments to Policy SHB-1

4.2 SHBE-1 South Humber Bank (IN1-1, 57-1) To be amended – delete red boundary and insert purple notation.



[View Interactive Map](#)

Context

4.26 The South Humber Bank (SHB) site is an expansive area of flat land located on the southern bank of the Humber Estuary. The land is unique in that it is the UK's last development site fronting a deep water channel. The site, although largely greenfield and isolated from a main built up urban area, is located within an existing industrial port landscape. The two existing large ports at Immingham and Grimsby (collectively one port) and the Humber Sea Terminal are the busiest ports in the UK by tonnage. The principle of developing the South Humber Bank for employment uses was identified in planning terms in 1955 and in the early 1960's this led to the development of large scale industry, including oil refineries. Now there are two large oil refineries, three energy plants and various other port related developments. The undeveloped area has large areas of agricultural use and some previously developed land.

Proposed Development

4.27 The policy 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. The land is allocated between and around the two existing ports of Grimsby and Immingham and the Humber Sea Terminal and includes preferred sites for waterbird mitigation.

4.28 The site is uniquely located and offers special advantages with major port extension land adjacent to ~~Grimsby and the Port of Immingham Port~~, which ~~collectively with Grimsby Port forms is~~ the busiest port in the UK by tonnage handled. The deep water channel of the Humber Estuary offers the opportunity to support the expansion needs of the Port of Immingham, as well as create a new port along the frontage of the site between ~~Immingham the Port of Immingham~~ and the Humber Sea Terminal provided such ~~a~~ proposals can pass the tests of the Habitats Regulations.

4.29 The South Humber Bank employment site is the North Lincolnshire Council's unique 'jewel in the crown' premier employment site and is a large part of the South Humber Gateway, taking up a four mile area fronting the Humber Estuary. The SHB employment allocation is one of the last undeveloped deep-water estuaries in Europe and provides a unique opportunity for the economy of North Lincolnshire and the Humber to create high value and substantial employment opportunities on a transformational scale. as well as to support the expansion needs of the Port of Immingham. It is therefore vital that this natural asset is developed so as to maximise the transformational economic potential of the site and must be safeguarded from ~~piecemeal proposals and any~~ investments that do not meet this maxim. It is therefore essential that the site is developed to maximise employment opportunities equivalent to the site's strategic offer by creating major employment, high job densities and inward investment, as well as supporting the expansion needs of the Port of Immingham. In this respect, any proposals for the development of port facilities, including jetties and quays, along the Humber Estuary frontage between the Port of Immingham and the Humber Sea Terminal, will be required to meet the tests of the Habitats Regulations. ~~development of the potential for port facilities, such as jetties and quays, along the Humber Estuary frontage between Immingham Port and the Humber Sea Terminal, will be considered as piecemeal development and will not meet the maxim set out in this policy, unless it is linked to land based development that realises the full development of the SHBE-1 allocation in addition to the requirement of meeting the tests of the Habitats Regulations.~~

4.30 It will be important to respect the international, national and local nature conservation sites designated within and adjacent to the site. On a case by case base each individual development will be assessed to test whether its own EIA and Appropriate Assessment needs to be undertaken. A screening exercise will be carried out by the ~~ad~~competent authority.

4.31 Land in the SHB is used by significant numbers of waterbirds related to the Humber Estuary SPA and Ramsar site. The loss of this land (as proposed by the allocation) means that it's not possible to rule out an adverse effect on the integrity of these International sites. In order to mitigate against this adverse effect a Strategic Mitigation Plan for North Lincolnshire is in development. The Council has in recent years formed a collaborative framework of partners to help identify this mitigation and provide advice on how it might be delivered. The Mitigation Strategy for North Lincolnshire will cover the SHB employment area. Equivalent documents will be produced by North East Lincolnshire Council. Taken together, the two independent Strategy documents will form the Strategic Mitigation Strategy for the whole of the SHB.

4.32 The SHB Mitigation Strategy has been evolving during the same period as two major project proposals for port related development on Halton Marsh and Killingholme Marsh. Both projects have been through 'appropriate assessment'. Natural England has agreed that waterbird mitigation for these proposals are acceptable as part of the Strategic Mitigation Plan. These mitigation areas within the SHB employment allocation (in relation to the Able UK Marine Energy Park (AMEP) at Killingholme Marshes and Able Logistics Park (ALP) at Halton Marshes) are in compliance with the emerging Mitigation Strategy Plan for North Lincolnshire. The preferred alternative locations for waterbird mitigation at Halton Marsh and Killingholme Marsh, have been indicated on Inset 57. the plan SHBE-1 (In1-1, 57-1) (A—Halton Marsh and B—Killingholme Marsh). The current locations for waterbird mitigation have been arrived at through the Mitigation Strategy Group assessing the best available evidence.

4.33 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

.This will also enable precise areas for mitigation sites to be agreed by signatories to the Mitigation Strategy and will allow for any possible future changes (to the first Mitigation Strategy), which may occur as a result of managing, monitoring and future updated studies. In effect the Mitigation Strategy for North Lincolnshire will be a 'living document' that will provide continual updated robust evidence towards delivering and maintaining mitigation sites. There are options for waterbird mitigation/compensation to be provided beyond the boundaries of the SHB employment allocation as long as this does not affect the ability of the designated site to meet its conservation objectives. Other proposals which may come forward on the remainder of the SHB employment allocation (other than the proposed AMEP and ALP projects) will have to pass the tests of the Habitats Regulations.

4.34 If the option to provide a smaller area of waterbird mitigation land on East Halton Marsh is carried out there will be a requirement to provide a further 50 hectares of waterbird mitigation offsite comprising 20 hectares of core habitat plus a 150 metre wide wetland buffer. If the larger area is provided, then the additional 50 hectares will not be required. **Waterbird mitigation sites are indicated on Inset 57.**

4.35 In North Lincolnshire, options remain open about the delivery of the further 3.3 hectares of core habitat plus wet grassland habitat buffer that will be required to allow the development of the remaining land on Killingholme Marsh, which also supports significant numbers of curlew. Developers at the southern end of Killingholme Marsh may opt to create mitigation habitat in accordance with the North Lincolnshire Mitigation Strategy and the wider Strategic Mitigation Strategy that covers the whole of the SHB.

4.36 It is anticipated that this remaining waterbird mitigation land can be delivered employing conventional planning obligations, without the need to create complex habitat banking mechanisms to govern the phasing, funding and delivery of habitat as may be required elsewhere in the South Humber Gateway.

4.37 There are options for waterbird mitigation/compensation to be provided beyond the boundaries of the SHB employment allocation as part of Able UK's Option 2, as long as this does not affect the ability of the designated site to meet its conservation objectives.

4.38 The main transport documents that are relevant to the site are: North Lincolnshire's Local Transport Plan 3 (2011 – 2026), the South Humber Bank Transport Strategy 2008 (updated 2010) and the Interim Planning Guidance for the South Humber Gateway (2011). The Transport Strategy proposes a package of transport infrastructure improvements that could be implemented to improve access to the South Humber Gateway and facilitate development. The Interim Planning Guidance is a document approved by the Council to be used as a financial tool towards calculating contributions, as a basis for negotiation with potential developers of the site. A Transport Assessment will be required for each development in the area and it is recommended that developers contact the Transport Planning Team to discuss the scope prior to starting work. Applications should be supported by robust Travel Plans, where appropriate, which should demonstrate how the use of sustainable transport modes will be promoted and encouraged. The Council is looking to produce an International Gateways: Area Wide Travel Plan, including the South Humber Gateway. All new and existing businesses/developers will be expected to sign up to it.

4.39 The South Humber Gateway is accessed via the local road network of Rosper Road, Eastfield Road and Top Road, via the A160/A180. There are proposals to upgrade the A160/A180 through the Highways Agency's A160 Port of Immingham Improvement Scheme. It is anticipated that work will start on this in 2015 and be completed in 2016.

4.40 Existing railway lines require some improvements to line speeds and signalling to offer a more sustainable method of transporting freight and additional capacity. Network Rail is committed to some of these improvements. At present there are rail sidings serving Conoco Phillips and Lindsey Oil refineries and serving the Humber Sea Terminal. Line speed and signalling improvements have recently been completed along the Immingham to Doncaster rail line to encourage faster average speeds and move train paths more efficiently. The Council is working with Network Rail on securing Gauge Enhancements from the Ports out to the East Coast Main Line in Doncaster. By heightening bridges and widening platforms it will achieve a standard of W10 and W12 which will enable the transport of bigger containers and European containers out of the ports, increasing economic competitiveness as a leading UK port. These improvements are in Network Rail's Northern Route Utilisation Strategy.

4.41 The expected port related activities on the site will in the main be heavy industrial users meaning pollution and waste control measures will be crucial to the success of the site in sustainability terms.

4.42 The South Humber Bank is a sensitive site in terms of the nearness of existing communities and major international, national and local nature conservation designations and the use of materials on site in construction and design should be managed in a way that recognises its sensitive position. The protection of residential amenity and construction timing so as not to disturb the nature conservation of the area (for example wintering birds) is crucial to the successful development of the site.

4.43 The South Humber Bank Landscaping Initiative (SHBLI) has been in place for many years. The SHBLI area's boundary is as far west as the Skitter Beck (on the western edge of North Killingholme Airfield) and as far north as East Halton Skitter. The SHBLI deliberately covers a large area because distant wood and copse planting discretely located can have a better landscape effect than a large woodland area close to the edge of the industry. On site and off site landscaping schemes shall be considered within the framework of the South Humber Bank Landscaping Initiative in relation to development proposals.

4.44 The Outline Water Cycle Strategy (WCS) for North Lincolnshire identifies the lack of sewerage capacity in the South Humber Bank area. Due to the site's size Anglian Water has identified a requirement for a new pumping station and a trunk sewer to serve the whole allocation. The surface water flows and flood risk in the area is managed by the North East Lindsey Water Management Board (Internal Drainage Board) . This has been carried out under the collaborative framework of the South Humber Bank Gateway Delivery Group (SHBGDG). Anglian Water has upgraded the Elsham Water Works and increased water supply to the site by some 33% to satisfy demand from future development of the SHB employment site. A new pumping station is planned to be provided in the Killingholme Marsh area as agreed between the North East Lindsey Water Management Board (IDB). Despite the management of water being accounted for on the site, the collaborative approach of the SHBGDG (with the interested parties) is work in progress and it is therefore important for the policy to acknowledge the requirement of a surface water and sewage management solution to accommodate development on the employment site.

4.45 The site is for port activities and is therefore necessarily located adjacent to a river. A large percentage of the area is within SFRA Flood Risk Zone 2/3a. Some 25% of the site, situated approximately west of the Humber Sea Terminal, is located in Flood Zone 1. Flood Risk Assessments (FRAs) will therefore be required for individual developments across the majority of the site and will be guided by the SFRA for North and North East Lincolnshire and the NPPF and its associated guidance on flood risk and development.

4.46 The Humber Flood Risk Management Strategy March 2008 (currently in a process of being updated 2013/2014) identifies the flood defences between the Humber Sea Terminal and East Halton Skitter as offering very little protection to the land behind. Negotiations are progressing with the Environment Agency, Natural England and the SHBGDG towards an amicable resolution. The land within the site behind these defences is some 130 hectares and a collaborative solution will be reached to benefit all parties involved.

4.47 There are a number of important designated heritage assets in the vicinity of this allocation including a line of Scheduled Monuments in East Halton and North Killingholme parishes. An assessment of the impact of proposals upon these assets will be required and the scheme will need to demonstrate how those elements which contribute to their significance will be conserved.

Policy SHBE-1

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 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 the Port of Immingham Port and Humber Sea Terminal the site has a unique employment offer. This employment site is a major part of the South Humber Gateway which forms a four mile area fronting the Humber estuary. It is one of the last undeveloped deep-water estuaries in Europe and provides a unique opportunity for the economy of North Lincolnshire and the Humber to create high value and substantial employment opportunities on a transformational scale, as well as to support the expansion needs of the Port of Immingham. It is therefore vital that this natural asset is developed so as to maximise the transformational economic potential of the site and must be safeguarded from piecemeal proposals and any investments that do not meet this maxim.

The 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 facilities that meet the tests of the Habitats Regulations.

Proposed development projects must:

- Maximise employment opportunities will be maximised equivalent to the site's strategic offer by creating major employment, high job densities and inward investment, as well as supporting the expansion needs of the Port of Immingham
- Develop the potential for port facilities, including jetties and quays, along the Humber Estuary frontage between Immingham Port and the Humber Sea Terminal by directly linking this potential to realising the full development of the SHBE-1 employment allocation

- ~~Proposed development projects which allow for the potential future development of port facilities, including jetties and quays, along the Humber Estuary frontage between the Port of Immingham and the Humber Sea Terminal, will be required to meet the tests of the Habitats Regulations~~
- ~~The potential future development of a port, including isolated port facilities such as quays and jetties, along the Humber Estuary frontage between Immingham Port and the Humber Sea Terminal, will be considered as piecemeal development and will not meet the employment and nature conservation maxims set out in this policy, unless it is linked to fully developing the SHBE-1 allocation in terms of maximising land-based employment development opportunities equivalent to the sites strategic offer in addition to meeting the tests of the Habitats Regulations.~~
- Development of the Associated British Ports Operational Port area identified on Inset 57 to support the expansion needs of the Port of Immingham will only be supported where it meets all the criteria set out in policy SHBE-1.
- 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. Alternative mitigation proposals, of at least equivalent area, could be brought forward 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
- A Transport Assessment and Travel Plan will be required for all large developments
- 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.

Comment [AW1]: Wording proposed by NE, the RSPB and LWT in response to the Submission Version consultation proposed for inclusion to address their concerns

Comment [AW2]: Included to reflect paragraph 4.33

Implementation

4.48 The delivery of the site will be achieved in partnership through the following Plans, Boards and Delivery Groups that include landowners, private industry, Government Agencies, North Lincolnshire Council, local organisations and national charities.

- South Humber Bank Master Plan (2004) - where relevant
- Individual South Humber Bank infrastructure, economic and environmental studies that update, in part or whole, the South Humber Bank Master Plan (2004)
- Humber and Greater Lincolnshire Local Economic Partnerships
- South Humber Bank Mitigation Strategy.
- North Lincolnshire Local Transport Plan 3 (2011-2026)
- North Lincolnshire South Humber Bank Transport Strategy 2010
- North Lincolnshire Interim Transport Planning Guidance for the South Humber Gateway

4.49 This collaborative framework has the support of key delivery partners and will ensure the successful large-scale future development of the South Humber Bank, help to overcome existing constraints, and harmonise potential conflict between economic development and the environment; thus achieving sustainable development objectives.

4.50 The site is expected to be largely delivered within the lifetime of the Plan period. Despite the current recession in the UK there is significant investment being injected into the site from interested land owners, developers, North Lincolnshire Council and the Government. One landowner holding a large area of land has particularly made a substantial investment in the site. This shows the full commitment and intent by both public and private sector to deliver an all round local, national and international site. The majority of SHBE-1 benefits from planning consent through both the Able Logistic Park and Able Marine Energy Park proposals. Work is expected to commence shortly on both sites with over all delivery expected within the plan's lifespan.

4.51 The site at Halton Marshes north of the Humber Sea Terminal has planning permission to develop 270 hectares of port logistic land uses and includes land for landscaping and wildlife conservation. The Able Marine Energy Park (AMEP) at Killingholme Marsh is a major infrastructure proposal (terrestrial development area of 245 hectares and 45 hectares of concrete quays reclaimed from the Humber Estuary) that includes a proposed new port at the South Humber Bank, also includes land for landscaping and wildlife conservation. The associated Public Examination finished in November and was approved by the Secretary of State in December 2013 [but is currently subject to Special Parliamentary Procedure](#). Port development alone is predicted to generate over 4000 jobs on site in addition to many more expected in ancillary industries.

4.52 The South Humber Bank Transport Strategy proposes a package of transport infrastructure measures, for both the local and strategic road networks, which will improve access to the area and facilitate developments. The Highways Agency is responsible for the A160/A180 Port of Immingham Improvement Scheme and it is anticipated that work will start on this in 2015. The Interim Planning Guidance will be used as a basis for negotiation to secure financial contributions from developers to deliver the local transport infrastructure proposals.

4.53 Network Rail has recently delivered line speed and signalling improvements to the Immingham to Doncaster rail line. Network Rail's Northern Route Utilisation Strategy intends to deliver more improvements that will provide greater capacity to this railway line, particularly gauge improvements and heightening of bridges, making the SHB Employment site and ports development more sustainable. The council is continuing to work with Network Rail on these proposed rail improvements

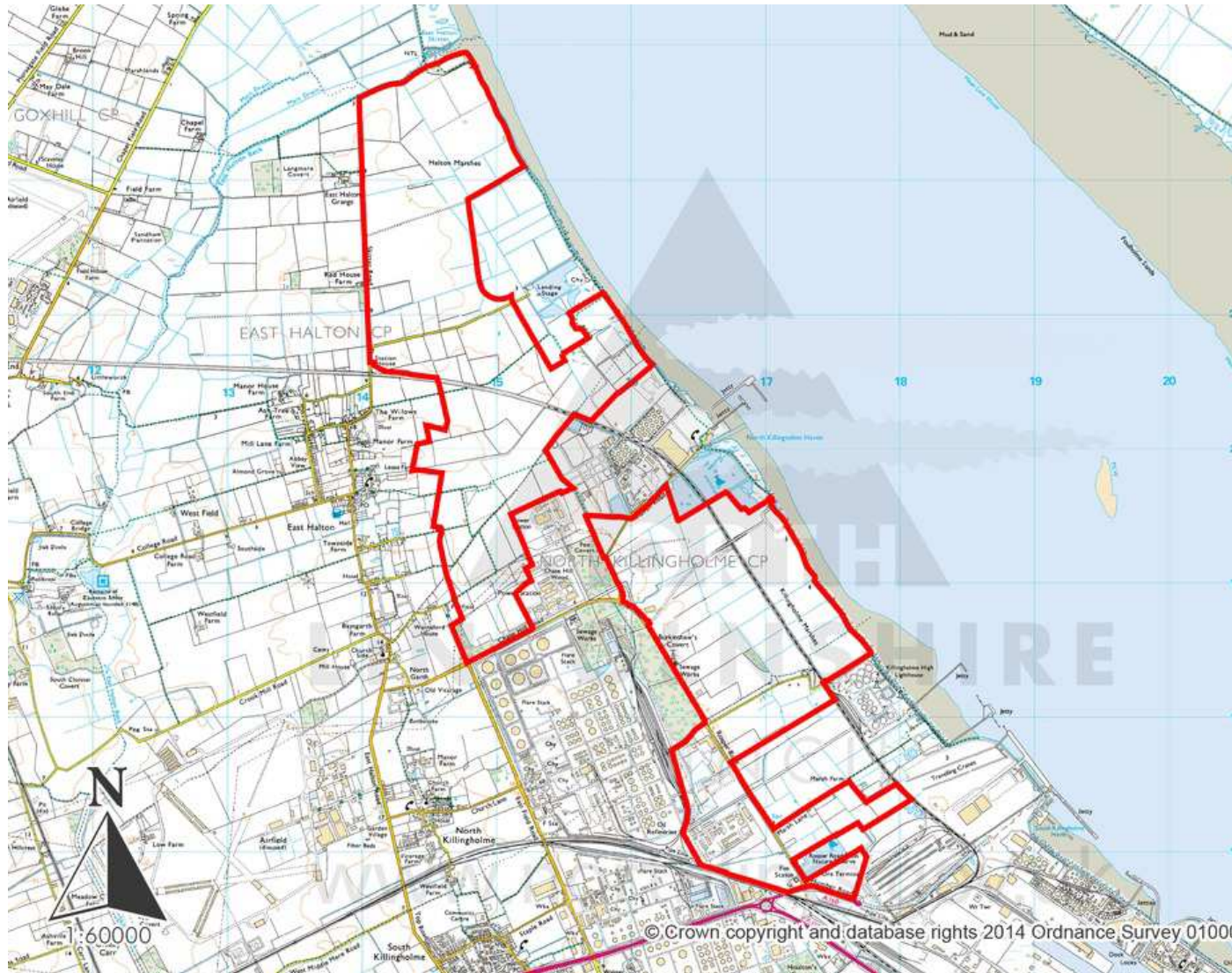
4.54 It is an important aspect of the site to deliver a sensitive balance of port related industrial activities and to respect and mitigate for the ecological assets of the area. All of the above implementation outlined is expected to achieve this sensitive balance of issues. The development of the site will produce an improvement to infrastructure including nature conservation enhancement and management, flood defences, highway, rail and drainage. The delivery of world class economic development goes hand in hand with mitigating against development to enable and enhance an existing world class environment.

4.55 Development of Policy SHBE-1 is to be brought forward by the developer. The delivery of the site is expected during Phases 1 to 3 of the plan period (2014-2026). Development of Policy SHBE-1 is to be brought forward by the developer. The delivery of the site is expected during Phases 1 to 3 of the plan period (2014-2026).

Appendix 3

North Lincolnshire Council's Suggested Changes to Policy SHBE-1 Received on 12 September 2014

4.2 SHBE-1 South Humber Bank (IN1-1, 57-1) **To be amended – delete red boundary and insert purple notation.**



[View Interactive Map](#)

Context

4.26 The South Humber Bank (SHB) site is an expansive area of flat land located on the southern bank of the Humber Estuary. The land is unique in that it is the UK's last development site fronting a deep water channel. The site, although largely greenfield and isolated from a main built up urban area, is located within an existing industrial port landscape. The two existing large ports at Immingham and Grimsby (collectively one port) and the Humber Sea Terminal are the busiest ports in the UK by tonnage. The principle of developing the South Humber Bank for employment uses was identified in planning terms in 1955 and in the early 1960's this led to the development of large scale industry, including oil refineries. Now there are two large oil refineries, three energy plants and various other port related developments. The undeveloped area has large areas of agricultural use and some previously developed land.

Proposed Development

4.27 The policy 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. The land is allocated between and around the two existing ports of Grimsby and Immingham and the Humber Sea Terminal and includes preferred sites for waterbird mitigation.

4.28 The site is uniquely located and offers special advantages with major port extension land adjacent to Grimsby and Immingham Port, which collectively with Grimsby Port forms the busiest port in the UK by tonnage handled. The deep water channel of the Humber Estuary offers the opportunity to create a new port along the frontage of the site between Immingham Port and the Humber Sea Terminal provided such a proposal can pass the tests of the Habitats Regulations.

4.29 The South Humber Bank employment site is the North Lincolnshire Council's unique 'jewel in the crown' premier employment site and is a large part of the South Humber Gateway, taking up a four mile area fronting the Humber Estuary. The SHB employment allocation is one of the last undeveloped deep-water estuaries in Europe and provides a unique opportunity for the economy of North Lincolnshire and the Humber to create high value and substantial employment opportunities on a transformational scale. It is therefore vital that this natural asset is developed so as to maximise the transformational economic potential of the site and must be safeguarded from piecemeal proposals and any investments that do not meet this maxim. It is therefore essential that the site is developed to maximise employment opportunities equivalent to the site's strategic offer by creating major employment, high job densities and inward investment. **In this respect development of the potential for port facilities, such as jetties and quays, along the Humber Estuary frontage between Immingham Port and the Humber Sea Terminal, will be considered as piecemeal development and will not meet the maxim set out in this policy, unless it is linked to land based development that realises the full development of the SHBE-1 allocation in addition to the requirement of meeting the tests of the Habitats Regulations.**

4.30 It will be important to respect the international, national and local nature conservation sites designated within and adjacent to the site. On a case by case basis each individual development will be assessed to test whether its own EIA and Appropriate Assessment needs to be undertaken. A screening exercise will be carried out by the competent authority.

4.31 Land in the SHB is used by significant numbers of waterbirds related to the Humber Estuary SPA and Ramsar site. The loss of this land (as proposed by the allocation) means that it's not possible to rule out an adverse effect on the integrity of these International sites. In order to mitigate against this adverse effect a Strategic Mitigation Plan for North Lincolnshire is in development. The Council has in recent years formed a collaborative framework of partners to help identify this mitigation and provide advice on how it might be delivered. The Mitigation Strategy for North Lincolnshire will cover the SHB employment area. Equivalent documents will be produced by North East Lincolnshire Council. Taken together, the two independent Strategy documents will form the Strategic Mitigation Strategy for the whole of the SHB.

4.32 The SHB Mitigation Strategy has been evolving during the same period as two major project proposals for port related development on Halton Marsh and Killingholme Marsh. Both projects have been through 'appropriate assessment'. Natural England has agreed that waterbird mitigation for these proposals are acceptable as part of the Strategic Mitigation Plan. These mitigation areas within the SHB employment allocation (in relation to the Able UK Marine Energy Park (AMEP) at Killingholme Marshes and Able Logistics Park (ALP) at Halton Marshes) are in compliance with the emerging Mitigation Strategy Plan for North Lincolnshire. The preferred alternative locations for waterbird mitigation **at Halton Marsh and Killingholme Marsh**, have been indicated on **Inset 57. the plan SHBE-1 (In1-1, 57-1)** (A — Halton Marsh and B — Killingholme Marsh). The current locations for waterbird mitigation have been arrived at through the Mitigation Strategy Group assessing the best available evidence.

4.33 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. This will also enable precise areas for mitigation sites to be agreed by signatories to the Mitigation Strategy and will allow for any possible future changes (to the first Mitigation Strategy), which may occur as a result of managing, monitoring and future updated studies. In effect the Mitigation Strategy for North Lincolnshire will be a 'living document' that will provide continual updated robust evidence towards delivering and maintaining mitigation sites. There are options for waterbird mitigation/compensation to be provided beyond the boundaries of the SHB employment allocation as long as this does not affect the ability of the designated site to meet its conservation objectives. Other proposals which may come forward on the remainder of the SHB employment allocation (other than the proposed AMEP and ALP projects) will have to pass the tests of the Habitats Regulations.

4.34 If the option to provide a smaller area of waterbird mitigation land on East Halton Marsh is carried out there will be a requirement to provide a further 50 hectares of waterbird mitigation offsite comprising 20 hectares of core habitat plus a 150 metre wide wetland buffer. If the larger area is provided, then the additional 50 hectares will not be required. **Waterbird mitigation sites are indicated on Inset 57.**

4.35 In North Lincolnshire, options remain open about the delivery of the further 3.3 hectares of core habitat plus wet grassland habitat buffer that will be required to allow the development of the remaining land on Killingholme Marsh, which also supports significant numbers of curlew. Developers at the southern end of Killingholme Marsh may opt to create mitigation habitat in accordance with the North Lincolnshire Mitigation Strategy and the wider Strategic Mitigation Strategy that covers the whole of the SHB.

4.36 It is anticipated that this remaining waterbird mitigation land can be delivered employing conventional planning obligations, without the need to create complex habitat banking mechanisms to govern the phasing, funding and delivery of habitat as may be required elsewhere in the South Humber Gateway.

4.37 There are options for waterbird mitigation/compensation to be provided beyond the boundaries of the SHB employment allocation as part of Able UK's Option 2, as long as this does not affect the ability of the designated site to meet its conservation objectives.

4.38 The main transport documents that are relevant to the site are: North Lincolnshire's Local Transport Plan 3 (2011 – 2026), the South Humber Bank Transport Strategy 2008 (updated 2010) and the Interim Planning Guidance for the South Humber Gateway (2011). The Transport Strategy proposes a package of transport infrastructure improvements that could be implemented to improve access to the South Humber Gateway and facilitate development. The Interim Planning Guidance is a document approved by the Council to be used as a financial tool towards calculating contributions, as a basis for negotiation with potential developers of the site. A Transport Assessment will be required for each development in the area and it is recommended that developers contact the Transport Planning Team to discuss the scope prior to starting work. Applications should be supported by robust Travel Plans, where appropriate, which should demonstrate how the use of sustainable transport modes will be promoted and encouraged. The Council is looking to produce an International Gateways: Area Wide Travel Plan, including the South Humber Gateway. All new and existing businesses/developers will be expected to sign up to it.

4.39 The South Humber Gateway is accessed via the local road network of Rosper Road, Eastfield Road and Top Road, via the A160/A180. There are proposals to upgrade the A160/A180 through the Highways Agency's A160 Port of Immingham Improvement Scheme. It is anticipated that work will start on this in 2015 and be completed in 2016.

4.40 Existing railway lines require some improvements to line speeds and signalling to offer a more sustainable method of transporting freight and additional capacity. Network Rail is committed to some of these improvements. At present there are rail sidings serving Conoco Phillips and Lindsey Oil refineries and serving the Humber Sea Terminal. Line speed and signalling improvements have recently been completed along the Immingham to Doncaster rail line to encourage faster average speeds and move train paths more efficiently. The Council is working with Network Rail on securing Gauge Enhancements from the Ports out to the East Coast Main Line in Doncaster. By heightening bridges and widening platforms it will achieve a standard of W10 and W12 which will enable the transport of bigger containers and European containers out of the ports, increasing economic competitiveness as a leading UK port. These improvements are in Network Rail's Northern Route Utilisation Strategy.

4.41 The expected port related activities on the site will in the main be heavy industrial users meaning pollution and waste control measures will be crucial to the success of the site in sustainability terms.

4.42 The South Humber Bank is a sensitive site in terms of the nearness of existing communities and major international, national and local nature conservation designations and the use of materials on site in construction and design should be managed in a way that recognises its sensitive position. The protection of residential amenity and construction timing so as not to disturb the nature conservation of the area (for example wintering birds) is crucial to the successful development of the site.

4.43 The South Humber Bank Landscaping Initiative (SHBLI) has been in place for many years. The SHBLI area's boundary is as far west as the Skitter Beck (on the western edge of North Killingholme Airfield) and as far north as East Halton Skitter. The SHBLI deliberately covers a large area because distant wood and copse planting discretely located can have a better landscape effect than a large woodland area close to the edge of the industry. On site and off site landscaping schemes shall be considered within the framework of the South Humber Bank Landscaping Initiative in relation to development proposals.

4.44 The Outline Water Cycle Strategy (WCS) for North Lincolnshire identifies the lack of sewerage capacity in the South Humber Bank area. Due to the site's size Anglian Water has identified a requirement for a new

pumping station and a trunk sewer to serve the whole allocation. The surface water flows and flood risk in the area is managed by the North East Lindsey Water Management Board (Internal Drainage Board) . This has been carried out under the collaborative framework of the South Humber Bank Gateway Delivery Group (SHBGDG). Anglian Water has upgraded the Elsham Water Works and increased water supply to the site by some 33% to satisfy demand from future development of the SHB employment site. A new pumping station is planned to be provided in the Killingholme Marsh area as agreed between the North East Lindsey Water Management Board (IDB). Despite the management of water being accounted for on the site, the collaborative approach of the SHBGDG (with the interested parties) is work in progress and it is therefore important for the policy to acknowledge the requirement of a surface water and sewage management solution to accommodate development on the employment site.

4.45 The site is for port activities and is therefore necessarily located adjacent to a river. A large percentage of the area is within SFRA Flood Risk Zone 2/3a. Some 25% of the site, situated approximately west of the Humber Sea Terminal, is located in Flood Zone 1. Flood Risk Assessments (FRAs) will therefore be required for individual developments across the majority of the site and will be guided by the SFRA for North and North East Lincolnshire and the NPPF and its associated guidance on flood risk and development.

4.46 The Humber Flood Risk Management Strategy March 2008 (currently in a process of being updated 2013/2014) identifies the flood defences between the Humber Sea Terminal and East Halton Skitter as offering very little protection to the land behind. Negotiations are progressing with the Environment Agency, Natural England and the SHBGDG towards an amicable resolution. The land within the site behind these defences is some 130 hectares and a collaborative solution will be reached to benefit all parties involved.

4.47 There are a number of important designated heritage assets in the vicinity of this allocation including a line of Scheduled Monuments in East Halton and North Killingholme parishes. An assessment of the impact of proposals upon these assets will be required and the scheme will need to demonstrate how those elements which contribute to their significance will be conserved.

Policy SHBE-1

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 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. This employment site is a major part of the South Humber Gateway which forms a four mile area fronting the Humber estuary. It is one of the last undeveloped deep-water estuaries in Europe and provides a unique opportunity for the economy of North Lincolnshire and the Humber to create high value and substantial employment opportunities on a transformational scale. It is therefore vital that this ~~natural~~ asset is developed so as to maximise the transformational economic potential of the site and must be safeguarded from piecemeal proposals and any investments that do not meet this maxim.

The 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.

Proposed development projects must:

- Maximise ~~e~~Employment opportunities ~~will be maximised~~ equivalent to the site's strategic offer by creating major employment, high job densities and inward investment
- ~~Develop the potential for port facilities, including jetties and quays, along the Humber Estuary frontage between Immingham Port and the Humber Sea Terminal by directly linking this potential to realising the full development of the SHBE-1 employment allocation~~
- **The potential future development of a port, including isolated port facilities such as quays and jetties, along the Humber Estuary frontage between Immingham Port and the Humber Sea Terminal, will be considered as piecemeal development and will not meet the employment and nature conservation maxims set out in this policy, unless it is linked to fully developing the SHBE-1 allocation in terms of maximising land based employment development opportunities equivalent to the sites strategic offer in addition to meeting the tests of the Habitats Regulations.**
- Development of the Associated British Port Operational Port area identified on Inset 57 will only be supported if it meets all the criteria set out in policy SHBE-1.

- 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
- 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.

Implementation

4.48 The delivery of the site will be achieved in partnership through the following Plans, Boards and Delivery Groups that include landowners, private industry, Government Agencies, North Lincolnshire Council, local organisations and national charities.

- South Humber Bank Master Plan (2004) - where relevant
- Individual South Humber Bank infrastructure, economic and environmental studies that update, in part or whole, the South Humber Bank Master Plan (2004)
- Humber and Greater Lincolnshire Local Economic Partnerships
- South Humber Bank Mitigation Strategy.
- North Lincolnshire Local Transport Plan 3 (2011-2026)
- North Lincolnshire South Humber Bank Transport Strategy 2010
- North Lincolnshire Interim Transport Planning Guidance for the South Humber Gateway

4.49 This collaborative framework has the support of key delivery partners and will ensure the successful large-scale future development of the South Humber Bank, help to overcome existing constraints, and harmonise potential conflict between economic development and the environment; thus achieving sustainable development objectives.

4.50 The site is expected to be largely delivered within the lifetime of the Plan period. Despite the current recession in the UK there is significant investment being injected into the site from interested land owners, developers, North Lincolnshire Council and the Government. One landowner holding a large area of land has particularly made a substantial investment in the site. This shows the full commitment and intent by both public and private sector to deliver an all round local, national and international site. The majority of SHBE-1 benefits from planning consent through both the Able Logistic Park and Able Marine Energy Park proposals. Work is expected to commence shortly on both sites with over all delivery expected within the plan's lifespan.

4.51 The site at Halton Marshes north of the Humber Sea Terminal has planning permission to develop 270 hectares of port logistic land uses and includes land for landscaping and wildlife conservation. The Able Marine Energy Park (AMEP) at Killingholme Marsh is a major infrastructure proposal (terrestrial development area of 245 hectares and 45 hectares of concrete quays reclaimed from the Humber Estuary) that includes a proposed new

port at the South Humber Bank, also includes land for landscaping and wildlife conservation. The associated Public Examination finished in November and was approved by the Secretary of State in December 2013. Port development alone is predicted to generate over 4000 jobs on site in addition to many more expected in ancillary industries.

4.52 The South Humber Bank Transport Strategy proposes a package of transport infrastructure measures, for the both the local and strategic road networks, which will improve access to the area and facilitate developments. The Highways Agency is responsible for the A160/A180 Port of Immingham Improvement Scheme and it is anticipated that work will start on this in 2015. The Interim Planning Guidance will be used as a basis for negotiation to secure financial contributions from developers to deliver the local transport infrastructure proposals.

4.53 Network Rail has recently delivered line speed and signalling improvements to the Immingham to Doncaster rail line. Network Rail's Northern Route Utilisation Strategy intends to deliver more improvements that will provide greater capacity to this railway line, particularly gauge improvements and heightening of bridges, making the SHB Employment site and ports development more sustainable. The council is continuing to work with Network Rail on these proposed rail improvements

4.54 It is an important aspect of the site to deliver a sensitive balance of port related industrial activities and to respect and mitigate for the ecological assets of the area. All of the above implementation outlined is expected to achieve this sensitive balance of issues. The development of the site will produce an improvement to infrastructure including nature conservation enhancement and management, flood defences, highway, rail and drainage. The delivery of world class economic development goes hand in hand with mitigating against development to enable and enhance an existing world class environment.

4.55 Development of Policy SHBE-1 is to be brought forward by the developer. The delivery of the site is expected during Phases 1 to 3 of the plan period (2014-2026). Development of Policy SHBE-1 is to be brought forward by the developer. The delivery of the site is expected during Phases 1 to 3 of the plan period (2014-2026).

Appendix 4

ABP's Requested Changes to the H&ELA DPD

ABP request that the changes set out below are made to the H&ELA DPD to address the concerns set out above and ensure it is sound.

1. Amendments to Policy SHBE-1

Amendments to Policy SHBE-1 to specifically support the strategically important expansion of the Port of Immingham set out in the port Master Plan through the future development of ABP's triangular area of land to the north. More specifically, this land is the last remaining undeveloped riverside frontage for the Port of Immingham and its proposed development is therefore vital to meeting the port's expansion needs in order to create additional capacity.

As set out above, ABP does not agree with the Council's previously suggested amendments to Policy SHBE-1 received on 12 September 2014 (see Appendix 3).

Accordingly, ABP's requested amendments are set out below (see bold typeface).

a. 4.28

The site is uniquely located and offers special advantages with major port extension land adjacent to ~~Grimsby and the Port of Immingham Port~~, which ~~collectively with Grimsby Port forms the~~ is the busiest port in the UK by tonnage handled. The deep water channel of the Humber Estuary offers the opportunity to **support the expansion needs of the Port of Immingham, as well as** create a new port along the frontage of the site between Immingham Port and the Humber Sea Terminal provided such ~~a proposals~~ can pass the tests of the Habitats Regulations.

b. 4.29

The South Humber Bank employment site is the North Lincolnshire Council's unique 'jewel in the crown' premier employment site and is a large part of the South Humber Gateway, taking up a four mile area fronting the Humber Estuary. The SHB employment allocation is one of the last undeveloped deep-water estuaries in Europe and provides a unique opportunity for the economy of North Lincolnshire and the Humber to create high value and substantial employment opportunities on a transformational scale, **as well as to support the expansion needs of the Port of Immingham**. It is therefore vital that this natural asset is developed so as to maximise the transformational economic potential of the site and must be safeguarded from ~~piecemeal proposals and~~ any **proposals and** investments that do not meet this maxim. It is therefore essential that the site is developed to maximise employment opportunities equivalent to the site's strategic offer by creating major employment, high job densities and inward investment, **as well as supporting the expansion needs of the Port of Immingham**. Furthermore, any proposals for the development of port facilities, including jetties and quays, along the Humber Estuary frontage between the Port of Immingham and the Humber Sea Terminal, will be required to meet the tests of the Habitats Regulations.

c. **Policy SHBE-1**

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 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 **the Port of Immingham Port** and Humber Sea Terminal the site has a unique employment offer. This employment site is a major part of the South Humber Gateway which forms a four mile area fronting the Humber estuary. It is one of the last undeveloped deep-water estuaries in Europe and provides a unique opportunity for the economy of North Lincolnshire and the Humber to create high value and substantial employment opportunities on a transformational scale, **as well as to support the expansion needs of the Port of Immingham**. It is therefore vital that this natural asset is developed so as to maximise the transformational economic potential of the site and must be safeguarded from ~~piecemeal proposals and~~ any **proposals and investments** that do not meet this maxim.

The 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 facilities** that meet the tests of the Habitats Regulations.

~~Proposed development projects must:~~

- ~~Maximise e-Employment opportunities~~ **will be maximised** equivalent to the site's strategic offer by creating major employment, high job densities and inward investment, **as well as supporting the expansion needs of the Port of Immingham**
- ~~Develop the potential for port facilities~~ **The potential future development of port facilities**, including, jetties and quays, along the Humber Estuary frontage between Immingham Port and the Humber Sea Terminal, **will be required to meet the tests of the Habitats Regulations by directly linking this potential to realising the full development of the SHBE-1 employment allocation**
- **Development of the Associated British Ports Operational Port area identified on Inset 57 to support the expansion needs of the Port of Immingham will be supported where it meets the criteria set out in this policy.**
- 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. **Alternative mitigation proposals, of at least equivalent area, could be brought forward provided that they have an evidence base sufficient to demonstrate the ability of such waterbird mitigation to contribute to the overall mitigation strategy and meet the test of the Habitats Regulations.**

- A Transport Assessment and..."

The requested change to criteria 3 takes on board the amendment sought by Natural England, the RSPB and Lincolnshire Wildlife Trust in their responses to the Council on the H&ELA DPD Submission Version consultation

2. New Port Related Development Policy

The inclusion of a new policy and supporting text which supports future port related development on ABP's Main Operational Area of the Port of Immingham and ABP's triangular area of land to the north, with these also identified on Inset 57. It is requested that this is drafted along the lines of saved Policy IN4A from the adopted Local Plan as set out below.

"Port related development within the Operational Area of the Port of Immingham identified on Inset 57 will be supported where this meet the tests of the Habitats Regulations and complies with other policies in the H&ELA DPD."

This Policy would be in line with previous saved policy, whilst also including the necessary environmental safeguards. It is also considered necessary to firmly establish the area within which port related development will be supported, both through the implementation of ABP's Permitted Development Rights and also where planning permission or other consent is required

It is also requested that the supporting text for this new policy includes specific reference and encouragement for the major development proposals for this land, as outlined at paragraph 3.4 of ABP's previous statement at Appendix 2 and set out in detail in the Port of Immingham Master Plan.



Associated British Ports Statement

5 December 2014

ABP seeks Judicial Review to enable Immingham's future growth

ABP has today announced that it is seeking a Judicial Review (JR) of the Secretary of State for Transport's decision to grant a Development Consent Order (DCO) in respect of the proposed Able Marine Energy Park (AMEP) on the South Bank of the Humber at Killingholme.

The site is immediately adjacent to the Port of Immingham, the nation's largest port. ABP supports 14,000 local jobs and plays a critical role in the nation's energy infrastructure.

Regrettably, the DCO allows for the compulsory purchase of the Port of Immingham's last remaining undeveloped land with access to deep water. ABP wishes to use the site, known as the Triangle site, to develop, in partnership with its customers, a major fuel product import facility, the Immingham Western Deepwater Jetty (IWDJ).

ABP regards the process by which the DCO was granted as being seriously flawed. ABP has been willing to set aside its concerns over the consent process in the interests of reaching a compromise that would allow both the AMEP and our own IWDJ development to proceed.

Able never properly engaged in the process of seeking a compromise preferring instead to adopt an "all or nothing" approach. The failure of the Joint Committee of both Houses of Parliament to consider both sides of the argument dealt another blow to the prospects of a compromise that would have best served the interests of the region.

During the planning process, Able publicly acknowledged that the AMEP development is far bigger than is necessary to handle the market for offshore wind manufacturing that was hoped for at the time.

Since then, while the UK as a whole has been successful in attracting key elements of the offshore wind supply chain, the anticipated demand for AMEP has failed to materialise.

In the time that Able has failed to engage in a compromise, ABP and its partners have invested and committed to invest nearly £500 million in new facilities at its Humber ports, which will result in over 1000 new jobs for the region. ABP's own workforce at the port is growing at a rate of 10 per cent per annum providing high quality, well paid, skilled jobs.

However, Immingham cannot maintain this level of growth without the ability to develop additional deep water cargo handling facilities. As well as enabling the IWDJ to proceed, the Triangle site and its waterfront also enable Immingham to re-configure existing facilities to respond to other changes in customer demand and further accommodate future growth.

Given the fundamental importance of the Triangle site to the Port of Immingham, and Able's unwillingness to engage in a compromise, ABP has concluded that it has no alternative but to seek a Judicial Review of the Secretary of State's decision to approve the seizure of ABP's land and associated waterfront. ABP's decision has been taken after carefully weighing up the interests of the port, our customers and those who rely on the port for their livelihoods, both directly and indirectly.

Able's case for seizing ABP's land and associated waterfront has always been weak and has only become weaker with the passage of time. ABP remains willing to work with Able and other stakeholders to find a solution that allows both AMEP and IWDJ to co-exist, avoids damage to the interests of the Port of Immingham and promotes the prospects for the Humber region which ABP is proud to be part of.

-ends-

Contact :

Rachel Addison
Communications Manager, Humber
Associated British Ports

Tel: 01482 608414; Mob: 07720 416650

Email: raddison@abports.co.uk

If you do not wish to receive copies of Associated British Ports news releases, you can opt out of future mailings by emailing unsubscribe@abports.co.uk