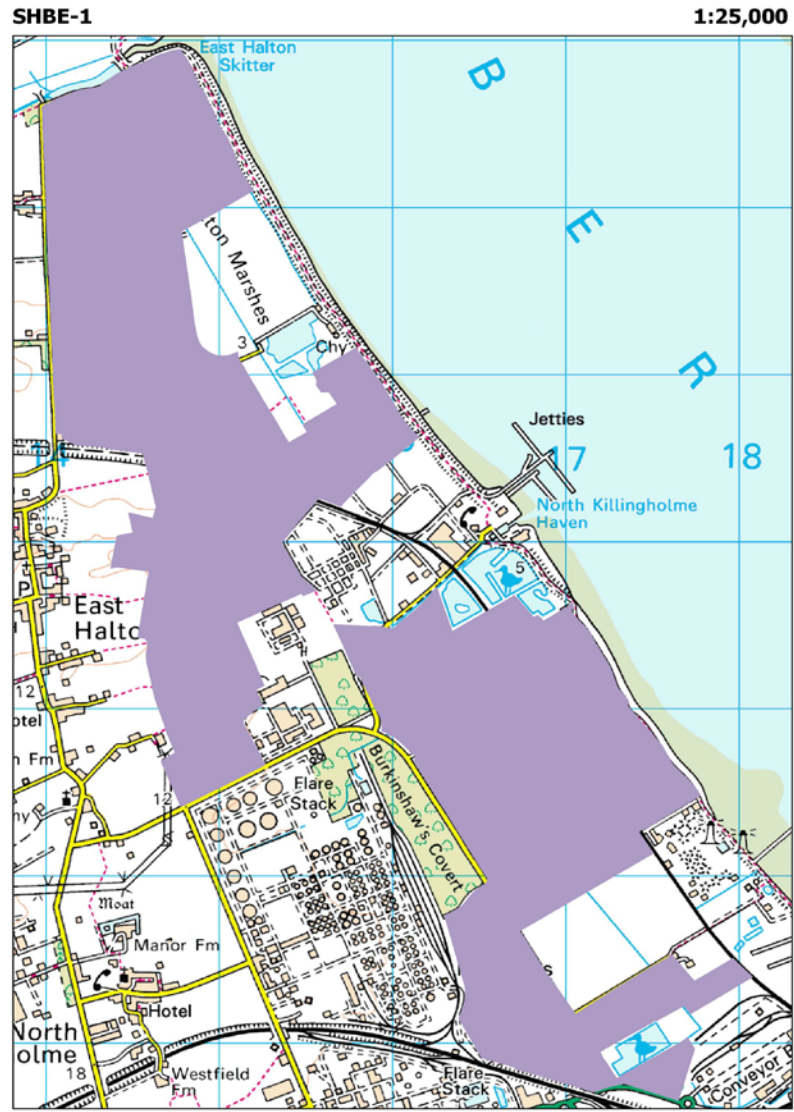


# SHBE-1 South Humber Bank



<b>Site Name</b>	South Humber Bank	
<b>Site Reference</b>	SHBE-1	<b>Promoter:</b> Able UK, Landowners <b>Agent:</b> N/A
<b>Site Location</b>	Land adjacent to Humber Estuary between East Halton and South Killingholme	
<b>Settlement</b>	East Halton/North Killingholme	
<b>Site Area</b>	900ha (gross area)	
<b>Representations received and references</b>	<p>229 (842759/45/229/4.27/3) Lincolnshire Wildlife Trust  230 (842759/46/230/4.31/3) Lincolnshire Wildlife Trust  47 (842759/47/231/4.32/NS) Lincolnshire Wildlife Trust  48 (842759/48/232/4.33/NS) Lincolnshire Wildlife Trust  49 (842759/49/233/4.54/3) Lincolnshire Wildlife Trust  51 (842759/51/235/4.3) Lincolnshire Wildlife Trust  50 (842759/50/234/4.38/3) Lincolnshire Wildlife Trust  20 (840350/01/20/SHBE1/NS) AMEC Environment &amp; Infrastructure UK Ltd (for National Grid)  11 (842041/11/119/SHBE1/NS) English Heritage - East Midlands  228 (842759/44/228/SHBE1/3) Lincolnshire Wildlife Trust  275 (711256/14/275/SHBE1/1) Environment Agency  315 (108832/01/315/SHBE1/NS) Highways Agency  336 (844858/01/336/SHBE1/NS) Mr Kevin Francis  337 (844858/02/337/SHNE1/NS) Mr Kevin Francis  435 (565541/01/435/SHBE1/LC/Unsound) Natural England  456 (759184/01/456/SHBE1/3) Royal Society for Protection of Birds (RSPB)  504 (759184/02/504/SHBE1/3) Royal Society for Protection of Birds (RSPB)  505 (749184/03/505/SHBE1/3) Royal Society for Protection of Birds (RSPB)  236 (842759/52/236/5.45/NS) Lincolnshire Wildlife Trust</p>	
<b>Sustainability</b>	The site is in conformity with the Core Strategy Policies CS1: Spatial Strategy for North Lincolnshire, CS2: Delivering More Sustainable Development, CS3: Development Limits, CS11: Provision & Distribution of Employment Land, CS12 South Humber Bank Strategic Employment Site and CS26: Strategic Transport Infrastructure Proposals (Evidence Base Ref: BAC06). These policies set out the broad spatial approach for the location of employment land allocations in North Lincolnshire. Policies CS1 and	

CS12 identify the strategic importance of the South Humber Bank in terms of delivering significant economic growth and in doing so identify the provision of 900ha of employment land. Both policies, together with policy CS26, acknowledge the strategic importance of the South Humber Bank and the infrastructure requirements that are currently being delivered.

### **Sustainability Appraisal**

In overall sustainability terms, the SHBE-1 site projects a positive balance between economic, social and environment arms of sustainability. The site is unique in that it is one of the last undeveloped deep water estuaries in Europe and is special in that it offers the opportunity of high value employment and high job densities within the site along the frontage of the Humber Estuary between the Port of Immingham and the Humber Sea Terminal in a setting of existing and proposed enhancement of nature conservation and landscape sites. The remainder of the site provides for other port facilities, including port logistics. The SHBE-1 site is not isolated when assessed against the large scale South Humber Gateway employment area of North and North East Lincolnshire. The South Humber Gateway employment area including allocations and existing developed employment area in both Council areas totals some 3290 hectares, stretching some 20kms along the estuary frontage and varying between approximately 1km and 3.5km in depth (inland). The site is set within and around the Port of Immingham, the Humber Sea Terminal, Oil Refineries and power stations and is openly accessible by road, rail and shipping. The overall transport sustainability of the site will be enhanced by improvements in road and rail accessibility, including better access for vehicles, walking and cycling and improvements to the rail network producing more train movement of goods, improved line speeds and rail gauge improvements.

In economic terms the area is a natural extension of the industrial activities around the site. In social and economic terms the proposed employment use will create more than 4000 direct jobs plus many more job opportunities in the supply chain. The new University Technical College (as a part of Hull University) currently being built in Scunthorpe will provide training for the expected requirement of skilled jobs to be created by SHBE-1. The new housing proposed as allocations in the DPD will provide homes for the influx of people attracted by the expected growth of jobs at the SHBE-1 site. In environmental terms the existing nature conservation sites will be enhanced and managed and new landscaped areas will be provided (all provided by the employment users).

Through the Adopted Core Strategy's spatial strategy the Council seeks to transform North Lincolnshire by ensuring that sufficient employment land is available across the area that both serve local needs and take advantage of the anticipated economic growth generated by the South Humber Gateway with particular regard to the Able UK proposals, namely the Able Marine Energy Park (AMEP) and the Able Logistics Park (ALP). It is anticipated the Able UK developments will have a huge impact on the service and supply industries across the sub-region and North Lincolnshire.

All the proposed employment sites, including SHBE-1 have been subject to a Sustainability Appraisal and public consultation. In the Sustainability Appraisal (Evidence Base ref: SUB04) Assessment Results for the Employment Sites are listed under Para 6.1. Detailed employment site appraisals are contained in Appendix J.

The Sustainability Appraisal suggested that the SHBE-1 site is isolated and in open countryside and tended to assess the site on its own and not in context of the whole South Humber Gateway and the balance of sustainable measures to be delivered by the Policy. In these terms this approach reduced the positive assessment of the site.

	<p>Summary of the Positive and Negative Scores for Site SHBE-1</p> <p>Strongly Positive 6, Moderately Positive 3, Strongly Negative 2, Moderately Negative 9.</p> <p>Overall, the site scores negatively.</p> <p>Particular benefits were identified against objective 'b' (to tackle poverty, social exclusion and inequality geographically).</p> <p>Significant positive effects were also predicted where employment sites are likely to improve accessibility to employment opportunities for a greater proportion of the population. Sustainable locations and requirements for improvements to walking, cycling and public transport were contributors to predictions of positive effects against this objective (c). Similar effects were predicted against SA Objective 1 (<i>to improve public transport provision and promote sustainable modes of transport</i>).</p> <p>With regards to the assessments against all SA economic objectives (p-t) significant positive effects were predicted for the site.</p> <p>SHBE-1 scored negatively in relation to its potential impact on nature conservation issues and its location set away from North Lincolnshire's urban areas. Such issues have been addressed through the detailed policy criteria and supporting text which justify the site's specific location and mitigation measures.</p>
<p><b>Phasing and justification</b></p>	<p>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).</p> <p>Through the Adopted Core Strategy's spatial strategy the Council seeks to transform North Lincolnshire by ensuring that sufficient employment land is available across the area that both serve local needs and take advantage of the anticipated economic growth generated by the South Humber Gateway with particular regard to the Able UK proposals, namely the Able Marine Energy Park (AMEP) and the Able Logistics Park (ALP) - see next section for details. It is anticipated the Able UK developments will have a huge impact on the service and supply industries across the sub-region and North Lincolnshire with a current unquantifiable amount of employment land required.</p>
<p><b>Deliverability</b></p>	<p>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 is located within an existing industrial port landscape.</p> <p>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.</p>

	<p>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 (2011) and the NPPF and its associated guidance on flood risk and development. The EA do not object to this site.</p> <p>Given the existing commitments and proposed infrastructure improvements and the fact that the Council has worked with companies and organisations since 2007, (originally based on a South Humber Bank Masterplan (2004)) the site is deliverable.</p> <p>AMEP, designed following extensive liaison with the offshore wind industry, will offer 1,289m of new heavy duty deep water quays and 366.7 hectares (906 acres) of developable land. It is designed specifically for the marine renewables sector providing a multi-user facility for the manufacture, storage, assembly and deployment of next generation offshore wind turbines and their associated supply chains. It is comprised of approximately 75,000 sq m of gross floorspace over some 11 buildings with the remaining open site area to be used for infrastructure, storage and assembly uses. 500 constructional jobs are expected to be created, plus the potential to create up to a total of 4,100 jobs. The £450m AMEP project is seen as vital to the plans for growing the Humber as the UK's Energy Estuary. A Development Consent Order for AMEP was granted by the Secretary of State for Transport in December 2013. The AMEP application was subject to consideration by a joint committee of the House of Lords and House of Commons following petitions lodged by Associated British Ports and on the 22<sup>nd</sup> October 2014, after hearing the petitioner's case the joint committee decided that the applicant did not have a case to answer. It is now subject to Judicial Review (see answer to Question 4 below for update).</p> <p>The Able Logistics Park (ALP) offers a 497.5ha (1,229.5 acres) site with full planning permission in place for the creation of extensive warehousing (1,700,000m<sup>2</sup>), external storage and transportation depots. 300 constructional jobs are expected to be created with some 4100 direct jobs in relation to AMEP and many thousands of additional jobs expected to be created by the supply chain.</p> <p>Given the existing planning permissions and committed infrastructure improvements there is a good prospect that port related employment uses will be delivered on the site within the plan period. It is understood that Able UK are programming the AMEP site for completion around about 2017/2018 (subject to the outcome of the Judicial Review).</p> <p>A limited number of public objections were received in relation to this site.</p>
<p><b>Infrastructure Requirements</b></p>	<p>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).</p> <p>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</p>

	<p>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.</p> <p>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 this work funded by the Highways agency will start in 2015 and be completed in 2016. The South Humber Bank Transport Study addresses the requirement for highway improvements and transport assessments (including walking cycling and public transport improvements) within the SHBE-1 site.</p> <p>The Humber Flood defences along the Humber Estuary frontage will require enhancement and improvement, particularly north of the Humber Sea Terminal and this will be addressed by a combination of funding from the EA through the Humber Flood Risk Management Strategy and Able UK.(related to AMEP and the ALP) (discussions ongoing).</p>
<p><b>Biodiversity considerations and Constraints including any mitigation measures</b></p>	<p>The consideration and mitigation of biodiversity and nature conservation issues is crucial to the successful development of the site. There are ongoing negotiations between Natural England, Able UK and the Council regarding the planning proposals for AMEP and ALP in relation to the provision and future management of nature conservation 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 mitigation.</p> <p>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</p>
<p><b>Specific questions raised by the Planning Inspector</b></p>	<p><b>Q1</b> Does Policy SHBE-1 contain sufficient policy guidance and clarity, particularly regarding nature conservation interests, to enable appropriate environmental mitigation measures to be tested and delivered?</p> <p><b>Answer</b></p> <p>Policy SHBE-1 has been written to ensure that nature conservation interests can be delivered and mitigated against. It has been tested against the SA and HRA and it includes appropriate environmental mitigation measures to address any issues identified through policy criteria. Policy SHBE-1 and the supporting text to it require amendments to reflect the current position regarding appropriate nature conservation and environmental mitigation measures. Reference should be made to the answers to questions on 'Sustainability' and 'Statement of Common Ground' in Matter 1. Policy SHBE-1 and the South Humber Gateway Mitigation Strategy have evolved through a detailed iterative collaborative process of appropriately addressing the nature conservation issues since 2008. The proposed changes in the Statement of Common Ground (to be agreed with Natural England, Royal Society for the Protection of Birds and Lincolnshire Wildlife Trust after 18<sup>th</sup> November 2014) covers explanation of this collaborative process and will positively address the issues raised by the nature conservation organisations and will further strengthen Policy SHBE-1 in terms of environmental sustainability.</p>

**Q2** Can the Council provide greater clarity in policy terms to the statement:-“Maximise employment opportunities equivalent to the site’s strategic offer by creating major employment, high job densities and inward investment”?

**Answer**

The first paragraph of Policy SHBE-1 sets out why this allocation is a ‘jewel in the crown’ employment site for North Lincolnshire. SHBE-1 is designated as a very special unique site to deliver high value, substantial employment opportunities on a transformational scale. The SHBE-1 site is a largely undeveloped deep water port of national importance. The Secretary of State for Transport has approved a Development Consent Order in relation to the National Planning Infrastructure Project process for AMEP (an aim supported by the Council since at least 2007 and is supported by Core Strategy Policy CS12). Also see answer to question 4. The AMEP site will support the government’s decision to allow windfarms to be constructed in the North Sea by manufacturing, repairing and supplying wind turbines. Preliminary construction works have started on the AMEP site with the assistance of the Humber Local Economic Partnership (Humber LEP) with funding distributed to the identified economic growth areas. SHBE-1 is one of these sites including £15 million to be spent on the preliminary works (AMEP site) by the end of March 2015. The AMEP project includes a new port (quays and wharves) which will provide valued skilled manufacturing jobs creating high job densities (4,000+ direct jobs) and many thousands more jobs in the supply chain. This special employment offer will attract some £450 million of inward investment to North Lincolnshire. The ‘growth strategy’ is not just about AMEP, but AMEP will have a substantial influence on overall growth in North Lincolnshire. On the land within the site along the frontage of the Humber Estuary between the Port of Immingham and the Humber Sea Terminal it is therefore important that this part of the SHBE-1 site maintains its strategic offer by requiring new development to maximise the potential for major high level jobs, high job densities and substantial inward investment and safeguards against piecemeal development proposals that do not meet these employment maxims.

**Q3** Should Policy SHBE-1 and its supporting text provide greater detail on the Highways Agency’s A160 Port of Immingham Improvement Scheme?

**Answer**

DPD paragraphs 4.39, 4.52 and bullet point 7 of SHBE-1 cover the reference to the A160-A180 highway improvement project and the Council does not think it necessary to provide greater detail. This project has been an iterative process with progress of the proposed scheme advancing year on year (the current process started in 2008). A similar process has progressed in parallel in terms of the Council’s South Humber Bank Transport Study– this study addresses the highway requirements for the internal road network of SHBE-1 and links into the Highways Agency (HA) A160-A180 highway improvement scheme. Continual progress and updates with regard to the evolving road transport strategy for SHBE-1 has resulted in a shorter general description applied in the DPD to ensure that the wording did not become outdated as the project progressed.

The HA is applying to the Secretary of State for a Development Consent Order to improve the A160 and A180 by improving the ‘Brocklesby Interchange’ to a two bridge roundabout layout including a dedicated left turn lane for vehicles travelling from the eastbound A180 to the A160, upgrading the single carriageway section of the A160 to dual carriageway standard, relocation of Habrough Roundabout with new link roads provided from the A160 to Ulceby Road, Top Road and Habrough Road and provision of a new gyratory carriageway system between Manby Road Roundabout, Rosper Road Junction and the Port of Immingham. The purpose of the upgrade is to provide better access to the Port and the surrounding area by improving the A160 between the junction with the A180 at Brocklesby interchange and the Port. The objectives of the project are to reduce traffic congestion, improve journey time reliability and improve safety for road users and the local community. It also seeks to meet the needs of future traffic

growth resulting from existing and future developments.

The HA scheme is currently going through the National Infrastructure Directorate process for Nationally Significant Infrastructure Projects. The Planning Inspectorate issued a report of recommendation to the Secretary of State on 6 November 2014. The Secretary of State has 3 months in which to issue a decision. It is understood that this decision date will not change the delivery programme of construction starting in April 2015 and completion estimated October 2016 (assuming consent is given). This programme together with the implementation of planning conditions on specific planning permissions within SHBE-1 will run in parallel to the delivery of AMEP.

**Q4** Can the Council provide an updated statement on the Able Marine Energy Park (AMEP) proposal?

**Answer**

The current position of the AMEP proposal is that Able UK has been granted a Development Consent Order (DCO) for AMEP by the Secretary of State for Transport in December 2013. It has been considered by a joint committee of the House of Lords and House of Commons in October 2014 following petitions lodged by Associated British Ports. These committee hearings were foreshortened when the committee supported the Secretary of State decision after less than a week of evidence given by both sides and ABP's case was formally "thrown out". The end of the process is that a period of six weeks is set aside should there be a case accepted for a legal challenge under judicial review. The six week period closes on 19th December 2014. However, ABP submitted a case for Judicial Review (JR) on 5<sup>th</sup> December 2014. It is understood that main arguments of defence need to be with the court by 29<sup>th</sup> December 2014 and the court is likely to decide whether to go forward or not to a hearing by 19<sup>th</sup> January 2015. If the court decides to go forward at this point a hearing is likely to take place around May/June 2015. The proposed Statement of Common Ground between the Council and ABP outlines the Council's position in relation to ABP's representation.