

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

ABLE MARINE ENERGY PARK (AMEP) – LOCAL IMPACT REPORT (LIR)

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To advise the Planning Committee of the application by Able UK Ltd to the National Infrastructure Directorate (NID) which seeks permission for the construction of a marine energy park on approximately 250ha of land 1km south of the Humber Sea Terminal at South Killingholme. The proposal involves the construction of a new quay and the reclamation of 45ha of the Humber Estuary.
- 1.2 Because of the legislation enacted by the 2008 Town and Country Planning Act the NID requires the council to prepare and submit a LIR and in due course a Statement of Common Ground (SCG). As no planning application will be made to the council, due to the project's national significance the view of the Planning Committee is sought to advise the NID of issues that are pertinent to the examination and of local significance.

2. BACKGROUND INFORMATION

- 2.1 The development will serve the needs of the marine energy sector. This is a sector that is currently dominated by the offshore wind industry. A new quay will be built that is suitable for specialised offshore installation vessels. Onshore facilities will provide for the manufacture, assembly and storage of the principal components of offshore energy installations including wind turbines and related items.
- 2.2 As part of the creation of the new quay, the development will include the reclamation of 45ha of land that lies within the Humber Estuary. The estuary is designated under European law as an important site for nature conservation and forms part of the Natura 2000 network of sites across Europe. These sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). The Humber Estuary is also a Ramsar site and a Site of Special Scientific Interest.
- 2.3 To compensate for the loss of protected habitat and to ensure the coherence of the Natura 2000 network, new intertidal habitat will be created on the north bank of the Humber Estuary. This habitat will be created by realigning the existing flood defences at Cherry Cobb Sands, an area of arable land directly opposite the AMEP site and adjacent to the estuary. The habitat thus created will replace the habitat to be lost from the estuary by the construction of AMEP and will also provide land of equivalent functional value to that lost. This managed realignment site is located in an area known as Sunk Island

some 4km to the south-west of Keyingham. An Appropriate Assessment under the Habitat Regulations will be carried out by the Planning Inspectorate as the determining authority before the decision is taken whether or not to grant a DCO.

- 2.4 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 ('the 2009 EIA Regulations') require an Environmental Impact Assessment (EIA) of the project to be undertaken, implementing the requirements of European Directive 85/337/EEC, as amended. The principal purpose of an EIA is to ensure that all likely significant environmental effects are considered for the construction, operation and (where relevant) decommissioning of a scheme.
- 2.5 Able UK has been a major developer of port-related facilities on the South Humber Bank for many years. The existing development is for the storage of motor vehicles, predominantly cars.
- 2.6 More recently the council has processed a major application, covering about 900 acres, for a logistics park, the ALP (Able Logistics Park). The decision has been made by the council to grant planning permission for the ALP subject to an agreement under Section 106 of the Act securing payment for necessary highway improvements and subject to agreement between Able and the Environment Agency to carry out flood protection improvement works. Negotiations for that agreement are well advanced and once completed the council will be issuing the decision.
- 2.7 For some considerable time North Lincolnshire Council has taken an active role with Able UK to encourage further expansion of the South Humber Bank area, known as the South Humber Gateway (SHG). The opportunities of the SHG for benefiting the Round 3 offshore program have been recognised by Able UK and, together with other stakeholders, North Lincolnshire Council has supported proposals to release over 4 square miles of land for development along the deep water estuary.
- 2.8 The proposal is in accordance with policy CS12 of the council's adopted Core Strategy. The Core Strategy has been referred to and forms part of Able's submission to the IPC (now NID). Prior to the submission of the application by Able to NID, North Lincolnshire Council has been involved in dialogue with Able over a number of procedural and consultation issues. North Lincolnshire Council is satisfied that Able has followed all relevant guidance, policy and procedural matters as laid down in the 2008 Act and other associated documents. Our view is that the submitted application meets all validation requirements. The council has considered the advice notes issued by NID and has prepared a LIR and is working on the preparation of a SCG. Members must be aware that the LIR does not carry out a balancing exercise as is normal in planning considerations, but lists statements of fact and professional opinion to enable the commissioners who will be carrying out the examination to be fully aware of any local impacts that may arise as a result of the development. A lead officer has been allocated.

3. OPTIONS FOR CONSIDERATION

3.1 The council has to submit the LIR by 29 June and no flexibility is given in this deadline. This date was confirmed as late as mid May and the whole of the examination process, which ends on 25 November 2012, is a very tight schedule. Therefore the option for consideration is to submit the LIR to the NID to form part of the examination process.

4. ANALYSIS OF OPTIONS

4.1 The council has no option but to submit the LIR to NID as it is required by the provisions of the 2008 planning act which specifies the process that the NID and examination authority must adopt to meet tight deadlines as laid down in that act.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 No financial implications. A lead officer to concentrate on the NID process and the SHG site generally, has been allocated from existing staff.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 – CRIME AND DISORDER, RISK AND OTHER)

6.1 None.

7. OUTCOMES OF CONSULTATION

7.1 The council has consulted widely within the organisation in order to collate the LIR and outside agencies have been consulted separately in the consultation process adopted by NID in the processing of this national infrastructure project.

8. RECOMMENDATIONS

8.1 The LIR as attached be agreed and forwarded electronically to the NID in time to comply with the deadline of 29 June 2012.

HEAD OF DEVELOPMENT MANAGEMENT

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Background papers used in the preparation of this report

Environmental Impact Assessment (AMEP)
North Lincolnshire Core Strategy