



# The Planning Inspectorate Yr Arolygiaeth Gynllunio

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Ms. Sif Zimmermann  
Environmental Protection Agency  
Ministry of the Environment and Food  
of Denmark  
Tolderlundsvej 5  
DK-5000 Odense C

Your Ref:

Our Ref: TR030007-000062

Date: 02 February 2022

Email: [sizi@mst.dk](mailto:sizi@mst.dk)

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Dear Ms. Zimmermann

## **Planning Act 2008 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulation 32**

### **Proposed Application by Associated British Ports (the Applicant) for an Order Granting Development Consent for the Immingham Eastern Ro-Ro Terminal (the Proposed Development)**

#### **Notification under the EIA Regulations that the proposed development is likely to have significant effects on the environment in an EEA State**

This is the formal notification under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) that the proposed development requires an environmental impact assessment and that the Secretary of State is of the view that it is likely to have significant effects on the environment in your State. This is based on the current information provided by the Applicant, and applying the precautionary approach. The Secretary of State's transboundary screening document is available at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR030007/TR030007-000048-Regulation%2032%20Transboundary%20Screening%20-%20Immingham.pdf>

The application is at the early stage of the process known as pre-application, and is for additional port infrastructure at the Port of Immingham located on the south bank of the Humber Estuary.

## Participating in the Regulation 32 procedure

Your State can participate in the application procedure by providing comments to the Secretary of State on the potential significant effects of the proposed development on the environment in your State through the procedure explained below.

If the application is accepted for examination, your State would have an opportunity to make representations on the application and its transboundary impacts.

The Planning Inspectorate's Advice Note 12 sets out in detail a two stage approach to consultation that the Secretary of State will follow to meet the requirements of Regulation 32 of the EIA Regulations.

The two stage approach is broadly as follows:

- **Stage 1**, this notification letter, which is primarily to make you aware of the proposed development and to enable you to notify the Secretary of State whether your State wishes to participate in the procedure under Regulation 32 in relation to this application or confirm that your State does not wish to participate, or just wishes to be kept informed about this application, and
- **Stage 2**, if your State responds to this notification informing the Secretary of State that it wishes to participate in the procedure under Regulation 32 in relation to this application, you will be consulted on the application for the proposed development, including the Environmental Statement.

The Planning Inspectorate's Advice Note 12 sets out more detailed information on the transboundary consultation process and is available on our website:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## Description of the proposed development

For your information, the Proposed Development is located within the eastern sector of the existing Port of Immingham estate which lies adjacent to the main deep-water shipping channel on the south bank of the Humber Estuary. The Proposed Development would provide additional port infrastructure at the Port of Immingham and will deliver four berths and associated infrastructure to increase the embarkation and disembarkation capacity of roll-on/roll-off (Ro-Ro) commercial and automotive traffic. Throughput is expected to be 800,000 units per year.

Further information about the proposed development and about its likely significant effects is available in the scoping report and the Secretary of State's scoping opinion on our website available at the link below:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/immingham-eastern-ro-ro-terminal/?ipcsection=overview>

## **Information about the application procedure under the Planning Act 2008 and EIA Regulations and the nature of the decision**

The Planning Act 2008 (PA 2008) established that nationally significant infrastructure projects (NSIPs)<sup>1</sup> such as this proposal require development consent in the form of an Order granted by the relevant Secretary of State.

Where an application for a Development Consent Order (DCO) is accepted for examination, under statute there is a maximum of six months for the examination. The Examining Authority appointed to undertake the examination makes a recommendation to the relevant Secretary of State as decision-maker. The relevant Secretary of State, having taken the environmental information into consideration, may refuse or grant development consent. If development consent is granted, this may be subject to requirements which, if necessary, will secure measures to avoid, reduce or remedy the likely adverse effects of the proposed development.

A detailed explanation of the process may be found in the Planning Inspectorate's Advice Note 8.1, available on our website:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

The Applicant has notified the Secretary of State that an application for a DCO for the proposed development is intended to be submitted in Quarter 3 of 2022. Therefore, the proposed development is currently at the pre-application stage of the DCO process.

### **Responding to this notification**

We would be grateful if you could acknowledge receipt of this notification and indicate whether your State intends to participate in the EIA procedure under Regulation 32 in relation to this proposed development. Your reply to the relevant Secretary of State should be sent electronically to [imminghameasternroroterminal@planninginspectorate.gov.uk](mailto:imminghameasternroroterminal@planninginspectorate.gov.uk) and arrive no later than 6 weeks from the date of this letter.

Please note that if no response is received by 16 March 2022, then the Secretary of State will assume that your State does not wish to participate in the procedure under Regulation 32 in relation to this application and will not undertake Stage 2 consultation, unless you subsequently inform the Secretary of State that your State wishes to take part in the Regulation 32 process.

If you have any queries, please do not hesitate to contact us at [imminghameasternroroterminal@planninginspectorate.gov.uk](mailto:imminghameasternroroterminal@planninginspectorate.gov.uk)

Yours sincerely

*Helen Lancaster*

**Helen Lancaster**  
**Senior EIA Advisor**  
**on behalf of the Secretary of State**

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