

Immingham Green Energy Terminal

Preliminary Environmental Information Report
Appendix 1.C – Matters Addressed in Scoping Opinion
Associated British Ports

December 2022

Table of contents

Chapter	Pages
1 Matters Addressed in Scoping Opinion	1
1.1 Overview	1

Tables

Table 1 Matters Addressed from the Scoping Opinion in this PEI Report.....	2
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1 Matters Addressed in Scoping Opinion

1.1 Overview

- 1.1.1 This technical appendix of the PEI Report summarises the issues raised in the Secretary of State’s Scoping Opinion on the Project (**Appendix 1.B of PEI Report, Volume IV**) and describes how the issues raised by the Planning Inspectorate and other interested consultation bodies have been taken into account in the continuing environmental assessment and design refinement being undertaken as part of the PEI stage of the Project.
- 1.1.2 **Table 1** lists the issues raised by the Planning Inspectorate and other consultation bodies, with subsequent columns stating how this has been addressed in this PEI Report.

Table 1 Matters Addressed from the Scoping Opinion in this PEI Report

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 3 Need and Alternatives	Environment Agency	Legislative and Consenting Framework	<p>The Applicant has correctly identified that a hazardous substances consent and an Environmental Permit for the processing facility will be required. The site also falls to be regulated under the Control of Major Accidents and Hazards (COMAH). The Report indicates that, alongside being a new import facility, the project will use technology for the conversion of ‘green’ liquid ammonia into hydrogen. We strongly recommend that the Applicant engages with the Environment Agency’s National Permitting Services for enhanced pre-application advice regarding the use of this technology at the earliest possible opportunity. Further information on this service can be found at Get advice before you apply for an environmental permit - GOV.UK (www.gov.uk). We would also draw the Applicant’s attention to the recently revised Planning Inspectorate Advice Note Ten, which strongly advises the submission of Environmental Permit applications at least 6 months prior to Development Consent Order submission. This is particularly important where new/unfamiliar technology is proposed.</p> <p>We note that there are residential properties along Queens Road, which appear to be within the Scoping (red line) boundary of the site. It is unclear if the Report is acknowledging the presence of these properties (as it only states that there are residential properties “adjacent to the site”) and whether they will be included in the Environmental Impact Assessment (EIA). We request that the assessment is clear in its consideration of these properties (and any others that are adjacent to the site)</p>	The residential properties along Queens Road will be given due consideration in the assessment.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			given their proximity to the proposed COMAH facility, as well as from the perspective of operational (noise, dust/emissions) and amenity impacts.	
Chapter 5 Air Quality	Environment Agency	Air Quality	The Environment Agency will only undertake a detailed review of any air quality assessment when determining an application for an Environmental Permit. We are aware that there are receptors in the area, which are sensitive to dust (e.g. storage of new cars) and it may be prudent for the developer to be aware of this and engage with relevant local stakeholders. Paragraph 5.6.13 does not make explicit reference to Air emissions risk assessment for your environmental permit - GOV.UK (www.gov.uk), however, it is referred to in paragraph 5.6.8. This guidance (although written for environmental permitting) will also be useful for the assessment	The AQ assessment reported in the PEI Report does include consideration of potential dust impacts on dust sensitive receptors. The dust assessment method is described in Paragraphs 6.3.1 to 6.3.7 and Appendix 6.A (PEI Report, Volume IV). The AQ assessment will also reference the Environment Agency guidance to inform the method of assessment for point source emissions. This guidance is referenced in Appendix 6.B (PEI Report, Volume IV).
Chapter 6 Noise and Vibration	Environment Agency	Noise and Vibration	Although written for environmental permitting, guidance entitled Noise and vibration management: environmental permits - GOV.UK (www.gov.uk) is not discussed in this chapter, but will also be useful	Noted.
Chapter 8 Marine Ecology	Environment Agency	Nature Conservation (Marine Ecology)	Paragraph 8.2 makes no mention of pelagic ecology, in particular phytoplankton communities – these should be considered (even if they are scoped out) as there is a pathway for impact on this ecological element for example, as a result of sediment resuspension, contaminant release, changes to hydromorphology	Scoping opinion noted. Phytoplankton has also been scoped out of the assessment as while phytoplankton can be sensitive to changes in water quality, the predicted magnitude of potential

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			<p>(these are highlighted in the physical processes and water quality sections). Neither is there any explicit mention of saltmarsh baseline data (although saltmarshes are discussed in the ‘current baseline’ sections). The Environment Agency holds saltmarsh data for the Humber Transitional waterbodies. We recommend the Applicant search on the Environment Agency’s Ecology and Fish data explorer to see if additional data are available at https://environment.data.gov.uk/ecology/explorer/ We are satisfied with the survey rationale outlined in section 8.3.</p>	<p>changes in suspended sediments and contamination levels in the water column (as summarised in Chapter 16: Physical Processes and Chapter 17: Marine Water and Sediment Quality respectively) are not considered to be at a level which would cause lethal or sub-lethal effects in plankton. On this basis, phytoplankton has, been scoped out of the assessment. Further baseline saltmarsh data has been provided in the PEI Report.</p>
<p>Chapter 15 Physical Processes</p>	<p>Environment Agency</p>	<p>Physical Processes</p>	<p>This Chapter sets out what will be done to assess the changes to physical processes and what these impacts will be. We are pleased that at this stage no issues have been scoped out. However, we would like the assessment to also specifically consider whether the changes to physical processes would have an impact on sea defences through changes to wave patterns or sedimentation. Paragraph 15.4.8 states that the jetty will not be decommissioned and is likely to remain part of the port estate. An engineering standard of 50 years has been given for the development. If the jetty is to remain in place longer than 50 years, the assessments need to reflect this in an appropriate design life for the marine element of the proposed development. Paragraph 15.6.9 summarises the relevant legislation, policy and technical guidance, which will be cross-referenced as appropriate. Item J mentions relevant local policy and we would</p>	<p>Preliminary modelling of wave patterns and sediment transport has been carried out and the assessment is presented in Section 16.5 of Chapter 16: Physical Processes (PEI Report, Volume II).</p> <p>The Shoreline Management Plan and other plans relevant to the Humber Estuary have been considered and are detailed in Table 16.2.</p>

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			highlight the need to consider the relevant Shoreline Management Plan and Humber Estuary schemes/plans in relation to this topic.	
Chapter 16 Marine Water and Sediment Quality	Environment Agency	Marine Water and Sediment Quality	<p>In addition to the data sources listed in paragraph 16.2.1, we would direct the Applicant to water quality data, which is available on the Open WIMS database at https://environment.data.gov.uk/water-quality/view/landing. The Report does not specifically discuss water discharges to the Humber. Paragraph 16.4.8 states that “Changes to levels of contaminants in water (including accidental spillages) during operation” is scoped out. Under the COMAH regulations, the site will be required to complete an unmitigated assessment of the environmental impact in the event of incidents. As such, undertaking this assessment of potential impact now may provide an early indication if the project will be required to go beyond best practice. If the project intends to discharge directly to the Humber it will need to follow this guidance Surface water pollution risk assessment for your environmental permit - GOV.UK (www.gov.uk) in support of its permit application. Paragraph 16.6.3 indicates that contaminant concentrations in sediments would be compared to Cefas Guideline Action Levels. These don't exist for all of the contaminants which could potentially be observed. The Applicant should consider if there is any potential to explore alternative guidance levels (e.g. those used by other agencies/countries).</p>	<p>Environment Agency water quality monitoring data has been used to characterise the marine water quality baseline in Section 17.3.</p> <p>Discharges into the Humber Estuary are discussed in Chapter 18: Water Quality, Coastal Protection, Flood Risk and Drainage. Any changes to, or potential impacts, on discharges will also be considered within the WFD Compliance Assessment.</p> <p>A preliminary assessment of the risk of accidental spillages and associated potential impacts on water quality is provided in Section 17.5.</p> <p>Noted.</p> <p>Where Cefas Action Levels are not defined for certain contaminants, reference is made to other relevant thresholds/guidance as appropriate - this is noted in Section 17.3.</p>

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<p>Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage</p>	<p>Environment Agency</p>	<p>Water Quality, Coastal Protection, Flood Risk and Drainage</p>	<p>Paragraph 17.2.14 considers that the residual risk from overtopping or failure of defences is low and as a result, the potential impacts of this are given little weight in the remainder of the Report. The flood risk assessment will need to recognise that the probability of defence failure is not suitable for planning purposes; we would refer the Applicant to paragraph 024 of the recently updated Planning Practice Guidance (Flood risk and coastal change section) for further information on what is required in this respect. To help with considering the residual risk the Environment Agency has produced Coastal Hazard Mapping which covers the site (this is not referenced as a data source in paragraph 17.2.1). To obtain this information the Applicant is advised to make a formal enquiry to our Customers and Engagement team at LNenquiries@environment-agency.gov.uk. Please request a Product 3/8. There is no charge for this information. COMAH regulated sites are expected to consider the level of flood risk and appropriate resilience. This is set out in the Inspection of COMAH Operator Flood Preparedness delivery guide. The delivery of this is not specifically required within the EIA for planning purposes, but it will need to be considered as part of the pre-operation Safety Report. As such, it would be prudent to consider this alongside planning guidance on flood risk so that any additional mitigation standards, which may be required during site operation (e.g. for the storage of hazardous substances), can be included from the outset. Although physical processes are considered in Chapter 17, we would also like to see a discussion (or</p>	<p>This will be addressed in the Flood Risk Assessment (FRA) which will accompany the DCO applicable and be referenced by the ES. Existing flood risk issues are considered in Section 18.4 of Chapter 18: Water Quality (PEI Report, Volume II) and potential impacts detailed in Section 18.7 of Chapter 18: Water Quality (PEI Report, Volume II).</p>

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			cross-reference to any discussion in Chapter 15) regarding geomorphology resulting from said processes	
Chapter 18 Climate Change	Environment Agency	Climate Change	Paragraph 18.3.7 advises that wind change has been ruled out for the climate change resilience review. Environment Agency guidance on climate change adaption for Cont/d.. 4 refineries specifically considers wind stating “there is risk to: jetties with higher sideways loadings due to wave and wind action”. Accordingly, we would suggest it may be relevant to scope in this issue. The Applicant may also find it useful to refer to government guidance on Adapting to climate change: industry sector examples for your risk assessment - GOV.UK (www.gov.uk), with specific consideration to the guidance for the ‘Chemical’ and ‘refineries and fuel’ sectors, as the closest relevant sectors. We would also ask that the EIA is clear about which emissions scenario will be used from the UKCP18 data as this is not currently clear from the Scoping Report	Mitigation measures against wind storms have been included in this assessment (see Table 19.18 of Chapter 19: Climate Change (PEI Report, Volume II)).
Chapter 19 Materials and Waste	Environment Agency	Materials and Waste	We are pleased to see the acknowledgement in paragraph 19.6.2 that any waste producers have a legal duty to manage their wastes in accordance with regulations: wastes produced or imported must be moved with due regard to the legal requirements for registered Waste Carriers under The Waste (England and Wales) Regulations 2011. If wastes are used for any construction they must be stored at an appropriately permitted or exempt site, in accordance with the Environmental Permitting (England & Wales) Regulations 2016. Any direct transfer and reuse of clean naturally	The reuse of excavated material would be covered by a Contaminated Land: Applications in Real Environments (CL:AIRE) Definition of Waste: Development Industry Code of Practice (DoW CoP) Materials Management Plan (MMP) developed by the Contractor before the commencement of construction. Details of the requirements for the contractor will be set out in an

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			occurring soil materials between sites must be done in accordance with the Definition of Waste: Development Industry Code of Practice. Site drainage must be engineered to prevent pollution to the environment. Any potentially contaminated or contaminating liquids must be held and disposed of appropriately.	Outline Environmental Management Plan (OEMP). An OEMP will accompany the DCO application.
Chapter 20 Ground Conditions and Land Quality	Environment Agency	Ground Conditions and Land Quality	We have reviewed this chapter and can advise that we are satisfied with the scope and methodology proposed to assess ground conditions and land quality.	No response required.
Chapter 21 Major Accidents and Disasters	Environment Agency	Major Accidents and Disasters	The Environment Agency will have a role in regulating the site in line with COMAH and has no comments to make on the proposed assessment for planning purposes. However, we welcome the acknowledgement that the proposed development will present major accident hazards and identifies the importance of the Humber as a receptor.	This is noted.
Chapter 23 Human Health and Wellbeing	Environment Agency	Human Health and Well Being	Emissions of dust, noise, vibration, and odours are only scoped in for assessment during construction and decommissioning. Odour during operation could potentially be an issue that needs to be scoped in; however, it may be appropriate to consider this under Chapter 5 Air Quality, as it does not appear to be covered elsewhere in the Report. The guidance that the Applicant will be expected to follow for environmental permitting can be accessed at Environmental permitting: H4 odour management - GOV.UK (www.gov.uk). We highlight the importance of the consideration of these	An assessment of human health and wellbeing impacts arising from emissions of dust, noise, vibration and odours during the construction, operation and decommissioning phases of the Project is set in Chapter 24: Human Health and Wellbeing and draws on assessments set out in Chapter 6: Air Quality and Chapter 7: Noise

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			issues in light of the close proximity of the residential properties mentioned under Chapter 3 above.	and Vibration. This is presented in Table 24.12 (PEI Report, Volume II).
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage	Anglian Water	The Scheme - Existing Infrastructure	There are significant existing Anglian Water assets including water mains along the south side of the site and within the roads to the north and east. Water recycling assets including rising mains also run to the south, east and north of the site. Maps of Anglian Water's assets are available to view at: www.digdat.co.uk	Noted.
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage	Anglian Water	Water Quality, Coastal Protection, Flood Risk and Drainage	Anglian Water notes that the promoter identifies at Page 211 that surface water on site is managed by the Port of Immingham (17.2.21). We conclude from this that no surface water will be managed via the Anglian Water public sewer network. At 17.2.3 the promoter comments on the proximity of an Anglian Water 600mm foul sewer in proximity to the site boundary. The rising main on the southern edge of the site is 450mm, the sewers to the north and east of 300mm with connections of 150mm. These assets are part of and serve the wider Immingham Water Recycling catchment including the town of Immingham to the west.	Noted.
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage	Anglian Water	Water Quality, Coastal Protection, Flood Risk and Drainage	We note that other than a reference to a 'main water pipe' (2.2.7) the promoter does not refer to the water supply network assets which run along Kings Road, Queens Road and the southern boundary of the site. Through consultation proposed in 17.7.1 Anglian Water would want to ensure the location and nature of these assets is identified and protected. To reduce the need for diversions and the attendant carbon impacts of those	The presence of Anglian Water assets has been noted and this information will be used to inform Project planning and design. Anglian Water will be contacted to discuss the requirements for potable

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			<p>works, ground investigation would enable the promoter to design out these potential impacts and so also reduce the potential impact on services if construction works cause a pipe burst or damage to supporting infrastructure. This approach would accord with Project Objective C. at 2.4.2.</p> <p>The Scoping Report refers to Anglian Water assets and that:</p> <ul style="list-style-type: none"> • the project relies upon a connection to the 'local sewer network' (21.4.7), • a potable water supply connection is required to a 'local main water network' (2.4.20) • a 'site wide cooling water system' is required (2.4.22) <p>In view of the guidance in the National Policy Statements we would have anticipated that the scoping would have included and then considered the approach to water supply, water resources and water recycling assets. Anglian Water requests that these points are assessed early in the EIA to set out how the project will be supplied with water, its wastewater managed, how water assets serving residents and business will be protected and how design has been altered to reduce the need for new water infrastructure or the diversion of existing assets.</p>	<p>water on the Site once the water volumes needed are defined.</p>
<p>Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage</p>	<p>Anglian Water</p>	<p>Water Quality, Coastal Protection, Flood Risk and Drainage</p>	<p>We support the inclusion of water (17.5.3) including water infrastructure in the Construction Environment Management Plan and Water Management Plan. The CEMP and a WMP should include steps to remove the risk of damage to Anglian Water assets from plant and machinery including haul roads. Further advice on minimising and then relocating Anglian Water existing</p>	<p>This information is noted.</p>

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			assets can be obtained from: connections@anglianwater.co.uk	
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage	Anglian Water	Water Quality, Coastal Protection, Flood Risk and Drainage	<p>The site is in the East Lincolnshire Water Resource Zone (WRZ), which supplies water to Grimsby the eastern parts of Lincolnshire WRZ and serves communities as far south as Boston. We note that whilst the scoping considers water environment impacts it does not look at water resources. As the site is within an area of 'serious water stress' designated by the Environment Agency and water is used in the project construction and operation this indicates that water resources should be assessed in the EIA, learning lessons from previous projects such as Sizewell C. This may include consideration of the Socio-Economic effects of the use of water for the project in the context of growth and climate change as well the potential impacts on communities and business if these services are distributed. There is no reference to assessment of the carbon costs of relocating water infrastructure if assets are impacted during construction or operation.</p> <p>Anglian Water notes that the applicant has not sought to scope these matters out by providing sufficient information to reach a conclusion that the projects impact regarding water supply as well as water recycling and water quality, are not significant.</p>	Water requirements will be discussed with Anglian Water in order to determine Project impacts on local water resources. Potential Project impacts will be reported in the ES.
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage	Anglian Water	Water Quality, Coastal Protection, Flood Risk and	Anglian Water would welcome the instigation of discussions with Associated British Ports as the prospective applicant, in line with the requirements of the 2008 Planning Act and guidance. Experience has shown	The Applicant will consult with Anglian Water on this matter.

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		Drainage - Engagement	<p>that early engagement and agreement is required between NSIP applicants and statutory undertakers during design and assessment and well before submission of the draft DCO for examination. Consultation at the statutory PEIR stage would in our view be too late to inform design and may result in delays to the project. We would recommend discussion on the following issues:</p> <ol style="list-style-type: none"> 1. Requirement for potable and raw water supplies 2. Impact of development on Anglian Water’s assets including groundwater and water abstraction and the need for mitigation 3. Requirement for water recycling connections 4. The design of the project to minimise interaction with Anglian Water assets and specifically to avoid the need for diversions which have carbon costs 5. Confirmation of the project’s cumulative impacts (if any) with Anglian Water projects 6. Draft Protective Provisions 	
Chapter 2 The Project (Section 2.4.11)	Planning Inspectorate	Project Description (Marine Infrastructure)	The Scoping Report states that maintenance dredging may be required. The ES must establish a reasonable worst case maintenance dredging scenario and outline the assumptions upon which this is based.	A worst case assumption will be made with respect to the potential volume of maintenance dredging required during the operational phase of the Project. This will be used to inform the respective assessments of environmental effects within the ES.

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Chapter 2 The Project (Section 2.4.12d)	Planning Inspectorate	Project Description (Landside Infrastructure)	The Scoping Report explains that the hydrogen production process is endothermic and the catalytic bed sits within a furnace. The ES should explain the fuel type used to fire the furnace and provide an estimate of the energy used in the process.	Clarification has been provided within the Landside Infrastructure (Associated Development) section of Chapter 2: The Project PEI Report Volume II).
Chapter 2 The Project (Section 2.4.16)	Planning Inspectorate	Project Description (Landside Infrastructure)	The Scoping Report states that a nitrogen pipeline would be required to supply nitrogen from the generator on the West Site for use on the East Site. Further explanation is required in the ES to clarify what purpose the nitrogen would serve. The description of the East Site suggests that the conversion of ammonia to hydrogen would occur within converters located at the East Site. It is unclear therefore why converters are also required at the West Site. This should be clarified within the ES	Clarification has been added with regards the requirement for the nitrogen pipeline. Clarification is provided within the Construction and Operational Phasing section of Chapter 2: The Project regarding the phased approach to the development and the resultant requirement for converters to be constructed on both the East and West Sites.
Chapter 2 The Project (2.4.47)	Planning Inspectorate	Project Description (Decommissioning)	As the DCO would not include the provision for decommissioning of the marine facilities of the Proposed Development, the Inspectorate agrees to scope out the decommissioning of marine infrastructure from the assessment.	The Applicant welcomes the Planning Inspectorates comment.
Chapter 2 The Project (Section 5.6.8)	Planning Inspectorate	Air Quality	The Air Quality Chapter refers to modelling of multiple emission release heights from stacks and/ or vents to encourage optimal dispersion of emissions, as well as Selective Catalytic Reduction. The project description of the ES needs to describe the energy plant in detail. The maximum height of any stack(s) must be provided and	The AQ assessment in the PEI Report includes the modelling of point source emissions at the minimum release height provided. At this stage of the design, no SCR technology is proposed.

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			any assumptions regarding minimum stack heights should also be set out.	
Chapter 2 The Project (Section 15.4.8)	Planning Inspectorate	Design Life	Paragraph 15.4.8 states that the jetty will not be decommissioned and is likely to remain part of the port estate. An engineering standard of 50 years has been given for the development. If the jetty is to remain in place longer than 50 years, the assessments need to reflect this is an appropriate design life for the marine element of the proposed development.	The design life of the jetty has been considered where relevant within the technical assessments. The jetty will be designed to fulfil the stated design life and operational maintenance plans would be developed to ensure that the design life is met and to ensure extensions beyond this are achievable.
Chapter 2 The Project	Planning Inspectorate	Vessel Movements	The Scoping Report does not provide an estimate of construction or operational vessel movements. The ES must include a reasonable worst case estimate of vessel movements, related to the phasing of the project, and outline the assumptions upon which this is based.	The full jetty capacity, which is currently assumed to be 400 vessels a year (200 to Berth 1 and 200 to Berth 2), has been assumed within the PEI assessments as relevant. Further details are provided in Chapter 2: The Project (PEI Report Volume II).
Chapter 4 EIA Approach	Planning Inspectorate	EIA Methodology and Scope of Assessment	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment	Noted and such information will be marked as confidential.

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			information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.	
Chapter 5 Air Quality (Section 5.4.5)	Planning Inspectorate	Air Quality	The Scoping Report seeks to scope out impacts arising from decommissioning of landside infrastructure on the grounds that the impacts would be uncertain, working practices unknown, and impacts are likely to be no worse than those arising from the construction and operation phases. Paragraphs 2.4.48 –2.4.49 commit to producing an Outline Decommissioning Strategy with the application to be secured within the DCO. Subject to the provision of this Outline Decommissioning Plan, the Inspectorate agrees to scope out this matter from the ES. For the decommissioning of marine infrastructure please refer to Table 2.1 of this report	This is noted.
Chapter 5 Air Quality (Section 5.6.8)	Planning Inspectorate	Air Quality	Paragraph 5.6.8 suggests that the operational phase assessment would consider emissions from vessel energy plant when vessels are docked at the facility, and not include an assessment of emissions from vessels in transit. The Scoping Report does not provide an estimate of operational vessel movements therefore the Inspectorate is not in a position to scope out an assessment of operational vessel movements. The Inspectorate considers that the air quality assessment should include the emissions to air from operational vessel movements where significant effects are likely to occur and that such consideration should be based on the application of relevant threshold criteria.	There is limited guidance available on the screening of marine vessel emissions for the purpose of air quality assessments. Defra guidance (LAQM TG22) provides screening criteria for use by Local Authorities in their Local Air Quality Management responsibilities. The Project will not meet the screening criteria set by Defra guidance for LAQM matters, based on the number of vessel movements per year and the proximity of

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				<p>sensitive receptors (see Section 6.3, Paragraph 6.3.24, (PEI Report, Volume II)). This does suggest that vessel emissions based on the scale of the Project operations and proximity of receptors is unlikely to be an issue in isolation.</p> <p>To account for the impact of vessels in combination with other onsite sources, the AQ assessment reported in the PEI Report does account for vessel emissions when vessels are docked. The reason being that when docked, emissions are static and assumed to be in operation 8760 hours per year, therefore having the potential to impact on the same location for a prolonged period of time.</p> <p>The AQ assessment does not account for vessel emissions when they are in motion. Such emissions are transient and intermittent - only affecting individual habitat for the limited period of time in which a vessel maneuvers past a sensitive location and only when the wind is blowing from the vessel towards it. Based on the speed of vessels (20 knots (23 mph)) and the frequency of IGET vessel movements (4</p>

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				<p>movements every 3 days, or 1.3 movements per day), impacts at any one location are likely to occur for less than 1 hour per day (4% of the year). Such an impact is considered unlikely to contribute to a significant effect.</p> <p>The methodology for vessel emissions is discussed in Paragraphs 6.3.20 to 6.3.37 and Appendix 6.A (PEI Report, Volume IV).</p>
Chapter 5 Air Quality and Chapter 23 Human Health and Wellbeing	Planning Inspectorate	Air Quality / Human Health and Wellbeing	<p>The effect of odour during operation has not been scoped into the assessment or reasons provided why this has been scoped out. This matter should be considered as part of the assessment made for air quality effects, as well as part of the health and wellbeing assessment, should significant effects be likely to occur.</p>	<p>A qualitative assessment of odour emissions in the PEI Report chapter with reference to Institute of Air Quality Management Odour guidance. The methodology is set out in Paragraphs 6.3.16 to 6.3.19 (PEI Report, Volume II).</p> <p>Chapter 24: Health and Wellbeing will consider the potential health impacts arising from odour.</p> <p>An assessment of human health and wellbeing impacts arising from emissions of dust, noise, vibration and odours during the construction, operation and decommissioning phases of the Project is set in Chapter 24: Human Health and</p>

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				<p>Wellbeing and draws on assessments set out in Chapter 6: Air Quality and Chapter 7: Noise and Vibration. This is presented in Table 24.12 (PEI Report, Volume II).</p>
<p>Chapter 5 Air Quality (Section 5.2)</p>	<p>Planning Inspectorate</p>	<p>Air Quality</p>	<p>The study area is based on screening criteria for assessments of dust and road traffic emissions. The Scoping Report does not discuss how the study area would be established for the assessment of emissions to air from vessel movements and energy plant process contributions. The ES should describe the study area for the assessment, and this should be established in line with relevant guidance and in consultation with relevant consultation bodies. The study areas should be based on the zone of influence (ZOI) for all sources associated with the Proposed Development including on site plant/machinery and vessel movements serving the site. Figure(s) should be used to illustrate the extent of the study area.</p>	<p>The study area for energy plant is described in Section 6.5 (PEI Report, Volume II) and is based on Environment Agency guidance.</p> <p>There is no standard guidance that defines a suitable study area for the consideration of vessel emissions. Instead, the AQ assessment will report impacts that include docked vessel emissions at the worst affected air quality sensitive receptors located in each direction from that and all other sources modelled. The study areas used to define the assessment of emissions are described in Section 6.5 (PEI Report, Volume II).</p> <p>The extent of the study area is displayed in Figure 6.1 (PEI Report, Volume III) which shows the spatial extent of air quality sensitive receptors considered in the assessment.</p>

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Chapter 5 Air Quality (Section 5.3)	Planning Inspectorate	Air Quality	The Scoping Report proposes to rely on existing air quality survey data. The Inspectorate supports the use of existing data in principle; however the Applicant should ensure that the data is up to date and geographically accurate and is advised to seek agreement with North East Lincolnshire Council (NELC) on the survey requirements.	<p>The assessment reported in the PEI Report is informed by existing data made available by the Local Authority, data published by Defra, and project specific nitrogen dioxide data gathered in the local area.</p> <p>No direct AQ-specific consultation has been held with the Local Authority to date, although all air quality data gathered by the Local Authority is publicly available from their Annual Status Reports, which are published online.</p> <p>Monitoring data collected in the last calendar year is presented in Section 6.4 (PEI Report, Volume II).</p>
Chapter 5 Air Quality (Section 5.4)	Planning Inspectorate	Air Quality	The Scoping Report does not specify which pollutants would be included in the assessments and provides baseline information on NO ₂ and PM ₁₀ only. The Applicant is advised to seek agreement with NELC on the range of pollutants to be included in the assessments, this should include consideration of PM _{2.5} , NO _x , NH ₃ and SO ₂ where relevant.	<p>No direct AQ-specific consultation has been held with the Local Authority to date. But consultation will be had with the Local Authority prior to submission of the ES.</p> <p>Pollutants of concern considered in the air quality assessment for the PEIR do extend beyond nitrogen dioxide (NO₂) and particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀), and also include oxides of nitrogen (NO_x), ammonia (NH₃), sulphur dioxide</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				(SO ₂), carbon monoxide (CO) and nitrogen deposition. The range of pollutants modelled are set out in Table 6.5 (PEI Report, Volume II).
Chapter 6 Noise and Vibration (Section 6.6.16)	Planning Inspectorate	Noise and Vibration	The Scoping Report states that given the significant distance (over 450m) from the West Site to residential NSRs represented by NSR2 and NSR3, significant vibration effects are not expected to result from the proposed construction works (or decommissioning works) and seeks to scope out further assessment on these grounds. Given the distance from the DCO site boundary and these receptors, the Inspectorate agrees that this matter can be scoped out of the ES.	Noted – no response required
Chapter 6 Noise and Vibration	Planning Inspectorate	Noise and Vibration	The Scoping Report proposes to scope out this matter owing to the large distance to identified sensitive receptors. As noted above, given the distance from the DCO site boundary and these receptors, the Inspectorate agrees that this matter can be scoped out of the ES.	Noted – no response required
Chapter 6 Noise and Vibration	Planning Inspectorate	Noise and Vibration	The Scoping Report states that no sources of vibration are expected that could significantly affect buildings, however the assessment would be scoped back in where such sources are identified during the EIA. The Inspectorate agrees that this matter can be scoped out of the ES providing a detailed description of the Proposed Development demonstrates that no significant effects	Noted – no response required

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			from vibration sources from on-site operations would not have any significant effects.	
Chapter 6 Noise and Vibration	Planning Inspectorate	Noise and Vibration	The Scoping Report refers broadly to “construction activities on-site” but it is not clear whether this includes noise associated with construction vessel movements. Construction vessel noise should be included as a pathway for effects within the assessment.	An assessment of traffic noise on the local highway network is included in this PEI Report. However, given the large distance between residential receptors and the quayside (~1.5km) acknowledged in the second response above, and the nature of the sound of additional vessel movements being part of the established sound character of the area, it is considered unlikely that a significant effect would result and therefore a substantive assessment of sea vessel noise is not required.
Chapter 7 Nature Conservation (Terrestrial Ecology) (Section 7.3.2)	Planning Inspectorate	Nature Conservation (Terrestrial Ecology)	The Scoping Report proposes to scope out further surveys for bat foraging and commuting activity at the West Site due to the prevalence or low quality or unsuitable habitat and because usage would likely be on an occasional and transient basis by small numbers of foraging/ commuting common species of bats. In light of the evidence provided in Appendix C, the Inspectorate agrees that further bat surveys can be scoped out for the West Site only.	No further comment required.
Chapter 7 Nature Conservation (Terrestrial	Planning Inspectorate	Nature Conservation	The Scoping Report notes there are a large number of mature oak and ash trees within Long Strip woodland (Pipeline area) that maybe suitable for roosting bats, but	Clarification added at Paragraph 8.3.17 (PEI Report, Volume II) that further inspections of trees for bats

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Ecology) (Section 7.3.2)		(Terrestrial Ecology)	it assumes that all mature trees would be avoided by the Proposed Development. It states that should it become necessary to remove/ prune any mature trees, further assessment work for bats would be undertaken to inform mitigation/ licensing requirements as necessary. The Inspectorate does not agree that this matter can be scoped out at this time. Suitable trees should be evaluated for their roosting potential and this information should be used to inform design development and the assessment of effects. Should substantial bat populations be identified the potential for impacts on foraging/commuting would need to be revisited.	will be undertaken as necessary and reported in the ES.
Chapter 7 Nature Conservation (Terrestrial Ecology) (Section 7.3.2)	Planning Inspectorate	Nature Conservation (Terrestrial Ecology)	The Scoping Report states that none of the habitats within the Proposed Development’s DCO site boundary have been found to be suitable for reptiles, as they lack the diverse habitat mosaic and varied topography favoured by species of reptiles for basking, refuge and hibernation and adds that in context with the lack of known reptile populations in this part of the county, it is reasonable to conclude that they are likely absent. The Scoping Report also states that the low risk of presence of grass snake on the main drain at the foot of the flood embankment can be addressed through a precautionary approach/ method statement for vegetation clearance during construction. The Inspectorate agrees that this matter can be scoped out of the assessment on this basis. The ES should set out the relevant precautionary working methods proposed to be adopted.	Precautionary working methods will be provided in the final ES with reference to the final design and Site boundary.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 7 Nature Conservation (Terrestrial Ecology)	Planning Inspectorate	Nature Conservation (Terrestrial Ecology)	Impacts on designated marine ecology features would be assessed in accordance with ES Chapter 8 and impacts on designated ornithology features would be assessed in accordance with Chapter 9. The Inspectorate agrees that this matter can be scoped from terrestrial ecology assessment on the basis that no impacts are anticipated on the Humber Estuary Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI), collectively referred to as the Humber EMS, and as impacts on marine ecology and ornithology for these designated sites will be assessed elsewhere in the ES.	No further comment required in relation to Chapter 7: Noise and Vibration (PEI Report, Volume II)
Chapter 7 Nature Conservation (Terrestrial Ecology)	Planning Inspectorate	Nature Conservation (Terrestrial Ecology)	The Inspectorate agrees that Direct impacts on Local Wildlife Sites (LWS) during construction and decommissioning can be scoped out on the basis that there are no locally designated sites that would be directly impacted by the project construction activities.	No further comment required.
Chapter 7 Nature Conservation (Terrestrial Ecology) / Appendix C	Planning Inspectorate	Nature Conservation (Terrestrial Ecology)	The preliminary ecological appraisal (Appendix C of the Scoping Report) states that ditches within the Proposed Development site boundary are unsuitable for white-clawed crayfish and therefore the species will not be considered further. The appraisal appears to relate only to the West Site of the Proposed Development site. The Inspectorate agrees that this matter may be scoped out for the West site but does not agree that this matter can be scoped out for the other parts of the site unless evidence demonstrating that ditches are unsuitable for white-clawed crayfish is provided for the other parts of the Proposed Development site in the ES or information	The Preliminary Ecological Appraisal (PEA) will be updated and included with the ES. All areas of site will be included within the appraisal as evidence to support this conclusion.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			which demonstrates agreement with the relevant consultation bodies and the absence of a likely significant effect.	
Chapter 7 Nature Conservation (Terrestrial Ecology) (Section 7.2.8)	Planning Inspectorate	Nature Conservation (Terrestrial Ecology)	The Scoping Report considers the Humber Estuary Site of Special Scientific Interest (SSSI) may be affected by the Proposed Development but does not explicitly refer to other SSSIs or SSSI impact risk zones. The Inspectorate advises that all relevant SSSI designated sites and impact risk zones should be considered in the assessment (including North Killingholme Haven Pits SSSI and The Lagoons SSSI) and evidence which demonstrates that the Proposed Development is unlikely to have any significant adverse effects on these should be provided in the ES.	North Killingholme Haven Pits SSSI, as a saline lagoon connected to the European Marine Site, falls within the potential scope of Chapters 9 and 10. It is not designated for features of relevance to the terrestrial ecology chapter. The Lagoons SSSI is located at distance (north of the Humber), the outer IRZ band extends to c. 9.9km from the SSSI so the site (nearest terrestrial part of Order Limits is c. 19km from the SSSI) is not located within its IRZ. On this basis, all relevant SSSIs have been considered and the ES will provide further clarity on this point to permit scoping out.
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.1.3)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report states that there are no classified commercial shellfish (bivalve) beds in the Humber Estuary and the areas around the Proposed Development and dredged sediment disposal sites do not support other commercial shellfisheries (such as crab/ lobsters using creels or the collection of whelks)and therefore seeks to scope out impacts on commercial shellfisheries. The Inspectorate agrees that this matter can be scoped out of the assessment on this basis.	Scoping opinion noted.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report states that the amount of sediment that settles out of suspension back onto the seabed as result of piling is expected to be negligible and benthic habitats and species are not expected to be sensitive to this level of change. The Inspectorate agrees that this impact pathway is not likely to have a significant effect and can be scoped out.	Scoping opinion noted..
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report states that the pile structures have the potential to result in changes to hydrodynamic and sedimentary processes but such effects are anticipated to be negligible and highly localised (which would be confirmed by the physical processes assessment) and marine habitats and species are not expected to be sensitive to this level of change. The Inspectorate does not agree that this matter should be scoped out of the assessment as there is insufficient evidence that changes to hydrodynamic and sedimentary processes would not have any adverse significant effects.	Scoping opinion noted. The preliminary assessment has confirmed that the effects of changes to hydrodynamic and sedimentary processes are highly localised (see Chapter 16: Physical Processes , (PEI Report, Volume II)) This pathway is considered in Section 9.5 (PEI Report, Volume II). .
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report states that the expected negligible, highly localised and temporary changes in suspended sediment levels (and related changes in sediment bound contaminants and dissolved oxygen) associated with bed disturbance during piling is considered unlikely to produce adverse effects in any marine species. The Inspectorate agrees that this impact pathway is not likely to have significant adverse effects on marine species.	Scoping opinion noted.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report proposes to scope impacts on fish from the capital dredge and disposal on the basis that the scale of the predicted changes are unlikely to cause anything more than negligible changes to fish habitats (feeding, spawning and nursery areas). The Inspectorate does not agree that this matter should be scoped out as changes in water and sediment quality during capital dredging and dredge disposal have been scoped into the assessment and there is insufficient evidence in the Scoping Report to demonstrate that changes to hydrodynamic and sedimentary processes would not have any adverse significant effects on fish habitats.	Scoping opinion noted. This pathway is considered in Section 9.5 (PEI Report, Volume II).
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report proposes to scope out an assessment of impacts on marine mammals as a result of changes to marine mammal foraging habitat and prey resources on the basis that the footprint of the Project only covers a highly localised area that constitutes a negligible fraction of the known ranges of local marine mammal populations. Given the limited scale of the area affected, the Inspectorate agrees that this matter can be scoped out of the assessment.	Scoping opinion noted.
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report proposes to scope out the potential for disturbance to hauled out seals on the basis of the distance between breeding populations and haul out sites to the proposed works(i.e. the closest haul out site is observed to be on the north bank of the Humber Estuary, 3-4km from the dredge disposal sites and 4km from the DCO boundary). Given the large distances	Scoping opinion noted..

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			involved, the Inspectorate agrees that this matter should be scoped out of the assessment.	
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	Impacts from vessels involved in construction and dredging activity are proposed to be scoped out on the basis that they would mainly be stationary or travelling at low speeds, making the risk of collision low. The Inspectorate agrees that this matter can be scoped out of the assessment on the basis that the collision risk is low and is not likely to have any adverse significant effects on marine mammals.	Scoping opinion noted.
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.4)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report proposes to scope out water quality impacts arguing that (1)the changes in suspended sediment levels would be localised, temporary and unlikely to result in adverse effects on marine mammals; (2)they are adapted to highly turbid conditions, and (3) contamination levels would be unlikely to produce lethal effects in these highly mobile species. In the absence of further data regarding sediment contamination levels and the potential water quality effect of the capital dredge, the Inspectorate is unable to scope this matter out of the assessment.	Scoping opinion noted. A more detailed rationale for scoping out water quality effects on marine mammals has been provided in Table 9.11 (PEI Report, Volume II).
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.6)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report proposes to scope out the potential for visual disturbance to hauled out seals because of the distance between breeding populations and haul out sites to the proposed works. The Inspectorate agrees that this matter can be scoped out of the assessment on this basis.	Scoping opinion noted.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.6)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report proposes to scope out this matter owing to the existing heavy shipping traffic and anticipated slow speeds of operational vessels (including maintenance dredging/ dredge disposal). The Inspectorate agrees that this matter can be scoped out of the assessment on the basis that the collision risk is low and is not likely to have any adverse significant effects on marine mammals.	Scoping opinion noted.
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.6)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The Scoping Report proposes to scope out water quality impacts arguing that (1) the changes in suspended sediment levels would be localised, temporary and unlikely to produce adverse effects marine mammals; (2) they are adapted to highly turbid conditions, and (3) contamination levels would be unlikely to produce lethal effects in these highly mobile species. In the absence of further data regarding sediment contamination levels and the potential water quality effect of the capital dredge, the Inspectorate is unable to scope this matter out of the assessment.	Scoping opinion noted. A more detailed rationale for scoping out water quality effects on marine mammals is provided in Table 9.11 (PEI Report, Volume II).
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.2.5)	Planning Inspectorate	Nature Conservation (Marine Ecology)	In addition to the Humber Estuary European sites, the Proposed Development may also impact on the Greater Wash SPA and this should be considered within the ES.	Noted. The SPA is included in Chapter 9: Terrestrial Ecology and Chapter 10: Ornithology of the PEI Report, Volume II.
Chapter 8 Nature Conservation (Marine Ecology) (Section 8.4.3)	Planning Inspectorate	Nature Conservation (Marine Ecology)	In addition to the assessment of the direct loss of intertidal and subtidal habitats and species as a result of the piles, the ES should also assess the potential for direct changes to benthic habitats and species	Scoping opinion noted. Direct changes to benthic habitats and species underneath the raised pier structures has been scoped in and assessed in the operational phase

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			underneath the raised pier structures, to determine their effect on the ecological function of the mudflats beneath.	(as the built infrastructure has the potential to result in this pathway).
Chapter 8 Nature Conservation (Marine Ecology)	Planning Inspectorate	Nature Conservation (Marine Ecology)	The impact of sediment resuspension and hydro-morphological changes on pelagic ecology receptors such as phytoplankton should be considered in the assessment of effects, unless otherwise robustly justified and agreed with relevant consultation bodies.	Phytoplankton has also been scoped out of the assessment as while phytoplankton can be sensitive to changes in water quality, the predicted magnitude of potential changes in suspended sediments and contamination levels in the water column (as summarised in Chapter 16: Physical Processes and Chapter 17: Marine Water and Sediment Quality respectively) are not considered to be at a level which would cause lethal or sub-lethal effects in plankton.
Chapter 9 Ornithology (Section 9.4.5)	Planning Inspectorate	Ornithology	The Scoping Report proposes to scope out this matter as the dredge and disposal sites do not overlap the intertidal area and the seabed habitat is already highly dynamic and not known to support large populations of diving birds/ seabirds. The Inspectorate agrees this matter can be scoped out of the assessment given the low value of the habitat as a prey resource.	Scoping opinion noted.
Chapter 9 Ornithology (Section 9.4.5)	Planning Inspectorate	Ornithology	In the absence of agreement with Natural England, the Inspectorate does not agree that this matter should be scoped out of the assessment because insufficient information has been provided to conclude that no significant effects would result from the scale of predicted	Noted. This pathway has been scoped into the assessment.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			changes on intertidal habitats. Evidence on this should be provided in the ES to demonstrate that there will be no likely adverse significant effects.	
Chapter 9 Ornithology (Section 9.4.5)	Planning Inspectorate	Ornithology	The Scoping Report states that the resuspension of sediment onto the seabed as result of piling is expected to be negligible and benthic habitats and species are not expected to be sensitive to this level of change. The Inspectorate agrees that there is unlikely to be an effect on coastal waterbird habitat and prey resources and this matter can therefore be scoped out of the assessment.	Scoping opinion noted.
Chapter 9 Ornithology (Section 9.4.5)	Planning Inspectorate	Ornithology	The Scoping Report states that the presence of the piled structures has the potential to result in changes to hydrodynamic and sedimentary processes but this is anticipated to be negligible and highly localised and marine habitats and species are not expected to be sensitive to this level of change. The Inspectorate does not agree to scope out this matter from the assessment until the physical processes assessment and other evidence provides sufficient evidence that there will be no significant adverse effects on marine habitats and species.	Noted. This pathway has been scoped into the assessment.
Chapter 9 Ornithology (Section 9.4.5)	Planning Inspectorate	Ornithology	The Scoping Report states that during capital dredging and dredge disposal, there is potential for the dredging vessel to cause noise and visual disturbance for bird populations but that the area is subject to high levels of vessel movements from the regular disposal of maintenance dredge arisings and shipping and that any potential disturbance stimuli caused by the capital	Additional evidence and literature has been used to inform the PEI Report assessment and the pathway has been scoped out based on this additional information (Table 10.11) (PEI Report, Volume II).

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			dredge disposal would be highly temporary and localised. The Scoping Report adds that these areas are also not known to support large populations of diving birds/ seabirds. The Inspectorate does not agree this matter should be scoped from the assessment because there is insufficient evidence to conclude that the additional noise and visual disturbance would not have a significant adverse effect on bird species because of noise and visual disturbance during capital dredge disposal.	
Chapter 10 Traffic and Transport (Section 10.4.7)	Planning Inspectorate	Traffic and Transport	The Scoping Report proposes that no assessment of the decommissioning aspect of the Proposed Development be undertaken because the number of vehicles and the future baseline cannot be predicted at this time, and any assessment would not be accurate. Subject to the provision of the Outline Decommissioning Plan secured within the DCO, the Inspectorate agrees to scope out this matter from the ES.	Noted.
Chapter 10 Traffic and Transport (Section 10.2)	Planning Inspectorate	Traffic and Transport	The ES should provide robust justification for the study area, supported with figures where necessary to show the extent of the affected road network(ARN) considered and any agreement regarding the approach with relevant consultation bodies.	Noted. The study area is set out within Section 11.2 (PEI Report, Volume II) and shows the affected road network.
Chapter 10 Traffic and Transport (Section 10.3)	Planning Inspectorate	Traffic and Transport	The Automated Traffic Counts (ATCs) and Manual Classified Counts (MCCs) surveys should be clearly explained and justified as part of the methodology used to determine likely effects. The proposed ATC/ MCC locations should be included in the ES, supported by	Noted. The details of the baseline traffic data is included within Section 11.3 (PEI Report, Volume II) .

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			figures which clearly identify these, and the locations should be agreed on with the relevant consultation bodies, where possible.	
Chapter 11 Marine Transport and Navigation (Section 11.2)	Planning Inspectorate	Marine Transport and Navigation	The main data sources from which information would be obtained to inform the current and future marine transportation and navigational baseline should be agreed with relevant consultation bodies, where possible.	Standard data sources on vessel activity and historical maritime incidents have been presented in Section 12.6 . (PEI Report, Volume II). Any other relevant data sources, such as on small vessel activity, will be identified during stakeholder consultation carried out as part of the NRA process.
Chapter 11 Marine Transport and Navigation (Section 11.6)	Planning Inspectorate	Marine Transport and Navigation	No details are provided on the assessment methodology to be used to determine likely significant effects, and this method should be clearly set out and justified based on evidence in the ES to demonstrate any conclusions reached.	Section 12.2 (PEI Report, Volume II) describes the FSA approach that will be used in the NRA and ES.
Chapter 12 Landscape and Visual Impact	Planning Inspectorate	Landscape and Visual Impact	The Scoping Report seeks to scope out this matter on the grounds that because of the existing industrial character of the area and the immediate surrounding area, landscape and seascape effects during the operational phase would be insignificant. The Inspectorate does not agree that this matter can be scoped out of further assessment and advises the Applicant to provide a comprehensive project description in the ES which includes the maximum dimensions of all the structures associated with the Proposed Development and visual representations to give the	Noted: will be included within the assessment

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			Examining Authority confidence that no significant environmental effects would arise.	
Chapter 12 Landscape and Visual Impact (Section 12.5)	Planning Inspectorate	Landscape and Visual Impact	Design measures to reduce the landscape and visual impacts of the Proposed Development are to be considered, such as lighting design. The ES should include a night-time character assessment prepared in co-ordination with a lighting assessment, demonstrating how the lighting design has been developed to minimise impacts.	A lighting assessment will be undertaken and the assessment included within the ES.
Chapter 12 Landscape and Visual Impact (Section 12.6)	Planning Inspectorate	Landscape and Visual Impact	The ES should include photomontages from representative viewpoints to support the visual impact assessment, including from Immingham Town. Photomontages should be prepared in line with relevant Landscape Institute guidance and viewpoints should be agreed with consultation bodies where possible.	Noted: Consultation will be undertaken to identify viewpoints. Photomontages will be prepared and included in the ES.
Chapter 13 Historic Environment (Terrestrial) (Section 13.8.1)	Planning Inspectorate	Historic Environment (Terrestrial)	The Scoping Report seeks to scope out this matter on the grounds that project operation and decommissioning would not result in additional impacts to buried archaeological remains to those experienced during construction. The Inspectorate agrees that this matter can be scoped out of the assessment.	Noted. No further comment needed.
Chapter 13 Historic Environment (Terrestrial) (Section 13.8.1)	Planning Inspectorate	Historic Environment (Terrestrial)	The Scoping Report seeks to limit the scope of the assessment of built heritage to the impacts on the setting of two non-designated rows of terraced housing on Queens Road, as other assets within the study area are sufficiently distant from the site and shielded by other development. In light of the evidence provided in	Noted. No further comment needed.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			Appendix D -Cultural Heritage Desk Based Assessment, the Inspectorate agrees with the proposed scope of the built heritage assessment.	
Chapter 13 Historic Environment (Terrestrial) (Section 13.8.1)	Planning Inspectorate	Historic Environment (Terrestrial)	The Scoping Report seeks to limit the scope of the assessment of impacts to historic landscape character to the western fringe of the Proposed Development area. In light of the evidence provided in Appendix D -Cultural Heritage Desk Based Assessment, the Inspectorate agrees with the proposed scope of the built heritage assessment.	Noted. No further comment needed.
Chapter 13 Historic Environment (Terrestrial) (Section 13.8.1)	Planning Inspectorate	Historic Environment (Terrestrial)	The Scoping Report does not refer to decommissioning within its proposals for scoping in/out with respect to impacts on built heritage and historic landscape. Subject to the provision of the Outline Decommissioning Plan secured within the DCO to detail measures to avoid or reduce impacts on built heritage and historic landscape, the Inspectorate agrees to scope out this matter from the ES.	Noted. No further comment needed.
Chapter 13 Historic Environment (Terrestrial) (Section 13.3.2)	Planning Inspectorate	Historic Environment (Terrestrial)	The Scoping Report proposes a staged programme of archaeological evaluation, stating only that geophysical survey or evaluation trenching may be required. However, Appendix D paragraph 4.58 states that archaeological potential of the site is high for some features, and paragraph 6.6 recommends that archaeological evaluation is undertaken including geoarchaeological investigation and targeted trial trenching. The extent of survey activity should be agreed as part of a Written Scheme of Investigation with NELC,	A Written Scheme of Investigation (WSI) has been produced that sets out a scope of archaeological investigation to be completed prior to the submission of the DCO application. That scope of works includes Ground Investigation (GI) Watching brief, geoarchaeological borehole survey, trial trench evaluation and geophysical survey.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			where possible. Where necessary intrusive investigations should be completed prior to submission of the DCO application.	This scope of works has been agreed with the County Archaeologist (Appendix 14.C PEI Report, Volume IV).
Chapter 13 Historic Environment (Terrestrial) (Section 13.4)	Planning Inspectorate	Historic Environment (Terrestrial)	The Proposed Development has potential to alter drainage patterns and this could indirectly affect below ground heritage assets. The ES should provide commentary on the likelihood of indirect impacts on heritage assets to arise and outline any necessary mitigation measures to address significant effects where they are likely to occur	A greater understanding of the ground make up and any archaeological features present will be provided by the archaeological evaluation to be undertaken prior to submission of the DCO application. This will allow recommendations to be made regarding the possibility of indirect impacts on below ground heritage assets and outline any necessary mitigation measures. This will be undertaken in consultation with the County Archaeologist (Appendix 14.C PEI Report, Volume IV).
Chapter 13 Historic Environment (Terrestrial) (Section 13.4)	Planning Inspectorate	Historic Environment (Terrestrial)	The Applicant’s attention is drawn to the consultation response from Immingham Town Council regarding the historical value of 31 Queen’s Road.	The PEI Report chapter has considered these properties. The value of the assets is assessed as low. The impact of the construction of the Project within the setting of the asset is assessed as of medium magnitude, resulting in a minor adverse effect which is not significant.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 14 Historic Environment (Marine) (Section 14.4.5)	Planning Inspectorate	Historic Environment (Marine)	The Scoping Report proposes to scope out impacts to the setting of marine archaeological and cultural heritage receptors, as given the existing industrial character of the DCO site, the Applicant considers it is unlikely for there to be any material additional impacts on the setting of known and unknown heritage receptors during construction or operation. Given the context of the existing baseline environment, the Inspectorate agrees that significant effects to the setting of marine heritage receptors are unlikely to occur, and this matter can be scoped out.	Noted, the assessment of impacts to the setting of marine heritage receptors is scoped out..
Chapter 14 Historic Environment (Marine) (Section 14.4.5)	Planning Inspectorate	Historic Environment (Marine)	The Scoping Report proposes to scope out impacts on marine archaeology as a result of disposal of dredge arisings, as this activity would take place at licensed marine disposal sites that have been characterised for this purpose, and any heritage conditions associated with the use of such sites would be adhered to. Given the receiving locations and regulatory regime in place, the Inspectorate agrees that this matter can be scoped out of the ES.	Noted, the impacts on marine archaeology as a result of disposal of dredge arisings are scoped out
Chapter 15 Physical Processes (Section 15.6.3)	Planning Inspectorate	Physical Processes	The Scoping Report refers to physical environmental receptors “such as the local coastline and the nearshore sandbank and channel system, along with existing berth and jetty infrastructure”. The ES must clearly describe the receptors to be considered in the assessment and explain how/why they were identified. The ES should consider whether the changes to physical processes would impact on sea defences through changes to wave patterns or sedimentation, and the likelihood of impacts	Receptor pathways have been identified as, sediment transport, plume dispersion and waves. For each of these receptor pathways, the potential impacts on the local coastline (including existing defences), nearshore sandbank and channel system, existing berth and jetty infrastructure have been

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			on any telemetry devices in the area of Immingham docks.	assessed in Section 16.5 of Chapter 16: Physical Processes (PEI Report Volume II).
Chapter 15 Physical Processes (Section 15.6.3)	Planning Inspectorate	Physical Processes	The Scoping Report states that for impacts on physical receptors (i.e. local coastline, sandbank and channel system, existing infrastructure) an assessment of effect significance would be undertaken following the methodology presented in section 4.6 of Chapter 4 The EIA Process. The ES should explain and justify how the evaluation of the importance/ value and sensitivity of relevant physical processes receptors has been undertaken, and how the magnitude of impact has been defined for this aspect.	The approach to the assessment for physical processes is outlined in Section 16.2 of Chapter 16: Physical Processes (PEI Report Volume II). Where applicable, the assessment for physical processes receptors is carried out in line with the EIA methodology in Chapter 5: EIA Approach (PEI Report Volume II).
Chapter 15 Physical Processes (Section 15.6.9)	Planning Inspectorate	Physical Processes	Item J mentions relevant local policy and we would highlight the need to consider the relevant Shoreline Management Plan and Humber Estuary schemes/plans in relation to this topic.	Reference is made to local planning policy and plans including the River Basin Management Plan and Shoreline Management Plan and information has been provided as to the relevance of these plans to the Project in relation to physical processes (Table 16.2 in Section 16.2 of Chapter 16: Physical Processes (PEI Report Volume II).).
Chapter 16 Marine Water and Sediment Quality (Section 16.4)	Planning Inspectorate	Marine Water and Sediment Quality	The Scoping Report seeks to scope this matter out of the assessment on the grounds that the Proposed Development would not directly introduce contaminants to the marine environment and good practice measures would be used to minimise and mitigate the potential for	A preliminary assessment of the risk of accidental spillages and associated potential impacts on water quality is provided in Section 17.5 of Chapter 17: Marine Water & Sediment Quality (PEI Report,

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			<p>accidental spillages during dredging and disposal. The Scoping Report does not specify what these measures would be although reference is made to ‘Guidance for Pollution Prevention: Works and maintenance in or near water’). However, no other detail on the likely measures has been provided. Furthermore, the Scoping Report refers to accidental spillages during dredging and disposal but makes no mention of the potential for accidental spillages during operational activities (e.g. water discharges to the Humber, accidental spillages of fuel and cargo of liquid bulk vessels). In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect. This should cross reference to Chapter 21 Major Accidents and Disasters.</p>	<p>Volume II).</p> <p>Further information on mitigation measures that would be applied to minimise the risk of accidental spillages during construction and operational phases has been provided in Section 17.4 of Chapter 17: Marine Water & Sediment Quality (PEI Report, Volume II). This also details the measures that would be in place were a spill to occur. Further information on mitigation will be provided as part of the DCO application.</p>
<p>Chapter 16 Marine Water and Sediment Quality (Section 16.2.1)</p>	<p>Planning Inspectorate</p>	<p>Marine Water and Sediment Quality</p>	<p>In addition to the data sources listed in paragraph 16.2.1, the Applicant is directed to water quality data available on the Open WIMS database at https://environment.data.gov.uk/water-quality/view/landing</p>	<p>Environment Agency water quality monitoring data has been used to characterise the marine water quality baseline.</p>
<p>Chapter 16 Marine Water and Sediment Quality (Section 16.4)</p>	<p>Planning Inspectorate</p>	<p>Marine Water and Sediment Quality</p>	<p>The ES should assess the potential for chemical contamination to accumulate at the dredge disposal sites.</p>	<p>The ES will compare sediment quality data from ground investigations with Cefas Guideline Action Levels to determine the</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				suitability of sediments for disposal at sea and to understand the impacts from redistribution of sediment-bound contaminants.
Chapter 16 Marine Water and Sediment Quality (Section 16.6)	Planning Inspectorate	Marine Water and Sediment Quality	The methodology does not describe how the significance of effects would be determined, or how the general methodology described in Chapter 4 of the Scoping Report would be applied to this aspect specifically. The ES should clearly explain how likely significant marine water and sediment quality effects have been identified.	Further detail on the assessment methodology will be provided in the ES. The assessment of impacts follows IEMA and CIEEM guidelines. In the PEI Report reference is made to Chapter 5: EIA Approach .
Chapter 16 Marine Water and Sediment Quality (Section 16.6.3)	Planning Inspectorate	Marine Water and Sediment Quality	Paragraph 16.6.3 indicates that contaminant concentrations in sediments would be compared to Cefas Guideline Action Levels for the Disposal of Dredged Material. These don't exist for all of the contaminants which could potentially be observed. The Applicant should consider if there is any potential to explore alternative guidance levels (e.g. those used by other agencies/countries) for contaminants not covered by the Cefas Guidelines.	Where Cefas Action Levels are not defined for certain contaminants, reference will be made to other relevant thresholds/guidance as appropriate, this is noted in Section 17.3 .
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage (Section 17.2.14)	Planning Inspectorate	Water Quality, Coastal Protection, Flood Risk and Drainage	Paragraph 17.2.14 considers that the residual risk from overtopping or failure of defences is low. The Applicant's attention is drawn to the EA's consultation response and paragraph 024 of the Planning Practice Guidance (Flood risk and coastal change) which states that information on the probability of flood defence failure is unsuitable for planning purposes given the substantial uncertainties involved in such long-term predictions. The Applicant is	This will be addressed in the FRA which will accompany the DCO application and be referenced in the ES.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			advised to use the EA Coastal Hazard Mapping when considering residual flood risk and agree the detailed flood risk methodology and mitigation with the Environment Agency where possible.	
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage	Planning Inspectorate	Water Quality, Coastal Protection, Flood Risk and Drainage	Paragraph 17.2.5 notes that tide-locking is an existing problem for Habrough Marsh Drain and North Beck Drain. The Inspectorate draws attention to concerns within the consultation response from North East Lindsey Drainage Board that offshore infrastructure in proximity to the gravity outfall of Habrough Marsh Drain could impede drainage. The ES should consider any likely impacts arising from the construction and operation of the offshore infrastructure on the function of drains outfalls and implications for flood risk onshore.	This will be addressed in the FRA which will accompany the DCO Application and be referenced by the ES.
Chapter 18 Climate Change (Section 18.3.4)	Planning Inspectorate	Climate Change	The Scoping Report proposes to scope out GHG emissions arising from operational maintenance activities on the grounds that emissions from maintenance works are likely to be minimal in relation to the overall GHG emissions from the Proposed Development. However, the Scoping Report does not provide any supporting evidence for this statement. In the absence of such evidence, and particularly given the uncertainty around dredging requirements, Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or further justification that the works are likely to give rise to minimal GHG emissions.	Emissions from operational maintenance works will be considered in the GHG assessment. (Table 19.3 of Chapter 19: Climate Change (PEI Report, Volume II). Note the GHG assessment has considered the seven Kyoto Protocol gases: Carbon dioxide (CO ₂), Methane (CH ₄), Nitrous oxide (N ₂ O), Sulphur hexafluoride (SF ₆), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs); and Nitrogen Trifluoride (NF ₃).

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 18 Climate Change	Planning Inspectorate	Climate Change	The Scoping Report proposes to scope out the impacts of wind from both the climate change resilience (CCR) assessment and the in-combination climate change impact (ICCI) assessment, on the basis that there is no evidence to suggest that climate change is increasing high wind events (referencing the Met Office (2020) State of the UK Climate report). The Inspectorate notes that Environment Agency guidance(2021) Refineries and fuel: examples for your adapting to climate change risk assessment, specifically considers wind stating “there is risk to: jetties with higher sideways loadings due to wave and wind action”. In light of this guidance and in absence of agreement with the relevant statutory body, the Inspectorate is not in a position to agree to scope this matter from the assessment.	Mitigation measures against wind storms have been included in this assessment (see Table 19.18 of Chapter 19: Climate Change (PEI Report, Volume II).)
Chapter 18 Climate Change (Section 18.2.10)	Planning Inspectorate	Climate Change	The ES should state which emissions scenario will be applied from the UK Climate Projection 2018 (UKCP18)data as this is not currently clear from the Scoping Report. The ES should be based on up to date climate projections at the point of submission.	This has been explicitly stated in the assessment (see Paragraph 19.3.10 of Chapter 19: Climate Change (PEI Report, Volume II).
Chapter 18 Climate Change	Planning Inspectorate	Climate Change	The transportation and disposal of waste is listed as source of emissions but dredging and disposal of dredged material is not explicitly included within this. The ES should consider emissions from these activities.	Data to calculate emissions from dredging was not available for the PEI Report assessment. It will be updated for the GHG assessment for the Environmental Statement.
Chapter 19 Materials and	Planning Inspectorate	Materials and Waste	The Scoping Report assumes that waste arising from the extraction, processing and manufacture of construction components and products that would be used during the	The comment is noted.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Waste (Section 19.6.3)			Project are being produced in manufacturing facilities with their own waste management plans, facilities, and supply chain(outside of the geographical scope of the assessment)and therefore seeks to scope this matter out of the assessment. The Inspectorate is content to scope this matter out on this basis.	
Chapter 19 Materials and Waste (Section 19.6.3)	Planning Inspectorate	Materials and Waste	The Scoping Report states that other impacts associated with the management of waste (e.g. on water resources, air quality, noise or traffic resulting from the generation, handling, on-site temporary storage or off-site transport of materials and waste) are addressed separately in other relevant chapters of the ES and can therefore be scoped out of this aspect chapter. The Inspectorate agrees that this impact pathway should be considered separately in the other relevant chapters of the ES. The Materials and Waste aspect chapter should however cross reference to where this has been assessed elsewhere.	The comment is noted. The Materials and Waste chapter of the ES will include cross references to other aspect chapters where appropriate.
Chapter 19 Materials and Waste (Section 19.6.3)	Planning Inspectorate	Materials and Waste	The Scoping Report seeks to scope out this matter as the project site is not in the vicinity of any safeguarded/ allocated mineral sites. The Inspectorate agrees that this matter can be scoped out due to the absence of this type of receptor in the development study area.	The comment is noted.
Chapter 19 Materials and Waste (Section 19.6.3)	Planning Inspectorate	Materials and Waste	The Scoping Report seeks to scope out this matter as the project site is not in the vicinity of any Mineral Safeguarding Areas. The Inspectorate agrees that this matter can be scoped out due to the absence of this type of receptor in the development study area.	The comment is noted. Impacts are not assessed in the materials and waste assessment in accordance with the IEMA Guidance. However, MSAs are included for context in the

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				baseline since MSAs are a planning consideration. It is noted that the Project does not pass through any MSAs.
Chapter 19 Materials and Waste (Section 19.6.3)	Planning Inspectorate	Materials and Waste	The Scoping Report states that dredged materials would not be brought onshore for disposal and the effects associated would be addressed separately in other relevant chapters within the ES (Chapter 8 Nature Conservation (Marine), Chapter 9 Ornithology, Chapter 11 Marine Transport and Navigation, Chapter 14 Historic Environment (Marine), Chapter 15 Physical Processes, Chapter 16 Marine Water and Sediment Quality). On the basis that dredging arisals will not be disposed onshore, the Inspectorate considers that this matter is adequately addressed in the other aspect chapters and can therefore be scoped out of the materials and waste chapter.	The comment is noted. Any material not suitable for management within the estuary would be brought onshore (e.g. contaminated material). Material requiring management onshore will be considered in the materials and waste ES chapter. Material quantities are not yet confirmed.
Chapter 19 Materials and Waste (Section 19.6.3)	Planning Inspectorate	Materials and Waste	The Scoping Report considers that any forecast effects (using professional judgement) on the availability of materials during operation would be negligible in relation to the scale and nature of the development. The Inspectorate agrees given the nature of the development operational materials use can be scoped out of the assessment.	The comment is noted.
Chapter 19 Materials and Waste (Section 19.6.3)	Planning Inspectorate	Materials and Waste	The Scoping Report argues that it is not possible to assess waste and material resources effects of decommissioning, since waste infrastructure, technologies and good practices are likely to be	The landside elements of the Project have a design life of up to approximately 25 years although the operational life could be longer, and

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			<p>substantially different to those currently in place. It states that an outline of the approach to decommissioning will be provided within the ES, which will detail measures envisaged to be implemented to avoid or reduce impacts during the decommissioning of the landside elements. Given the nature and scale of the development the Inspectorate agrees that this matter can be scoped out of the ES, however the ES must provide an estimate of the types of quantities of waste that would arise from decommissioning.</p>	<p>when appropriate, this infrastructure would be decommissioned and all materials removed would be reused or recycled where possible or disposed of in accordance with relevant waste disposal regulations at the time of decommissioning. The DCO application would not make any provision for the decommissioning of the marine infrastructure or plant or equipment on the jetty topside and this is discussed further in Chapter 2: The Project. It is not possible to assess waste and material resources effects of decommissioning of landside elements at the present time, since waste infrastructure, technologies and good practices are likely to be substantially different to those currently in place: specific measures would be addressed as part of a Decommissioning Environmental Management Plan produced prior to the decommissioning phase. The facility design is to, as far as possible use a flexible modular construction and this approach makes decommissioning easier, quicker and means it has lower environmental impact by preventing waste generation. The process plant is constructed mainly</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				<p>from metals that are easy to reuse or recycle., individual items of equipment may be removed and redeployed. There is no underground storage.</p> <p>An Outline Decommissioning Environmental Management Plan (DEMP) including an estimate of the types and quantities of waste that would arise from decommissioning of the landside elements will be submitted with the DCO. Application and a detailed DEMP will be secured via a requirement of the DCO. In a worst-case scenario, where the Project elements would be fully removed, the potential risks during the decommissioning phase would be similar to those encountered during the Project construction phase.</p>
<p>Chapter 20 Ground Conditions and Land Quality</p>	<p>Planning Inspectorate</p>	<p>Ground Conditions and Land Quality</p>	<p>The Scoping Report proposes to scope out impacts on soil during the operational phase as any effects would have already occurred during construction. The Inspectorate agrees that new effects on soils would be likely to occur during normal operations and therefore this matter can be scoped out of the ES.</p>	<p>No response required.</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 20 Ground Conditions and Land Quality (Section 20.3.2)	Planning Inspectorate	Ground Conditions and Land Quality	<p>The Scoping Report states that an Agricultural Land Classification survey may be required to determine the subdivision of land classified as Grade 3 into either Grade 3a or 3b. The ES should confirm the agricultural land grade based on a recognised approach (such as Natural England’s TIN049) and demonstrate how the Proposed Development has sought to avoid use of areas of best and most versatile land. The impact of the Proposed Development on existing farming activities in the area should also be explained in the ES.</p>	<p>The ALC for the site is defined in the baseline section and an ALC survey is recommended in the PEIR as part of the mitigation during the construction phase.</p>
Chapter 20 Ground Conditions and Land Quality (Section 20.6.9)	Planning Inspectorate	Ground Conditions and Land Quality	<p>Paragraph 20.6.9 on ‘relevant legislation, policy and technical guidance’ focuses on legislation and policy. The ES should list the guidance applied. Where relevant, the ES should take into account the following guidance:</p> <ul style="list-style-type: none"> • Ministry of Agriculture, Fisheries and Food (1988) The Agricultural Land Classification of England and Wales: revised guidelines and criteria for grading the quality of agricultural land. • Natural England (2012) Technical Information Note TIN049, Agricultural Land Classification: protecting the best and most versatile agricultural land. • Stapleton, C., Reed, E., Gemmell, L., Adams, K. (eds) (2021) IEMA Guide: A New Perspective on Land and Soil in Environmental Impact Assessment. 	<p>The recommended guidance list has been added to the PEI Report and will be included and summarised in the ES.</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
<p>Chapter 21 Major Accidents and Disasters (Section 21.2)</p>	<p>Planning Inspectorate</p>	<p>Major Accidents and Disasters</p>	<p>The Scoping Report states that study area for the assessment of major accidents and disasters is not defined within regulatory guidance or standardised methodology, but that the study area is based on experience and judgement and includes nearby major hazard sites, pipelines other sites whose land use planning zones may encroach on any part of the Proposed Development. The ES should contain a robust justification to support the chosen study area and sensitive receptors selected for the purposes of the ES assessment, based on professional guidance such as the Institute of Environmental Management and Assessment (IEMA)'s 'Major Accidents and Disasters in EIA: A Primer (September 2020)'. The study area should be consulted on and agreed with relevant consultation bodies where possible. Figure 2.1 in Appendix A is stated to provide a figure showing the site boundary with respect to infrastructure and industrial sites and natural features and protected environmental sites, however this does not appear to map any major hazard sites or receptors near to the Proposed Development. A figure showing relevant receptors and potential major hazard risks should be provided in the ES.</p>	<p>The PEI Report incorporates a bespoke figure (Figure 22.1, PEI Report, Volume III) to present the study area, clearly identifying the key receptors, infrastructure and existing major accident installations.</p> <p>Detailed text has been included in the PEI Report to describe receptors including other COMAH installations and environmental receptors including groundwater vulnerability.</p> <p>A radius of 5km from the Site boundary has been used to define the study area. The Site boundary has been adjusted following the submission of the Scoping Report, however the modifications made to the boundary have been assessed to have no impact on the study area.</p> <p>No specific comments on the geographic extent of the study area were made by consultees during scoping, however, the PEI Report has included a more detailed description of the area within 5km of the Site which is now supported by Figure 22.1 (PEI Report, Volume III).</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
<p>Chapter 21 Major Accidents and Disasters (Section 21.6)</p>	<p>Planning Inspectorate</p>	<p>Major Accidents and Disasters</p>	<p>The assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and the Proposed Development’s potential to cause an accident or disaster including the use of Very Large Gas Carriers (VLGCs). The ES should also provide consideration of future hazards associated with transportation and storage of CO₂. The assessment should consider how any surrounding hazardous installations may impact on the major accident hazards arising from the Proposed Development’s site operation. Any assessment should include consideration of the impact on surrounding hazardous installations including potential cumulative effects from multiple major accidents which the Proposed Development could become part of cumulatively. Where qualitative assessments are made the professional qualifications and experience of the assessors should be made clear in the ES.</p>	<p>The potential for a MA&D associated with the use of VLGC was described within the Scoping Report and has been assessed further within the PEI Report.</p> <p>A description of the potential hazards associated with VLGCs is included in Sections 22.6.16 to 22.6.19 inclusive. One credible major accident scenario was identified involving a release to the marine environment, defined as Risk Event 7. This event considers the potential for an accident as a result of a loss of containment from a VLGC.</p> <p>The future use of facilities within the scope of this project to transport and/or store carbon dioxide (CO₂) has been described in the MA&D Chapter as follows:</p> <p>CO₂ is another bulk liquid, in addition to ammonia, that is likely to be used at the new terminal in future. Specific proposals are being developed for the import and export of liquified CO₂ from carbon capture and storage projects elsewhere, but these are at an early stage and would be subject</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				<p>to a separate application for development consent.</p> <p>There are no identified chemical incompatibilities associated with operation of facilities such as the jetty to include CO₂ operations in addition to hydrogen and ammonia transfer.</p> <p>There would be engineering equipment, systems and procedures to prevent these materials coming into contact such as isolation valves and vents.</p> <p>Consequently, no detailed treatment of CO₂ accidents is incorporated within this MA&D chapter at this juncture (see Paragraph 22.6.14 of Chapter 22: Major Accidents and Disasters (PEI Report, Volume II)).</p> <p>Potential effects to and from nearby major accident hazard pipelines and installations have been described and considered throughout, in particular, Tables 22.2 and 22.4 and Section 22.6.7 of Chapter 22: Major Accidents and Disasters (PEI Report, Volume II).</p> <p>The potential for a domino event to have an impact on several sites</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				<p>cumulatively will be assessed at the ES stage, when Quantitative Risk Assessment (QRA) and consequence modelling will be undertaken to assess hazards in more detail.</p> <p>A paragraph describing qualifications and experience of the author is included in Appendix 1.D (PEI Report, Volume IV).</p>
Chapter 22 Socio-Economics	Planning Inspectorate	Socio-economics	<p>The Scoping Report seeks to scope out this matter as there are no tourism receptors in proximity to the Proposed Development, therefore it is unlikely there would be any impact experienced by tourists. Given the location of the development. the absence of sensitive tourism receptors(other than the England Coast Path which is being assessed separately)the Inspectorate agrees that it is unlikely that significant effects on tourism would arise and this matter can be scoped out of the assessment on this basis.</p>	Noted.
Chapter 22 Socio-Economics (Section 22.4.1)	Planning Inspectorate	Socio-economics	<p>Two PRoWs are in proximity to the Proposed Development and it is proposed to scope this out of the assessment as user experience during operation would be as it is currently. The Inspectorate agrees that this matter can be scoped out on this basis.</p>	<p>The impact on PRoW/bridleway during the construction and decommissioning phases have been assessed. Impact during the operational phase has been scoped out as it is assumed that the PRoW/Bridleway would re-open.</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 22 Socio-Economics (Section 22.2)	Planning Inspectorate	Socio-economics	The Scoping Report states that the ES would include a figure to denote the relevant study areas. This should include the relevant Lower Super Output Areas (LSOAs) and the Grimsby travel to work area (TTWA) in relation to the Proposed Development. Residential and business properties on Queens Road within the Proposed Development order limits should be clearly identified in any figures to help residents and businesses to identify likely impacts.	A figure to show socio-economic receptors is included as part of the baseline analysis for socio-economics within the PEI Report (Section 23.3 of Chapter 23 Socio-economics (PEI Report, Volume II)).
Chapter 22 Socio-Economics (Section 22.2)	Planning Inspectorate	Socio-economics	The Applicant refers to 2011 Census data and the Inspectorate notes that the 2021 Census data is now made available through the Office for National Statistics. As the DCO application will be submitted after the release of the 2021 Census data, this data should be used to inform the Socio-economic assessment.	2021 Census data has been provided within the baseline data of the PEI Report, where available (Section 23.3 of Chapter 23 Socio-economics (PEI Report, Volume II)).
Chapter 22 Socio-Economics (Section 22.2)	Planning Inspectorate	Socio-economics	The Scoping Report proposes to assess the impact of a changing influx of workers, however it does not explicitly refer to effects on housing availability and effects on social cohesion in this chapter. The Inspectorate notes these matters are referenced under the chapter on health and well-being (para 23.4.3). The assessment in the ES should consider if any likely significant effects would arise from the influx of construction workers on the local housing and rental market. This should cross-refer to the other relevant sections of the ES such as the assessment of health and well-being.	The baseline analysis and construction section has considered whether the local private rented sector can accommodate the influx of construction workers within the local area (Sections 23.3 and 23.5 of Chapter 23 Socio-economics (PEI Report, Volume II)). The impact on primary healthcare has also been considered. Impacts upon Social Cohesion in respect of perception of risk and community severance have been assessed withing Chapter 24:

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				Human Health and Wellbeing (PEI Report, Volume II).
Chapter 23 Human Health and Wellbeing	Planning Inspectorate	Human Health and Wellbeing	The Scoping Report seeks to scope out this matter [PRoW impacts during operation] on the grounds that no adverse effects are expected as no direct effects are anticipated on public rights of way (PRoW) and no open space has been identified in the vicinity of the Proposed Development. Given the user experience of the PRoW during project operation would not be dissimilar to what it is currently, the Inspectorate agrees that this matter can be scoped out of the assessment. See also impacts to PRoW during operation in Chapter 22: Socio-economics.	Noted. The effects of any impact on human health and wellbeing arising from impacts on PRoW during the construction and decommissioning phases is assessed in this Chapter and draws on the findings of Chapter: 23 Socio-economics . The health and wellbeing assessment is presented in Table 24.13 of Chapter 24: Human Health and Wellbeing (PEI Report, Volume II).
Chapter 23 Human Health and Wellbeing	Planning Inspectorate	Human Health and Well-being	The Scoping Report does not refer to potential local public concern through perception of risk from the transportation of hydrogen gas from the site. The Inspectorate considers that this matter should be scoped in to the assessment of human health and well-being.	The Applicant can confirm an assessment of local concern through perception of risk will be included. An assessment of potential human health and wellbeing impacts arising from local public concern and perception of risk is set out below. The human health and wellbeing assessment is presented in Table 24.15 of Chapter 24: Human Health and Wellbeing (PEI Report, Volume II).
Chapter 24 Cumulative Effects and In-	Planning Inspectorate	Cumulative Effects and In-	The Scoping Report states that the significance of intra-project effects would be determined using professional judgement, and no further details are provided on	Section 25.4 and Section 25.5 explains the methodology and

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Combination Assessment		Combination Assessment	methodology. The ES should explain how potential interactions are identified and provide justification for the conclusions reached.	approach to the in-combination effects assessment.
Chapter 24 Cumulative Effects and In-Combination Assessment	Planning Inspectorate	Cumulative Effects and In-Combination Assessment	The Scoping Report does not suggest any other developments for inclusion on the longlist. The Applicant is advised to agree the list of developments with NELC, where possible. The ES should include a summary table, with relevant developments' current stage, location and timing of the proposed works to help to identify potential overlaps between activities that could lead to cumulative impacts	The Applicant is currently engaging with NELC on the long list for the Project. The CEA included in the ES will include any developments NELC suggest should be considered. The Applicant has provided NELC with a long list for the CEA and we are awaiting a response.
Chapter 24 Cumulative Effects and In-Combination Assessment	Planning Inspectorate	Cumulative Effects and In-Combination Assessment	The ES should include a figure depicting the locations and extent of cumulative developments in relation to the Proposed Development.	Figure 25.1 (PEI Report, Volume III) supports this chapter and shows the location of the shortlisted developments for the CEA in relation to the Project Site.
Chapter 2 The Project	The Coal Authority	The Project	I have reviewed the site location plan against our coal mining information and can confirm that, whilst the site falls within the coal field, it is located outside the Development High Risk Area as defined by the Coal Authority; meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at the surface. Accordingly, if you consider that the application is EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment. In addition, there is no requirement for you to consult us on any subsequent	The Applicant notes the Coal Authority's comment and confirms the proposed wording will be included.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			<p>planning application for this site. In the event that planning permission is granted as part of any formal application, it is requested that the following wording is included as an Informative Note: "The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848".</p>	
<p>Chapter 2 The Project</p>	<p>Health and Safety Executive</p>	<p>The Project</p>	<p>According to HSE's records the proposed site is in the vicinity of a number of major accident hazard installations with Hazardous Substances Consent. Given the nature of the proposal the site will need to consider all the major hazards associated with its proposed operations including both the impact on the surrounding hazardous Installations and how these installations may impact on the major accident hazards arising from the site operation. The site would likely need to be included in a domino group of sites. Also according to our record the site is in close proximity to a major hazards pipeline operated by Cadent Gas Ltd. It is noted that the EIA recognises the potential impact of these major hazard operations on to the site but consideration also needs to be given to the impact of the site onto these sites through the lifecycle of the facility including construction.</p>	<p>The PEI Report MA&D chapter includes a more detailed description of industrial neighbours and the potential for domino events than was included within the Scoping Report.</p> <p>The potential hazards of existing operational facilities such as COMAH sites and major accident hazard pipelines have been considered in this chapter during construction, operation and future decommissioning within Risk Event 13.</p> <p>The ES stage will include more detailed hazard analysis such as QRA and consequence modelling which can be used to refine the assessment of potential domino effects.</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				Assessment by HSE as part of the Hazardous Substance Consent application.
Chapter 21 Major Accidents and Disasters	Health and Safety Executive	Major Accidents and Disasters	<p>The proposal laid out in the EIA recognises the operation of the will involve the presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will therefore require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended, as set out in The Planning (Hazardous Substances) Regulations 2015 as amended. Table 21.3 of the EIA recognises that HSC would be required given the proposal involves the handling of Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations. The proposal also recognises the site will be within the scope of Control of Major Accident Hazard Regulations 2015 and will therefore require notification to the COMAH competent authority prior to construction. However what is not identified in this table is whether notification is required under the Pipeline Safety Regulation 1996 in relation to the construction and operation of the pipelines that are proposed within the application. It is recommended that details of the proposed pipelines and whether they come within the scope of PSR are included in future consultation documentation.</p>	<p>The PEI Report MA&D chapter includes additional details on the requirement for the Project to comply with the Pipelines Safety Regulations (PSR) 1996 which are relevant to the Project.</p> <p>Pipelines containing hydrogen and ammonia are within the definition of dangerous substances contained within the PSR, therefore specific controls described in PSR will apply to these.</p> <p>The applicability of legislation pertinent to the assessment of MA&D within discrete areas of the Project is established in Table 22.2 of Chapter 22: Major Accidents and Disasters (PEI Report, Volume II).</p> <p>Chapter 22: Major Accidents and Disasters (PEI Report, Volume II) includes a statement that the operator of the pipelines would fulfil all statutory requirements for compliance with PSR 1996, including the production of a Major Accident</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				<p>Prevention Document(s) (MAPD) and the appropriate emergency plans.</p> <p>A description of the PSR 1996 is included in Table 22.2 and Section 22.4.2 of Chapter 22: Major Accidents and Disasters (PEI Report, Volume II).</p>
<p>Chapter 13 Historic Environment (Terrestrial) and Chapter 14 Historic Environment (Marine)</p>	Historic England	Historic Environment (Terrestrial/Marine)	<p>We are in general agreement regarding the content of the Scoping Report (AECOM: August 2022) and the areas of the Historic Environment which are to be scoped in and out of the assessment. It is important to make sure that the area of the terrestrial and maritime heritage assessments abut or overlap so that no assets are missed and the setting of assets can be assessed as a whole.</p>	<p>Noted. An intertidal walkover survey was undertaken on 25 October 2022 in order to ensure baseline coverage of the intertidal zone has been considered for terrestrial and marine heritage aspects.</p> <p>The marine historic environment assessment will assess the impact on heritage receptors up to MHWS (see Paragraph 15.5.1 of Chapter 15: Historic Environment (Marine) (PEI Report Volume II)). This will abut the spatial limit of the terrestrial heritage assessment.</p>
<p>Chapter 13 Historic Environment (Terrestrial) and Chapter 14 Historic Environment (Marine)</p>	Historic England	Historic Environment (Terrestrial/Marine)	<p>This development could, potentially, have an impact upon a number of designated and un-designated terrestrial and maritime heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a</p>	<p>Noted. Will be incorporated in the ES as appropriate for designated and un-designated marine heritage assets.</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Environment (Marine)			thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets. Given the heights of the structures associated with the proposed development and the surrounding landscape character, this development is likely to be visible across a very large area and could, as a result, affect the significance of heritage assets at some distance from this site itself. We would expect the assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.	Response relevant to the terrestrial heritage assessment (refer to Chapter 14: Historic Environment (Terrestrial) (PEI Report, Volume II).
Chapter 13 Historic Environment (Terrestrial) and Chapter 14 Historic Environment (Marine)	Historic England	Historic Environment (Terrestrial/Marine)	It is important that the assessment is designed to ensure that all impacts are fully understood including associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. Section drawings and techniques such as photomontages are a useful part of this. The likelihood of alterations to drainage patterns should also be considered as this may lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and the subsidence of buildings and monuments. We would strongly recommend that you involve the Historic Environment Officers at North and North East Lincolnshire Councils in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the	Noted. Will be incorporated in the ES as appropriate for designated and un-designated marine heritage assets. The Historic Environment Officers at North and North East Lincolnshire Councils will be consulted going forward (see Paragraph 15.4.3 of Chapter 15: Historic Environment (Marine) of PEI Report Volume II).

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.	
Chapter 2 The Project	Immingham Town Council	The Project	There is some confusion from the documents as to whether the residential and business properties on Queens Road are contained within the development area....they are within the "red line" on some maps in the document and not included on others! This needs to be clarified and amended either way.	The residential and business properties on Queens Road are contained in the red line boundary.
Chapter 22 Socio-Economics	Immingham Town Council	Socio-Economics and Human Health and Wellbeing	Residents and businesses are rightly concerned about the potential Compulsory Purchase of their properties and land. Resulting in loss of jobs and homes. If they are not included, as some maps indicate they need to be informed to ease their minds. If they are included it seems unnecessary as there is so much other land on the development that consideration should be given to leaving them alone.	An analysis of the impact on Private Assets (including residential properties, business premises, community facilities and development land) has been undertaken as part of the Socio-economic assessment for the construction, operational and decommissioning phase (Section 23.5 of Chapter 24: Socio-economics (PEI Report, Volume II)).
Chapter 23 Human Health and Wellbeing	Immingham Town Council	Human Health and Wellbeing	The proximity of this hazardous site to existing premises seems too close.	Chapter 6: Air Quality of the ES will set out an assessment of the likely air quality effects of the Project on sensitive receptors, including existing homes.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				<p>Chapter 24: Health and Wellbeing will draw on the above assessment and consider whether the Project is likely to have a positive, negative or neutral impact on human health with respect to identified air quality effects.</p>
<p>Chapter 2 The Project</p>	<p>Immingham Town Council</p>	<p>The Project</p>	<p>The development results in the loss of more green space. How does this fit not the Local Planning Policy?</p>	<p>The Project is not located in any areas of designated green space. As shown on the Proposals Map of the North East Lincolnshire Local Plan (2018) the land to be utilised for the Project (apart from the west site) is located in an existing employment area on operational port land. The west site is on land that is designated for employment uses in the ports and logistics sector (Policy Reference ELR001). Therefore, proposals for employment related uses would be compliant with local planning policy.</p>
<p>Chapter 13 Historic Environment (Terrestrial)</p>	<p>Immingham Town Council</p>	<p>Historic Environment (Terrestrial)</p>	<p>One of the properties, 31 Queens Road, appeared to have some historical value to the area, as it is unique and was build for the Pastor of Seaman's Mission. This should be protected.</p>	<p>The PEI Report chapter has considered these properties. The value of the assets is assessed as low. The impact of the construction of the Project within the setting of the asset is assessed as of medium magnitude, resulting in a minor</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				adverse effect which is not significant.
Chapter 2 The Project	Maritime and Coastguard Agency	The Project	We note that the development aims to construct and facilitate the operation by multiple users of a liquid bulk jetty, to be located on the eastern side of the Port of Immingham. The marine components include a new approach trestle, jetty platform, berthing and mooring dolphins with link walkways, and topside infrastructure for the handling of liquid bulks, including loading arms and pipework. The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations. The MCA would expect any works in the marine environment to be subject to the appropriate consents under the Marine and Coastal Access Act 2009 before carrying out any marine licensable works. We note that on this occasion the works fall within the jurisdiction of a Statutory Harbour Authority (SHA) –Associated British Ports(ABP). ABP are therefore responsible for the safety of navigation within their waters. They may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.	The Applicant notes the comment from the Maritime and Coastguard Agency.
Chapter 4 EIA Approach	Maritime and Coastguard Agency	EIA Approach	We note that the applicant intends to undertake a Navigational Risk Assessment and will be provided within the DCO application. Section 4.13.10 states that ‘the navigational risk will be a consideration by the Harbour Authority in its role as SHA. As part of the	The Applicant notes the comment from the Maritime and Coastguard Agency.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			<p>NRA process, a hazard identification workshop will be held with relevant navigational stakeholders for the area to identify the potential impacts associated with the Project'. The MCA welcomes this approach. Section 4.13.11 also states that the NRA will determine the likely risk to navigational safety and, if necessary, establish risk control measures to reduce that risk to be 'as low as reasonably practicable'. The outputs from the NRA will inform Chapter 11 Marine Transport and Navigation and will form an appendix to the ES. It is noted that there are no shipping and navigation related impact pathways which are proposed to be scoped out of the ES during both construction and operation of the development.</p>	
<p>Chapter 2 The Project</p>	<p>Maritime and Coastguard Agency</p>	<p>The Project</p>	<p>Finally, to address the ongoing safe operation of the marine interface for this project, the MCA would like to point the developers in the direction of the Port Marine Safety Code (PMSC) and its Guide to Good Practice. They will need to liaise and consult with the SHA and develop a robust Safety Management System (SMS) for the project under this code. From the Guide to Good Practice, section 7 Conservancy, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port. The harbour authority also has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to be able to use it safely. Section 7.8 Regulating harbour works covers this in more detail.</p>	<p>The Applicant notes the comment from the Maritime and Coastguard Agency.</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
<p>Chapter 8 Nature Conservation (Marine Ecology)</p>	<p>Natural England</p>	<p>Nature Conservation (Marine Ecology)</p>	<p>The development site is within or may impact on the following European/internationally designated nature conservation site(s):</p> <ul style="list-style-type: none"> •Humber Estuary Special Area of Conservation (SAC); •Humber Estuary Special Protection Area (SPA); •Humber Estuary Ramsar site. •Greater Wash Special Protection Area (SPA) <p>Natural England broadly agrees with this section of the Scoping Report which detail the potential impact pathways on the designated sites during both construction and operation phases of the proposed development.</p>	<p>Scoping opinion noted.</p>
<p>Chapter 8 Nature Conservation (Marine Ecology)</p>	<p>Natural England</p>	<p>Nature Conservation (Marine Ecology)</p>	<p>In addition, in the benthic habitats and species sections, we advise that direct changes to benthic habitats and species underneath the raised pier structures should also be assessed, to determine if it could affect the ecological function of the mudflats beneath.</p> <p>Natural England do not concur with this conclusion when ‘Changes in water and sediment quality during capital dredging and dredge disposal’ have been scoped in. We would seek further clarification on this.</p>	<p>Direct changes to benthic habitats and species underneath the raised pier structures has been scoped in and assessed in the operational phase (as the built infrastructure has the potential to cause effects for this pathway). A preliminary assessment of effects for this pathway is provided in Section 9.5 (PEI Report, Volume II).</p> <p>The predicted changes in hydrodynamic and sedimentary processes are very small. Based on preliminary modelling results (see Chapter 16; Physical Processes) and an understanding of the baseline conditions for fish it is very unlikely</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				there would be any potential for effects on fish habitats (feeding, spawning and nursery areas) (see Table 9.11) (PEI Report, Volume II).
Chapter 8 Nature Conservation (Marine Ecology)	Natural England	Nature Conservation (Marine Ecology)	Impacts that maintenance dredging will have refer to notified feature having no sensitivity due 'to the scale of changes in SSC anticipated during capital dredging'. These are two very different impacts therefore Natural England advise further consideration is given to the impacts of maintenance dredging will have on water quality.	The potential for impacts on water quality to affect marine mammals during capital dredging and disposal have been considered (see Table 9.11) (PEI Report, Volume II). The predicted changes in water quality during the capital dredge and disposal are negligible. Given that the maintenance dredging will be on a much smaller scale than capital dredging there are no anticipated effects.
Chapter 8 Nature Conservation (Marine Ecology)	Natural England	Nature Conservation (Marine Ecology)	Natural England welcome the commitment to determine mitigation measure through the statutory consultation process.	Noted.
Chapter 9 Ornithology	Natural England	Ornithology	Bird survey data is required which covers the full period when significant numbers of birds are likely to be using the site, in order to inform a thorough assessment of the potential impacts of the development. As the surveys which relate to Immingham Outer Harbour cover the period October to March this will not cover the passage periods, in particular, we know that the Autumn passage period (August and September) is likely to be significant for SPA birds in this part of the estuary. In addition, bird	Terrestrial waterbird survey scope covers the passage period, with surveys being undertaken twice monthly at High Water between September 2022 and March 2023 inclusive. The coastal waterbird surveys started in winter 1997/98 and have been ongoing annually since then

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			<p>data will be required which covers the low tide period as well as the high tide period, in order to have sufficient data to assess the construction and operational effects of the proposed development. It is not currently clear if this is the case for the data from Immingham Outer Harbour. Therefore additional bird surveys are likely to be required which cover the passage periods (particularly August and September) and potentially the low tide period.</p>	<p>with winter surveys undertaken between October and March twice a month. During each survey, either four counts (November to February) or five counts (other months) are undertaken every two hours after high water. The most recent 5-years of data (2017/18 to 2021/22) has been analysed. In addition, the 2021/22 survey season started in August rather than October. The surveys have been continued on a monthly basis in 2022 rather than stopping in March as per previous years. Surveys are therefore undertaken during both high and low water periods with data available for both winter and passage months.</p>
<p>Chapter 9 Ornithology</p>	<p>Natural England</p>	<p>Ornithology</p>	<p>Changes to intertidal feeding and roosting habitat at whatever scale need to be quantified, Natural England seek clarification on the justification for scoping this impact out of EIA. Additional noise will disturb local bird populations. Natural England have not seen the bird surveys mentioned in para 9.3.3 but these along with additional surveys programmed will indicate the level of disturbance on notified bird populations.</p>	<p>Noted. All potential pathways relating to intertidal habitat loss or change have been scoped into the assessment.</p>
<p>Chapter 9 Ornithology</p>	<p>Natural England</p>	<p>Ornithology</p>	<p>Per section 9.4.7 - Natural England seeks clarification on this comment, does this mean that all impacts scoped in</p>	<p>Only the pathways that are scoped in under operation will be considered.</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			during the construction phase are also coped in during the operational phase?	No other relevant pathways have been identified.
Chapter 9 Ornithology	Natural England	Ornithology	Again Natural England welcome the commitment to consult all statutory bodies.	Noted.
Chapter 7 Nature Conservation (Terrestrial Ecology)	Natural England	Nature Conservation (Terrestrial Ecology)	We note and welcome the report's consideration of impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. We welcome the report's inclusion of an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. Further information on local wildlife Sites is available from the Yorkshire Wildlife Trust - 01904659570 or Email: info@ywt.org.uk. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.	Mitigation proposals will be included in the final ES, if required, based on the final design and Order Limits, and with reference to the conclusions of the Air Quality Impact Assessment.
Chapter 12 Landscape and Visual Impact	Natural England	Landscape and Visual Impacts	Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.	Noted. This will be included in the landscape and visual assessment of the ES.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 12 Landscape and Visual Impact	Natural England	Landscape and Visual Impacts	<p>The England Coast Path (ECP) is a new National Trail that will extend around all of England’s coast with an associated margin of land predominantly seawards of this, for the public to access and enjoy. Natural England takes great care in considering the interests of both land owners/occupiers and users of the ECP, aiming to strike a fair balance when working to open a new stretch. We follow an approach set out in the approved Coastal Access Scheme and all proposals have to be approved by the Secretary of State. We would encourage any proposed development to include provision for the England Coast Path, where appropriate, to maximise the benefits this can bring to the area. This should not be to the detriment of nature conservation, historic environment, landscape character or affect natural coastal change. Consideration for how best this could be achieved should be made within the Environmental Statement.</p>	<p>Noted. This will be considered with the landscape enhancement plan and all environmental factors considered.</p>
Chapter 5 Air Quality	Natural England	Air Quality	<p>We note and welcome the report’s reference to the assessment of air quality issues arising from traffic generation during the construction and operational lifetime of the scheme (para 5.2.1) and offer the following comments: Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) [1].A</p>	<p>The construction and operation of the Project is not anticipated to generate 500 or more two-way Light Duty Vehicle (LDV) movements nor 100 or more two-way LDV movements on the local road network. The number of additional vehicle movements falls well below the screening criteria set by IAQM/EPUK and National Highways guidance to suggest when road traffic emissions have the potential to contribute to a significant</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			<p>priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government’s Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England’s protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.</p> <p>The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).</p> <p>Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. Natural England’s approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations -NEA001</p>	<p>effect on air quality at sensitive locations (see Section 6.8, Paragraph 6.8.33 for construction phase and Section 6.8, Paragraph 6.8.43 for operational phase) (PEI Report, Volume II).</p> <p>As such, the air quality assessment reported in the PEI Report does not quantify emissions associated with construction phase or operational road traffic movements. The AQ assessment does quantify the impact of onsite emissions, including those from docked vessels, on air quality sensitive habitats, including nearby saltmarsh habitat within the SAC.</p> <p>The assessment method is described in Paragraphs 6.3.20 to 6.3.37 and Appendix 6.B (PEI Report, Volume IV). Assessment results are described in Paragraphs 6.8.39 to 6.8.45 (PEI Report, Volume II).</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 5 Air Quality	Natural England	Air Quality	With regard to the construction phase the focus on PM10, set out in this para (5.6.2) should be reviewed with regard to its suitability for ecological receptors including designated sites in the context of the APIS information (site relevant critical loads). NO2 and PM2.5 should also be included in this assessment.	The construction phase assessment reported in the PEI Report has been undertaken in line with relevant IAQM guidance and includes consideration of relevant impacts at sensitive habitats. The method of the construction phase assessment is set out in Paragraphs 6.3.1 to 6.3.7 (PEI Report, Volume II) and Appendix 6.A (PEI Report, Volume IV).
Chapter 5 Air Quality	Natural England	Air Quality	We note the applicants intention to consult Natural England, Should the applicant wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our Discretionary Advice Service.	This is noted.
Chapter 17 Water Quality, Coastal Protection, Flood Risk and Drainage	North East Lindsey Drainage Board	Water Quality, Coastal Protection, Flood Risk and Drainage	The onshore part of the site is within the North East Lindsey Drainage Board area. Generally the report contains appropriate references to North East Lindsey Drainage Board and the Board has already provided information to the consultants. An area of concern is the impact off shore. The proposals show new infrastructure in the Humber near to the gravity outfall of Habrough Marsh Drain, there is concern that this will result in siltation which will impede the discharge. The Flood Risk Assessment should address this and put in place measures to mitigate it.	This will be addressed in the FRA which will accompany the DCO Application and be referenced by the ES.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 10 Traffic and Transport	Royal Mail	Traffic and Transport	Every day, in exercising its statutory duties Royal Mail vehicles use all of the main roads that may potentially be affected by the proposed Immingham Green Terminal (“IGT”). Any periods of road disruption / closure, night or day, on or to the roads immediately connected to the IGT or the surrounding highway network will have the potential to impact operations and may consequently disrupt Royal Mail’s ability to meet its Universal Obligation service delivery targets.	The timings and the routes construction vehicles will use will be managed through a construction traffic management plan in which vehicles will be required to use specific routes to access the site and at certain times with little to no traffic during the night. Minimal impact is anticipated within the town of Immingham itself. This is included within the mitigation section.
Chapter 23 Human Health and Wellbeing	UK Health Security Agency / Office for Health Improvement and Disparities	Human Health and Wellbeing	Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold, i.e.an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.	An assessment of potential human health and wellbeing impacts arising from air quality impacts during the construction, operation, and decommissioning phases of the Project is set out below, drawing on Chapter 6: Air Quality . This is presented in Table 24.12 of Chapter 24: Socio-economics (PEI Report, Volume II).
Chapter 23 Human Health and Wellbeing	UK Health Security Agency / Office for Health	Human Health and Wellbeing	It is noted that the current proposals do not appear to consider possible health impacts of Electric and Magnetic Fields (EMF). We request that the ES clarifies this and if necessary, the proposer should confirm either	An assessment of potential human health and wellbeing impacts arising from EMFs is scoped out of this assessment. No major sources of

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
	Improvement and Disparities		that the proposed development does not impact any receptors from potential sources of EMF; or ensure that an adequate assessment of the possible impacts is undertaken and included in the ES	EMF are anticipated to arise from the Project. All cabling associated with the Project will be 132kV or below cables, and underground. The Applicant will ensure full compliance with relevant policies and procedures on EMF exposure limits are in place at the design phase. This will include ensuring worker exposure to any EMF risks are managed through adherence to standard working practices during any cable installation and commissioning works. Therefore, no impacts on human health and wellbeing are anticipated.
Chapter 23 Human Health and Wellbeing	UK Health Security Agency / Office for Health Improvement and Disparities	Human Health and Wellbeing	The scoping report does not identify the approach to the identification of vulnerable populations. The impacts on health and wellbeing and health inequalities of the scheme may have particular effect on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics. The identification of vulnerable populations and sensitive populations should be considered. Baseline health data should be provided, which is adequate to identify any local sensitivity or specific vulnerable populations. The identification of vulnerable populations should be based on the list provided by the Welsh Health Impact Assessment Support Unit and the International Association of Impact Assessment (IAIA)	An assessment of the human health and wellbeing baseline, including analysis of health indicators among the population living locally, is set out below. The human health and wellbeing baseline includes data on population, age, ethnicity, deprivation, health deprivation, self-assessment of health, and a number of wider health determinant indicators. These indicators align with WHIASU vulnerable populations list (age related groups, income related groups, groups who suffer discrimination or other social

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
				<p>advantage, geographical groups). Additional socio-economic data relating to the local population is set out in Chapter 23: Socio-economics (PEI Report, Volume II).</p>
<p>Chapter 23 Human Health and Wellbeing</p>	<p>UK Health Security Agency / Office for Health Improvement and Disparities</p>	<p>Human Health and Wellbeing</p>	<p>It is noted that Chapter 23 is drafted with reference to the Healthy Urban Development Unit (HUDU) and the Welsh Health Impact Assessment Support Unit (WHIASU) guidance and as such no assessment of significance is provided for human health. The lack of an assessment of significance does not conform to the requirements of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations) and as such an assessment of significance should form part of the Environmental Statement. HUDU and WHIASU are guidance to support health impact assessments and are not specifically designed to address health within an Environmental Impact Assessment (EIA). The ES must provide an assessment of significance for those health determinants scoped into the population and human health chapter. As there is currently not a defined approach to the assessment of significance for population and human health, it is strongly advised that any proposed approach is agreed with OHID/UKHSA and the local public health team. The guidance issued by the International Association of Impact Assessment (IAIA)⁴ could be used as a basis for the assessment of significance.</p>	<p>The assessment of human health and wellbeing impacts below uses Healthy Urban Development Unit (HUDU) guidance to carry out the assessment. There is no guidance which provides a justified definition of significance for human health effects. A qualitative assessment is therefore made of whether effects are likely to be positive, negative or neutral with respect to health. Where negative effects are identified, suitable mitigation measures are identified..</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
Chapter 22 Socio-Economics	UK Health Security Agency / Office for Health Improvement and Disparities	Socio-Economics	<p>The scoping report does not identify the projected numbers of construction workers required for the scheme but does scope in potential social impacts from their presence. The presence of significant numbers of workers could foreseeably have an impact on the local availability of affordable housing, particularly that of short-term tenancies and affordable homes for certain communities. The cumulative impact assessment will need to consider this across the wider study area given the existing plans from Immingham and the number of other large schemes proposed within the region. Access to accommodation for residents with the least capacity to respond to change, for example, where there may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit / low paid employment seeking the same lower-cost accommodation, should be considered. It should be noted the Housing Needs Assessment for North-East Lincolnshire Council (2019) identifies the private rented sector makes a significant contribution to meeting affordable housing needs. There are a number of infrastructure schemes proposed for the wider region, increasing the potential for non-home-based construction workers to be seeking accommodation.</p>	<p>The baseline analysis and construction section has considered whether the local private rented sector can accommodate the influx of construction workers within the local area (Sections 23.3 and 23.5 of Chapter 23: Socio-economics (PEI Report, Volume II)).</p>
Chapter 22 Socio-Economics	UK Health Security Agency / Office for Health	Socio-Economics	<p>The peak numbers of construction workers and non-home-based workers should be established and a proportionate assessment undertaken on the impacts for housing availability and affordability and impacts on any local services. Any cumulative impact assessment</p>	<p>The construction, operational and decommissioning analysis section of the PEI Report has considered the impact placed upon primary healthcare facilities within the local</p>

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
	Improvement and Disparities		should consider the impact on demand for housing by construction workers and the likely numbers of non-home-based workers required across all schemes.	area. The construction assessment has also considered the impact upon the local rented housing sector, as a result of the influx of construction/ operational/ decommissioning workers (Section 23.5 of Chapter 23: Socio-economics (PEI Report, Volume II)).
Chapter 23 Human Health and Wellbeing	UK Health Security Agency / Office for Health Improvement and Disparities	Human Health and Wellbeing	The scoping report does not make reference to the potential for local public concern through understanding of risk / risk perception. It should be noted that HyNet North West Hydrogen Pipeline Project has this potential impact scoped-in under ‘Concern over hydrogen safety’. The effects related to people and communities in the near vicinity of the Project should be identified and addressed through targeted communications and mitigation programmes. For the wider public, general communication programmes in relation to the Project should provide a source of clear and objective information to increase knowledge and awareness. This approach has been accepted by PINS in the SoS Scoping Opinion.	An assessment of potential human health and wellbeing impacts arising from local public concern and perception of risk is set out below. The human health and wellbeing assessment is presented in Table 24.15 of Chapter 24: Human Health and Wellbeing (PEI Report, Volume II).
Chapter 23 Human Health and Wellbeing	UK Health Security Agency / Office for Health Improvement and Disparities	Human Health and Wellbeing	The ES should consider potential effects on mental health through risk perception / understanding of risk posed by the handling and processing of hazardous materials. When estimating community anxiety and stress in particular, a qualitative assessment maybe most appropriate. Robust and meaningful consultation with the	An assessment of potential human health and wellbeing impacts arising from local public concern and perception of risk is set out below. The human health and wellbeing assessment is presented in Table 24.15 of Chapter 24: Human Health

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			<p>local community will be an important mitigation measure, in addition to informing the assessment and subsequent mitigation measures. This may involve conducting resident surveys but also information received through public consultations, including community engagement exercises.</p> <p>The Mental Well-being Impact Assessment Toolkit (MWIA) contains key principles that should be demonstrated in a project's community engagement and impact assessment. We would also encourage you to consult with the local authority's public health team who are likely to have Health Intelligence specialists who will have knowledge about the availability of local data.</p> <p>The Mental Well-being Impact Assessment Toolkit (MWIA)⁶, could be used as a methodology. The assessment should identify vulnerable populations and provide clear mitigation strategies that are adequately linked to any local services or assets. Baseline indicators the assessment would benefit from including social cohesion/connectedness, satisfaction with local area and quality of life indicators owing to their established links to mental health and wellbeing.</p> <p>In terms of sources, we would draw your attention to the following:</p> <ul style="list-style-type: none"> •PHE Fingertips –Mental Health and Wellbeing JSNA- Area profiles with various indicators on common mental disorders (including anxiety) and severe mental illness which can be benchmarked with other local areas as well as regional and national data •Office for National Statistics -Wellbeing Indicators- Range of datasets related to wellbeing available including young people's wellbeing measures, personal 	<p>and Wellbeing (PEI Report, Volume II).</p>

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			wellbeing estimates and loneliness rates by local authority	
Chapter 2 The Project	West Lindsey District Council	The Project	The location of the proposed Green Energy Park would be approximately 4 kilometres (2.48 miles) from the nearest shared North East Lincolnshire and West Lindsey district boundary. The scale of the development in terms of height appears to be unknown but it is considered that the development would be in context with the existing nearby Immingham Port Structures. The large settlement of Immingham, areas of grouped trees and a railway line sits between the site and parts of West Lindsey. It would therefore be highly unlikely to be clearly in view from any parts of the West Lindsey District. Therefore it is not considered likely that any viewpoints from West Lindsey are necessary and no residential properties in West Lindsey would be affected.	Comment noted that no viewpoints from West Lindsey are required.
Chapter 7 Nature Conservation (Terrestrial Ecology)	North East Lincolnshire Council	Nature Conservation (Terrestrial Ecology)	The site appears to be adjacent to W2 of North East Lincolnshire Borough Council No. 107 (Long Wood, Laporte Road, Stallingborough) Tree Preservation Order 2002. There is a defined drainage ditch between the site and the woodland. I am aware that this site is managed by the Humber Nature Partnership and that there is a management plan in place. Given the woodland is covered by a TPO I feel the impact of the proposal on the woodland should be considered within the EIA.	The potential impact of the Project on the TPO woodland will be fully quantified and considered within the EIA.
Chapter 12 Landscape and Visual Impact	North East Lincolnshire Council	Landscape and Visual Impact	The site appears to be adjacent to W2 of North East Lincolnshire Borough Council No. 107 (Long Wood, Laporte Road, Stallingborough) Tree Preservation Order	The potential impact of the Project on the TPO woodland will be fully

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			2002. There is a defined drainage ditch between the site and the woodland. I am aware that this site is managed by the Humber Nature Partnership and that there is a management plan in place. Given the woodland is covered by a TPO I feel the impact of the proposal on the woodland should be considered within the EIA.	quantified and considered within the EIA.
Chapter 21 Major Accidents and Disasters	North East Lincolnshire Council	Major Accidents and Disasters	Thank you for the opportunity to comment on the submitted EIA Scoping report provided by the Applicant. On the whole NELC are content with the scope of the proposed EIA, responses from internal consultees are provided at the bottom of this letter. NELC would like to highlight the importance of fully understanding and considering the extent of any Hazardous Zones associated with the development and the land use planning implications of such zones. This should be through consultation with the Health and Safety Executive.	<p>The HSE is a statutory consultee during the planning process and this consultation is expected to incorporate a detailed discussion with the Applicant around the land use planning consultation zones in the area of the Project.</p> <p>The Project site is within the consultation distances of a number of major hazard sites and pipelines, therefore this will be a key factor to be taken into account during the EIA for the Project and through consultation with the HSE.</p>
Chapter 6 Noise and Vibration	North East Lincolnshire Council	Noise and Vibration	The proposed methodology for the assessment of both vibration and noise impact on nearest residential receptors is satisfactory.	Noted.
Chapter 5 Air Quality	North East Lincolnshire Council	Air Quality	AQ Officer has read and reviewed the proposed EIA Scoping report, they are happy with the suggested approach and methodology used to assess the potential	This is noted.

Scoping Report Chapter	Consultee	Topic	Summary of Scoping Opinion Comment	Summary of Response
			air quality impacts and effects of the Project on human receptors.	
Chapter 20 Ground Conditions and Land Quality	North East Lincolnshire Council	Ground Conditions and Land Quality	In terms land quality (Section 20) NELC agree with the scope and methodology presented.	No response required.
Chapter 13 Historic Environment (Terrestrial)	North East Lincolnshire Council	Historic Environment (Terrestrial)	NELC is happy with the details set out in the scoping document.	Noted.
Chapter 10 Traffic and Transport	North East Lincolnshire Council	Traffic and Transport	NELC is content with the scope of the EIA.	No response required.