



Able Marine Energy Park

Material Change 2

Application Letter

June 2021
Revision 1
BDB Pitmans

The Secretary of State for Transport
c/o Natasha Kopala
Head of Transport Infrastructure Planning Unit
Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Our Ref
FHD/ADW/124645.0013
Date
25 June 2021

Dear Sir

**Able Marine Energy Park Development Consent Order 2014 - S.I. 2014 No. 2935
Application for a Material Change**

On behalf of our client, Able Humber Ports Limited ('Able'), we enclose an application for a proposed material change to The Able Marine Energy Park Development Consent Order 2014 (the 'DCO').

This application has been prepared in accordance with Schedule 6 of the Planning Act 2008 (the '**2008 Act**') and Part 2 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 as amended (the '**2011 Regulations**'). In order to assist the Secretary of State's consideration of the application, we have appended to this letter a checklist of the requirements set out in Regulation 16(2) of the 2011 Regulations.

Proposed Material Change

The changes proposed in this application for a material change can be summarised as follows:

- a realignment of the proposed quay (within its existing limits of deviation) to remove a berth pocket at the southern end and introduce a setback at the northern end;
- changes to the construction methodology to allow the relieving slab at the rear of the quay to be at the surface as an alternative to being buried or to be omitted altogether, and the use of anchor piles as an alternative to flap anchors;
- consequential changes to dredging; and
- unrelated to the quay changes, the realignment of a footpath diversion to the north west of the site to go round the end of a railway track instead of crossing it.

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Enclosures

The enclosures to this letter are listed in the Electronic Index submitted with the application (document reference TR030006/APP/1).

Application Fee

We confirm that the application fee of £7,263.00 was transferred to the Planning Inspectorate as required by Schedule 2, paragraph 2 of the 2011 Regulations.

We would be grateful if you could please acknowledge safe receipt of this letter and its enclosures.

Please let us know if you have any questions or require any further information.

Yours faithfully



BDB Pitmans LLP

cc Planning Inspectorate

Regulation 16(2) 2011 Regulations Checklist

Regulation 16(2)	Response
(a) name and address of the applicant	Able Humber Ports Limited, Ogier House, The Esplanade, St Helier, Jersey, JE4 9WG, whose UK Asset Manager is Able UK Limited, Able House, Billingham Reach Industrial Estate, Billingham TS23 1PX
(b) name and address of an agent, if appointed	Solicitors: BDB Pitmans LLP, One Bartholomew Close, London EC1A 7BL
(c) the Secretary of State's reference for the development consent order to which the application relates	The Able Marine Energy Park Development Consent Order 2014 (SI 2014 No. 2935) PINS Ref for original DCO application: TR030001 PINS Ref for this application: TR030006
(d) details of the land and the change being applied for	The proposed material change is described above, in the Context Document (TR030006/APP/3) and at Chapter 4 of the ES (TR030006/APP/6-4). It does not amend the Order Limits or land plans, nor authorise any change to compulsory acquisition or temporary possession.
(e) an explanatory memorandum explaining the purpose and effect of the application	An explanatory memorandum is submitted as part of the Application (TR030006/APP/5).
(f) a statement that the applicant is either: (i) the person who applied for the development consent order to which the application relates or a successor in title; (ii) a person with an interest in the land to which the development consent order relates; or	In accordance with regulation 16(2)(f)(i), the applicant, Able Humber Ports Limited was the applicant who applied for the DCO to which the application relates.

Regulation 16(2)	Response
(iii) any other person for whose benefit the development consent order has effect	
(g) details of the applicant's interest in the land	<p>The parcels of land shown on the land plans for the original DCO to which the proposed material change relates are parcels 08001, 09001 (in relation to the quay realignment) and 07001 (in relation to the footpath diversion).</p> <p>Able Humber Ports Limited has a leasehold interest in parcels 08001 and 09001 (these parcels are Crown Land). Able Humber Ports Limited does not have an interest in parcel 07001.</p>
(h) where the applicant is a local planning authority, evidence of the matters specified in paragraph 3(5)(a), (b) and (c) of Schedule 6 to the Act	The applicant is not a local planning authority.
<p>(i) a statement which:</p> <p>(i) identifies the extent to which the information submitted with the initial application for an order granting development consent in accordance with regulations 5 and 6 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 is correct and relevant to the application; and</p> <p>(ii) where necessary updates the parts of this information that relate to the application.</p>	<p>.</p> <p>Able has submitted this information as an application document named the Regulation 16(2)(i) Statement (TR030006/APP/9)</p>
(j) any documents and plans considered necessary to support the application	<p>In addition to items (a)-(i) above and (k)-(m) below, the application is supported by:</p> <ul style="list-style-type: none"> - An electronic index (TR030006/APP/1), - A 'context document' (TR030006/APP/3), setting out details of the project authorised by the original DCO and subsequent changes to it,

Regulation 16(2)	Response
	<ul style="list-style-type: none"> - a draft amending DCO (TR030006/APP/4), - an updated ES (TR030006/APP/6), - an updated Habitats Regulations Assessment (TR030006/APP/7), - a Water Framework Directive assessment (TR030006/APP/8), - an updated APFP Regulation 6(3) statement (TR030006/APP/12), and - substitute plans and drawings (TR030006/APP/13 to 18).
(k) a statement as to whether the application involves EIA development	Able confirms that the Application does involve EIA development and the impacts of this is assessed in the updated ES (TR030006/APP/6).
(l) a consultation report	A consultation report is submitted with the application (TR030006/APP/10).
(m) a statement that the applicant has, in relation to a proposed application that has become an application, complied with regulations 10 to 15	The Applicant confirms that Regulations 10 to 15 of the 2011 Regulations have been complied with. A statement confirming this has been submitted (TR030006/APP/11).
(n) unless the Secretary of State specifies otherwise, any plans, drawings or sections provided shall be no larger than A0 size, shall be drawn to an identified scale and, in the case of plans, shall show the direction of North	The Applicant confirms that the Plans enclosed in this Application meet these specifications.
(o) where a plan comprises 3 or more separate sheets a key plan must be provided showing the relationship between the different sheets	The Applicant confirms that the Plans enclosed in this Application meet these specifications.

Regulation 16(2)	Response
(p) if requested by the Secretary of State, 3 paper copies of the application and other supporting documents and plans	Paper copies have not so far been requested and are available on request.