



Inception Meeting note

Project name	Able Marine Energy Park – Material Change 3
Case reference	TR030001
Status	Final
Author	The Planning Inspectorate
Date of meeting	28 November 2024
Meeting with	Meeting with Able UK
Venue	Microsoft Teams
Circulation	All attendees

Summary of key points discussed, and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

The Inspectorate explained that the publication of the Inception Meeting note could be delayed by up to 6 months, or until a formal scoping request had been submitted, whichever was the earlier.

Project Overview

The Applicant updated that it is proposing Material Change 3 (MC3) to the consented [Able Marine Energy Park \(AMEP\) Development Consent Order 2014](#). The DCO has been amended twice with minor changes:

- [a non-material amendment](#) was granted in 2021
- [material amendment](#) was granted in 2022 (Material Change 2)

An extension to the completion period of development was requested by the Applicant under Article 7 of ABEP DCO 2014 in October 2023 and the Secretary of State has granted one year extension to 28 October 2025 with a provision to extend the time period further following the receipt of additional environmental information as set out in the [Decision letter](#). The Applicant is currently liaising with Natural England (NE) regarding submitting further information as requested by the Secretary of State.

The Applicant explained that AMEP is a Harbour Facilities DCO. The application site is on the south bank of the Humber Estuary, 2km north of Immingham. The application went through special parliamentary procedure which added a gap between the order being made and it coming into force. The project includes a compensation site for environmental effects on designated sites on the north bank of the Humber. Since the made DCO, it has built the consented pumping station at the south end of the project. The Applicant mentioned that most of the pre-commencement requirements have been discharged, however it hasn't started construction significantly.

The Inspectorate queried whether the Material Change 1 (MC1) will go ahead as MC1 has not been submitted to date. The Applicant explained that the MC1 was regarding a plot of land that is unregistered, and it will likely not proceed with this application. This site may be subject to Adverse Possession or could be included within MC3 should that be necessary. **Post Meeting Note:** The Applicant since the meeting has confirmed in writing that AMEP MC1 will no longer be submitted. The National Infrastructure Planning Website Project Page will be removed in due course.

The Applicant confirmed that it had approached Department for Transport (DfT) to enquire about the materiality of MC3. The Applicant shared a plan to explain the changes. It is proposing that the Order is changed to permit the quay to be built in up to three phases, to be built and operated separately. Once the first stage commences, there would be no obligation to complete the whole quay within any specified time frame. It is proposing the quay face to be modified to that from the consented quay. The berthing pocket will widen from 61 metre(m) to 80m to accommodate larger vessels and meet the needs of the industry. The berthing pocket will increase from its consented depth of -14.5m CD to -17.5CD. After it is dredged, the berthing pocket in front of the quay is to be infilled with 2m of stone material in order to provide a suitable and uniform bed for vessels. This will increase the permitted rock infill from 250,000T to around 400,000T. The deemed marine licence of the original DCO will also need to be changed.

The Applicant is also proposing that two permanent 'dolphins' are added to the ends of the quay to provide additional mooring points to large vessels and that temporary dolphins are permitted at the end of construction Stages 1 and 2. The existing permission already consents seven temporary dolphins within the berthing pocket and permanent ones on either end of the quay. The Applicant is looking to proposing changes to the restrictions set out in Schedule 11 of the made DCO. Products arising from recycling (such as steel) would also be permitted to be handled across the quay. The Applicant explained that the redundant fossil fuel infrastructure will be accepted at the facility, dismantled and the steel recycled, potentially at nearby Scunthorpe Steelworks.

The Applicant further added that the consented DCO includes some onshore development but over time due to infrastructure getting larger, the building dimensions are inadequate in size. It proposes to make separate planning applications to North Lincolnshire Council to address its desired changes to the onshore development, which will be reflected in the DCO. The intention is to clarify that subsequent 'drop-in permissions' granted under the Town and Country Planning Act will not prevent further development under the AMEP DCO (in the light of the Hillside Supreme Court decision).

The Inspectorate queried the reason for not including the changes to the buildings within the DCO with the material change application and Applicants approach to this. The Applicant explained that what is required onshore depends on the customer requirements which are not currently known. It has had discussions with the manufacturers to understand initial requirements which has informed the need for the changes, however it will not know the specifics of these until detailed discussions are held. The Rochdale envelope established for the existing DCO has been determined not to be suitable for the changes hence the need to seek further consent.

The Inspectorate further queried that Applicant is proposing the increase in the depth and width of berthing pockets and whether it has considered whether these will need to increase again in future. The Applicant confirmed that it has built close relationship with its clients and have put in a lot of time to understand their requirements and are comfortable

on what they are proposing now would be suitable for future needs and the design should be able to accommodate the future of vessels.

Environmental Scoping

The Inspectorate queried whether the Applicant has assessed the environmental impact of the Proposed Development, the amount of work involved and whether Applicant has taken on environmental consultants. The Applicant confirmed that it will submit an updated Environmental Statement and will be submitting the scoping report to request a scoping opinion. The Applicant has not got the team in place yet but will do so after getting the full scoping opinion.

The Applicant confirmed it will be submitting its scoping report shortly. The Inspectorate advised the Applicant that it will need GIS shapefile 10 working days in advance of the submission of the scoping report. The Inspectorate advised delaying submission of the scoping report until the new year to avoid consultation occurring over the Christmas period. **Post Meeting Note:** The Applicant has since submitted the shapefile.

The Inspectorate queried whether the Applicant has discussed MC3 with NE and the Marine Management Organisation (MMO). The Applicant confirmed that it had not had specific discussions about MC3 but plan to discuss MC3 before the scoping opinion is requested.

Consultation

The Applicant confirmed that it will undertake a full consultation and will not apply to reduce the list of consultees and anticipate the consultation to be next year, Q3 2025. It will then prepare the application documents with the aim to submit in Q4 2025, which the Applicant expressed it considers is achievable based on its previous material change application.

Pre-app fee and Components

The Applicant discussed the pre-app fee whether this applies to material change application and the Inspectorate confirmed that it is not currently applicable however it is looking into this with the Department and if any changes happen as directed by MHCLG, it will keep the Applicant updated. The Inspectorate questioned whether the Applicant is looking to submit the documents the pre-application service now requests, e.g. a programme document which outlines what the Applicant will be doing over the next year. There are also some other components within the pre-app service that Inspectorate advised may benefit the material change application and could be considered by the Applicant. The Applicant confirmed it is happy to submit the programme document and will consider the other components.

AOB

The Inspectorate advised the Applicant to submit the basic information regarding this material change application so project page can be setup before scoping opinion needs to be published.

The next meeting to be arranged post scoping opinion.