

REPORT

Boston Alternative Energy Facility

Other Consents and Licences

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HASKONINGDHV UK LTD.

Rightwell House
Rightwell East
Bretton
Peterborough
PE3 8DW
Industry & Buildings
VAT registration number: 792428892

+44 1733 334455 **T**
+44 1733 262243 **F**
info@uk.rhdhv.com **E**
royalhaskoningdhv.com **W**

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Author(s): Abbie Garry, Ashleigh Holmes

Drafted by: Ashleigh Holmes

Checked by: Paul Salmon

Date: 16/02/21 PS

Approved by: Paul Salmon

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1 Introduction

- 1.1.1 This document has been prepared on behalf of the Applicant (Alternative Use Boston Projects Limited (AUBP)) in relation to an application to be made to the Secretary of State for Business, Energy and Industrial Strategy under Section 37 of the Planning Act 2008 for a Development Consent Order (DCO) authorising the construction, operation and maintenance of a power-generation plant, known as the Boston Alternative Energy Facility (herein ‘the Facility’).
- 1.1.2 The Facility constitutes a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 by virtue of the Facility requiring the building, commissioning and operating of a generating station with an energy generating capacity greater than 50 megawatts electric (MWe). As the Facility is a NSIP, the Applicant is required to make an application for a DCO to the Planning Inspectorate, which will be decided by the Secretary of State.

1.2 Developer and Project Team

- 1.2.1 The Applicant is undertaking the development and securing funding for the Facility. AUBP is a privately-owned company with core business in Energy from Waste, specifically renewable electricity projects producing “Green Energy”.
- 1.2.2 The company team has been involved in industrial development at Riverside Industrial Estate, Boston, Lincolnshire since 2004. In March 2005, planning consent was obtained for a Special & Clinical Waste Processing Plant, with conditions discharged and commencement of construction.
- 1.2.3 In 2010, consent was obtained for a 12 MWe Gasification Power Station that would process waste wood (known as Biomass UK No. 3 Ltd) with enabling works carried out during 2013. This facility was sold to Aviva Investors in November 2015, along with the right to develop the facility, and in September 2016 it was transferred to Biomass UK No. 3 Ltd. The Biomass UK No. 3 Ltd facility is entirely separate to the proposed Facility.
- 1.2.4 Royal HaskoningDHV was commissioned by the Applicant to coordinate the DCO application process and produce the documentation necessary to consider the Facility’s impacts on all environmental receptors.

1.3 Proposed Development

- 1.3.1 The Facility is a proposed Energy from Waste (EfW) plant which will have a generating capacity of approximately 102 MWe (delivering 80 MWe to the National Grid). A full project description is given in **Chapter 5 Project Description** of the Environmental Statement (ES) (document reference 6.2.5).

1.3.2 The Application Site covers 26.8 hectares (ha) and is split in to two components: the area containing operational infrastructure for the Facility (the 'Principal Application Site'); and an area containing habitat mitigation works for wading birds (the 'Habitat Mitigation Area'). The Principal Application Site (NGR TF33950 42241) covers 25.3 ha and is neighboured to the west by the Riverside Industrial Estate and to the east by The Haven, a tidal waterway of the River Witham between The Wash and the town of Boston. The A16 public highway is located approximately 1.3 km to the west. The Habitat Mitigation Area covers 1.5 ha and is located approximately 170 m to the south east of the Principal Application Site, encompassing an area of saltmarsh and small creeks at the margins of The Haven.

1.4 Electrical Connection

1.4.1 A grid connection point would be located within the Application Site to facilitate the net export of 80 MWe (and also an import of 5 MW) of electricity.

1.4.2 The connection point and substation will be located in the south-east corner of the site. The proposed connection point is to the 132 kV OHL pylon (WPD reference HW114, at coordinates 533948.03 342379.89). The grid connection infrastructure would include a primary substation to convert the site-produced power into the local 132 kV line.

1.5 The Purpose of this Document

1.5.1 The purpose of this document is to provide information on the other consents and licences that are, or may be, required under other legislation for the construction and operation of the proposed development, outside of the DCO. A draft version of the DCO is available at document reference 2.1.

1.5.2 The document will be updated by the Applicant, as required, during the post-submission phase of the determination of the DCO by the Secretary of State.

1.5.3 An indicative list of other consents and licences required are listed in **Table 2-1** of this document. The list identifies the type of consent/licence required, the relevant consenting body, any agreement that has been reached with that body, actions to be undertaken and the status of the relevant application (e.g. whether the consent/licence has been granted or the anticipated application submission date).

2 Summary of Other Consents and Licences Likely to be Required

Table 2-1 Summary of Other Consents and Licences Likely to be Required

Consent/licence	Relevant body	Comments/agreements	Status/action
Electricity Generation Licence For the operation of the generating station	Office of Gas and Electricity Markets (Ofgem)	The Facility has a proposed net export of 80MW. There is a class exemption that applies to a generating station with a declared net capacity of less than 100 MWs.	The Applicant will apply to the Secretary of State for an exemption Order under s. 5 Electricity Act 1989 as a generating station with a capacity <100MW. If made, the exemption Order will exempt the Facility from the requirement for a generation licence under s. 6.
Connection Offer Agreement	Western Power Distribution (WPD)	Agreement reference 2445798	The description of the proposed Electrical Connection included in the Application has been prepared by Harlaxton Engineering Services Limited on behalf of AUBP. Harlaxton's design work completed to date, has been undertaken to inform the DCO application in accordance with the Connection Offer Agreement (ref: 2445798) between Harlaxton (on behalf of the AUBP) and WPD. Harlaxton will refine the design during the detailed design, development and implementation process. Harlaxton is a licenced Independent Connection Provider (ICP) and Utility Infrastructure Provider (UIP).
Environmental Permit under The Environmental Permitting (England and Wales) Regulations 2016 (as amended)	Environment Agency	Required for the operation of the Facility.	Engagement with the Environment Agency via pre-application meetings will be organised to confirm the scope of the Environmental Permits required for the construction and operation of the facilities - noting that separate facilities will likely require

Consent/licence	Relevant body	Comments/agreements	Status/action
			permitting (i.e. the EfW Facility and the Lightweight Aggregates Facility).
Building Regulations Approval - The Building Regulations 2010 (as amended)	Boston Borough Council	Required in respect of buildings and structures forming part of the Facility.	Buildings Regulations Approval would be sought prior to and during the construction phase.
Bespoke permit for discharge to surface water - The Environmental Permitting (England and Wales) Regulations 2016 (as amended)	Environment Agency	May be required for discharge of water during the construction phase.	If the consent is required, it is likely to be consolidated into the main operational environmental permit for the Facility and varied to accommodate discharges during operation.
Land Drainage Consent from the Internal Drainage Board (IDB) to discharge into their controlled network (IDB byelaws) Sections 23 and 66 of The Land Drainage Act 1991	Black Sluice Internal Drainage Board	The prior written consent of the Board is required for the introduction of any water into the District drainage system whether directly or indirectly.	Discussions have taken place with the IDB to confirm the required runoff rate. Application submission prior to start of construction.
Section 61 Consent Control of noise on construction sites	Boston Borough Council	Control of Pollution Act 1974.	Applications may be made, if required, by the contractor(s) a minimum of 28 days before construction commences.
Flood Risk Activity Permit (for structures in, under or over a main river / permanent culverts)	Environment Agency	Included as part of the draft DCO.	A Flood Risk Activity Permit may be required pursuant to the Environmental Permitting (England and Wales) Regulations 2016 and land drainage byelaws from the Environment Agency for working next to The Haven.

Consent/licence	Relevant body	Comments/agreements	Status/action
Trade effluent discharge consent	Anglian Water	Required for the discharge of effluent to the foul sewer.	Required for effluent discharge. Application will be made prior to operation.
Permit for Transport of Abnormal Loads -The Road Vehicles (Authorisation of Special Types) (General) Order 2003 or The Road Traffic Act 1988	VCA (the Executive Agency of the Department for Transport), Highways England and local highway authority	Details for the management of Abnormal Loads and Abnormal Indivisible Loads ('AILs') are secured within the 'Construction traffic management plan' requirement in Schedule 2 of the DCO.	A permit(s) would be sought once the number and type of Abnormal Loads and AILs has been confirmed.
Notification of Construction Works -The Construction (Design and Management) Regulations 2015	The Health and Safety Executive ('HSE').	HSE should be notified in writing prior to the start of construction.	Submitted prior to appointment of contractor by the Applicant. HSE will be notified prior to the commencement of the start of construction.
Hazardous Substances Consent - Sections 4 and 6 of The Planning (Hazardous Substances) Act 1990 & Schedule 1 of The Planning (Hazardous Substances) Regulations 2015	Boston Borough Council	Unlikely to be required due to the nature, amounts and concentrations of substances stored on site. A comparison of the proposed hazardous substances on Site with the regulatory thresholds will be made prior to construction.	Hazardous Substances Consent application to be prepared for submission to Boston Borough Council prior to operation if it is required.
Registration as a waste carrier, broker or dealer.	Environment Agency	Upper tier registration likely to be required.	Required during operation.