

Mr Max Wiltshire
The Planning Inspectorate
Room 3/19A
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: AN/2021/131768/01-L01

Your ref: EN010095

Registration ID no: 20028344

Date: 13 September 2021

Dear Sir

**Boston Alternative Energy Facility – Preliminary Meeting representations
Registration identification number 20028344**

I wish to register the Environment Agency's intention to attend the Preliminary Meetings for the Boston Alternative Energy Facility on 28th September 2021 and (if necessary) on 7th October 2021. I will attend together with our Solicitor, Miss Joanne Biott.

I also wish to register some comments and concerns on behalf of the Environment Agency in relation to Agenda Items 3 and 4, which can be repeated orally during the preliminary meeting if required.

Agenda Item 3 – Initial Assessment of Principal Issues

The Environment Agency considers the key issues identified are appropriate and will allow the majority of the issues and concerns raised in our relevant representation to be considered through the Examination.

However, we would ask that the water quality issues are addressed as part of Item 7 – Habitats, ecology and nature conservation – instead of as part of Item 13 – Flood Protection. We believe this is necessary as the water quality issues are more closely connected with the impacts on inter-tidal habitats and hydro-morphological coastal change than with flood risk issues.

We also request that odour is added as part of the heading for Item 10 – Noise, lighting, dust and vibration. The nature of the proposals mean that the impact and management of odour during the operation of the facility may be a significant issue for the inspector and Secretary of State to consider.

Agenda Item 4 – Draft Examination Timetable

We are concerned that some of the issues raised by the application are unlikely to be resolved during the proposed timetable. In particular we are concerned that we have yet to start formal pre-application discussions with the applicants regarding their Environment Permit for the operation of the site. This will be a site of High Public

Interest (HPI) and will require extensive external consultation and is likely to take up to 12 months to determine. Some of the principal issues identified for the NSIP application (including air quality, noise, lighting, dust, vibration and odour) are also issues which will need to be addressed in an Environmental Permit application. Until an application has been submitted and determined, the Environment Agency will not be able to confirm to the Planning Inspector and Secretary of State that the proposals will be acceptable and deliverable.

We are also concerned that formal proposals for the works proposed to the flood defences have not been submitted to us. To enable the Environment Agency to approve these works we will require either an Environmental Permit application and/or a bespoke legal agreement. Either route can take several months to resolve. We are concerned that the Environment Agency will not be able to confirm to the Planning Inspector and Secretary of State that the proposed works to the flood defences will be acceptable within the current timetable, as set out.

We therefore ask that consideration be given to deferring Deadline 1 and all following Deadlines for the Examination by six months to allow the Applicant's time to resolve these issues.

If you have any questions regarding these representations, please contact me on the number below.

Yours sincerely

Annette Hewitson
Principal Planning Adviser

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