



**Alternative Use Boston Projects  
Boston Alternative Energy Facility Order**

**Planning Inspectorate Reference: EN010095**

**Summary of Written Representations by  
the Environment Agency  
Unique Reference Number: 20028344**

**19 October 2021**

Submitted on behalf of the  
Environment Agency by:  
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## **Summary of Environment Agency Written Representations**

The following provides a summary of the main issues contained in the Environment Agency's Written Representations, which exceed 1500 words.

### **Flood Risk**

We are in discussions with the applicant to agree a form of wording for the protective provisions supported by a bespoke legal agreement to ensure that the proposed works will be carried out in a way that ensures an appropriate level of flood protection now and into the future. At this point in time we cannot give our consent under s150 Planning Act 2008 to disapplication of the flood risk permitting regime.

We also require further details for the Flood Risk Assessment to ensure the development is safe from flooding and will not increase flood risk to others.

We remain concerned at the impact of increased ship wash on erosion in the Witham Haven, and the possible impact this may have on habitats and the integrity of flood defences.

### **Compliance with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017**

We consider that the proposed removal of mudflat and saltmarsh habitats from the Witham Haven may cause a deterioration in its ecological quality, and may not be compliant with the regulations.

We also consider that further controls need to be put in place to ensure that unforeseen chemical contamination does not occur as a result of material in the Witham Haven being disturbed.

### **Environmental Permit**

At the current time the Environment Agency has not received an application for an Environmental Permit for the operation of the proposed facility. We are therefore unable to confirm whether or not we would grant a permit based on the development as proposed.