

REPORT

Boston Alternative Energy Facility

The Applicant's Comments on Boston Borough
Council's Local Impact Report

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1 Introduction

- 1.1.1 This document provides comments from Alternative Use Boston Projects Limited (the Applicant) on the Local Impact Report (LIR) submitted by Boston Borough Council to the Examination (REP1-047). The Applicant has provided a response to each of the relevant sections of the LIR in this document.
- 1.1.2 Where appropriate, the Applicant's comments on the LIR cross-refer to other documents which have already been submitted to the Examination. Further detail on each topic covered can be found in the documents submitted as part of the Development Consent Order (DCO) application and to the Examination, such as (but not limited to): the Statement of Common Ground (SoCG) with Boston Borough Council (document reference 8.7, REP1-040); the Applicant's comments on Boston Borough Council's Relevant Representation (document reference 9.2, REP1-035); associated Clarification Notes submitted at Deadline 1 or Deadline 2 of the Examination; and specific responses to Written Questions (document reference 9.24), which will be submitted at Deadline 2.

2 The Applicant's Comments

- 2.1.1 The Applicant's comments on the relevant text extracted from the LIR are presented within **Table 2-1** below.

Table 2-1 The Applicant's Comments on Boston Borough Council's Local Impact Report

LIR Para Reference	LIR Topic	Applicant's Comments
2. Description of the Area		
2.5	It is considered that the Application documents clearly and robustly set out the context for the site. They also clearly identify the scale of the proposals relative to the existing buildings nearby, including the smaller power station located beside the site, and on a wider basis St Botolph's church, which is a prominent local historical landmark.	This is noted.
3. Statutory Development Plan		
3.3	It is considered that the Environmental Statement, and other supporting documents submitted with the Development Consent Order clearly articulate the relevant planning policy context.	This is noted.
Assessment of Impacts and Adequacy of Response		
4. Introduction		
4.3	Summary of impacts (positive, neutral and negative).	The Applicant notes and welcomes Boston Borough Council's view on the positive impacts of the proposals. We also agree that the impact from traffic has been mitigated from that set out in the Preliminary Environmental Impact Report (PEIR) by the inclusion of a wharf at an early stage in the construction programme which, without this inclusion, would potentially result in adverse traffic impacts.

LIR Para Reference	LIR Topic	Applicant's Comments
		<p>Regarding the potentially negative impacts, the Environmental Statement (ES) assesses all the topics outlined by Boston Borough Council with the only residual significantly adverse impacts identified relating to:</p> <ul style="list-style-type: none"> • Visual effects at specific viewpoints during construction and operation (Chapter 9 Landscape and Visual Impact Assessment, document reference 6.2.9, APP-047); and • An effect during the operation of the Facility on fishermen due to an increase in the number of vessels using The Haven and the use of the turning circle (Chapter 18 Navigational Issues, document reference 6.2.18, APP-056).
5. The Principle of Development		
5.1	The SELLP Policy 7: Improving South East Lincolnshire's Employment Land Portfolio (See Appendix 1) supports proposals that assist in the delivery of economic prosperity. The Riverside Industrial Estate allocation supports use classes B1, B2 and B8.	The Applicant concurs with this statement. The Facility would be responsible for a significant economic investment in the area, creating in the region of 250 to 300 direct jobs and 293 to 351 indirect jobs in the wider catchment during construction, and 108 FTE jobs during operation (Chapter 20 Socio Economics, document reference 6.2.20, APP-058). As a project, its contribution towards local prosperity is unmatched across the Borough.
5.2	Part of the site is outside the employment allocation in an area allocated as countryside. Policy 7 under the 'Other Employment Sites' sub heading also provides criteria for assessing development that is outside the employment allocation.	This is noted.
5.3	The LCCM&WLP Site Allocations Policy SL3 (See Appendix 2) seeks to provide future requirements for new waste facilities in order to meet capacity gaps in accordance with Policy W1 of the Core Strategy (See Appendix 3) in a list of	The recently completed Lincolnshire Waste Needs Assessment (WNA) July 2021 has reassessed the waste management needs of the County and confirms no new facilities will be required for Local Authority Collected Waste / Commercial and Industrial Waste, which negates the need for a new facility to manage the County's waste. The WNA update has found that 'there appears to be sufficient existing consented waste management capacity

LIR Para Reference	LIR Topic	Applicant's Comments
	locations. One of these is the Riverside Industrial Estate referenced WA22-BO. The area the policy relates to is shown in Appendix 4 and includes all the BAEF site.	<p>to meet predicted waste management requirements for Lincolnshire through to 2045, with surpluses identified in built waste management capacity...’.</p> <p>Policy SL3 allocates sufficient sites and areas for waste management facilities to meet identified capacity gaps, in accordance with Policy W1 of the Core Strategy and Development Management Policies document. Those sites have been allocated on the basis that they are acceptable for waste management development and in the case of the Riverside Industrial Estate (WA22-BO) for Energy Recovery. The development of allocated site WA22-BO for the purposes of the Facility is not inconsistent, in terms of land use, nor would it displace waste management development provided for by policy W1. The proposal does not compromise policies W1 or SL3 in terms of need and location and therefore is not contrary to the plan when read as a whole.</p>
5.4	The reason for the difference between the allocated area for the Riverside Industrial Estate in the SELLP and the LCCM&WLP is because the allocated area in the previous Boston Borough Local Plan 1999 was reduced in the SELLP, owing to a lack of evidence of need. The LCCM&WLP matches the Boston Borough Local Plan 1999.	This is noted.
5.5	The seven criteria listed in Policy 7 of the SELLP under ‘Other Employment Sites’ could all be neutrally or negatively impacted by the proposal. Many correspond with the issues the Examining authority will balance when assessing the proposal. Therefore, in principle, the Council considers that the proposal could be compliant with Policy 7.	The DCO application provides assessment of various potential impacts. With respect to Policy 7 the Facility would not conflict with neighbouring land uses; it is located within an existing industrial estate setting with ease of access by sea and sustainable transport options, adjacent to an existing energy recovery facility, which in terms of design responds to the Principal Application Site and local context. Given the lack of significant adverse environmental impacts that would affect other employment sites e.g. from noise, traffic, air quality/odour etc. (as set out in the ES) the Facility would not result in significant adverse impact upon the viability of any other employment site.

LIR Para Reference	LIR Topic	Applicant's Comments
5.6	It is the Council's view that the proposal also broadly complies in principle with the LCCM&WLP Core Strategy.	
5.7	The Environmental Statement (ES) for the application contains chapters that address many of the issues raised by these seven criteria. Therefore, it contains adequate information for the Examination Authority to assess levels of compliance with the criteria and the weight to be applied to it and national policy. The Council does not therefore raise any concerns regarding the broad principle of the development.	This is noted.
6. Air Quality and Emissions		
6.1	The SELLP contains Policy 30: Pollution (See Appendix 5). It considers air quality as well as other issues.	Noted and agreed. Air quality, odour and dust emissions during the construction period will be managed, controlled and mitigated through measures laid out in the Outline Code of Construction Practice (OCoCP) (document reference 7.1, APP-120). These measures would be secured through the final CoCP (which will be based on the OCoCP) committed to in paragraph 10 of Schedule 2 of the draft DCO (document reference 2.1(1), REP1-002). These measures are also detailed in the Updated ES Chapter 14 Air Quality (document reference 6.2.14(1), REP1-006), paragraphs 14.8.1 to 14.8.8. Air quality and odour during the operational phase will be managed, controlled and mitigated by the range of techniques specified in the Updated ES Chapter 14 Air Quality (document reference 6.2.14(1) REP1-006). The Environmental Permit for the Facility will also impose stringent controls on emissions of air pollutants and odour.
6.2	Air quality is a potentially negative impact. There will be impact locally during construction, owing to dust from building operations, disturbance of soil and traffic.	
6.3	When the facility is operating air quality will be impacted by emissions from the chimneys and transport modes. This may be a local impact or more widely. Emissions from the chimney is a major concern for local people as indicated by the responses	

LIR Para Reference	LIR Topic	Applicant's Comments
	received to the proposal. It is noted that the submission includes an array of measures including mitigation, and reliance on other permitting regimes to address air quality.	
6.4	The ES contains Chapter 14 that discusses air quality. The summary table highlights dust, particulates, transport emissions and odour during construction and operation. It is acknowledged that various measures have been proposed to ensure that there is an acceptable level of impact, and those measures are still being refined through discussions including provisions through Requirements of the DCO and potentially through S106. It is anticipated that an agreed position may be reached and this will be articulated through the SOCG.	
7. Biodiversity and Geological Conservation		
7.1	The SELLP contains Policy 28: The Natural Environment (See Appendix 6). This includes internationally and nationally designated sites such as the Wash that has SPA, SAC, Ramsar and SSSI designations. The Havenside Country Park on the eastern side of the Haven is a locally designated site, being a Local Wildlife Site and a Local Nature Reserve. The policy also seeks to address gaps in the	<p>ES Chapter 12 Terrestrial Ecology (document reference 6.2.12, APP-050) and Chapter 17 Marine and Coastal Ecology (document reference 6.2.17, APP-055) both identify statutory and non-statutory sites designated for their conservation and ecology value relevant to the Facility, including: The Wash Special Protection Area (SPA); The Wash and North Norfolk Coast Special Area of Conservation (SAC); The Wash Site of Special Scientific Interest (SSSI); and Havenside Local Nature Reserve (LNR).</p> <p>The Outline Landscape and Ecology Mitigation Strategy (OLEMS) (document reference 7.4, APP-123) sets out the proposed strategy to enhance the biodiversity value of the Application Site. As stated in paragraph 1.2.2 of this document, this is a 'live document'</p>

LIR Para Reference	LIR Topic	Applicant's Comments
	ecological network and this relates to how the site is designed and developed and thereby what contribution it can make to this issue.	and will be updated post-submission. The Applicant is currently liaising with Boston Borough Council on the potential for offsite Biodiversity Net Gain, details of such will be confirmed in a subsequent version of the OLEMS to be submitted to the Examination. The final LEMS is secured in Schedule 2 (Part 1, 5(2)) of the draft DCO (document reference 2.1(1), REP1-002).
7.2	Biodiversity is a potentially negative impact. The local impact will be from site clearance of any vegetation on the site to allow the construction of the facility that removes habitat for resident species. Wider impacts are likely to be from noise, light and construction emissions of dust and any disturbance to the river processes that may impact the wash. It is, however, noted that a variety of mitigation measures have been proposed.	ES Chapter 12 Terrestrial Ecology (document reference 6.2.12, APP-050) and Chapter 17 Marine and Coastal Ecology (document reference 6.2.17, APP-055) both provide assessment on ecology and as noted by Boston Borough Council a range of mitigation measures are proposed in relation to habitats, bats, reptiles, birds, marine mammals and fish. No residual significant adverse effects are predicted following the incorporation of mitigation.
7.3	The ES contains Chapter 17 on Marine and Coastal Ecology and an HRA in appendix 17.1. Chapter 12 considers Terrestrial Ecology and refers to Havenside LNR and various fauna during construction and operation. The Council acknowledges that the Environment Agency and Natural England are the expert bodies for this issue and the adequacy of the evidence.	This is noted. The Applicant continues to discuss biodiversity matters with the Environment Agency and Natural England.

8. Dust, odour, artificial light, smoke, steam and insect infestation

LIR Para Reference	LIR Topic	Applicant's Comments
8.1	The SELLP contains Policy 30: Pollution (See Appendix 5). It considers air quality, including fumes and odour plus light levels as well as other issues.	Air quality, odour and dust emissions during the construction period will be managed, controlled and mitigated through measures laid out in the OCoCP (document reference 7.1, APP-120). These measures would be secured through the final CoCP (which will be based on the OCoCP) committed to in paragraph 10 of Schedule 2 of the draft DCO (document reference 2.1(1), REP1-002).
8.2	Many of these issues relate to air quality and are a potentially negative impact. There will be local impact during construction, owing to dust from building operations, disturbance of soil and traffic.	
8.3	When the facility is operating air quality will be impacted by emissions from the site such as dust, odour from broken bales and thereby insects. Lighting is also a potential impact on local residents to the east of the River Haven and users of the river but they are to be controlled with timers and motion sensors to limit visual impact overnight.	<p>The assessment of air quality (including dust and odour) is provided in ES Chapter 14 (document reference 6.2.14, APP-052). A range of mitigation is provided to reduce potential adverse effects to acceptable levels and no residual significant adverse effects are identified.</p> <p>Lighting will be controlled as set out in the Outline Lighting Strategy (document reference 7.5, APP-124), with lighting also controlled to minimise night time light spill. Effects of lighting are set out in ES Chapter 9 Landscape and Visual impact Assessment (document reference 6.2.9, APP-047) and no significant residual adverse effects are forecast following the incorporation of mitigation.</p>
8.4	The ES contains Chapter 14 that discusses air quality. The summary table highlights dust, particulates, transport emissions and odour during construction and operation. Chapter 12 considers Terrestrial Ecology and refers to lighting in relation to bats. Lighting is also considered in Chapter 18 Navigational Issues and Chapter 9	This is noted and agreed. Air quality, odour and dust emissions during the construction period will be managed, controlled and mitigated through measures laid out in the OCoCP (document reference 7.1, APP-120). These measures would be secured through the final CoCP (which will be based on the OCoCP) committed to in paragraph 10 of Schedule 2 of the draft DCO (document reference 2.1(1), REP1-002). Air quality and odour during the operational phase will be managed, controlled and mitigated by the range of techniques specified in the ES Chapter 14 Air Quality (document reference 6.2.14(1), REP1-006). The Environmental Permit for the Facility will also impose stringent controls on emissions of air

LIR Para Reference	LIR Topic	Applicant's Comments
	Landscape and Visual Impact. The Council considers that many of these effects will be mitigated through various embedded mitigation measures as proposed by the documents supporting the DCO. In addition, there are opportunities for any residual effects to be further mitigated through provisions contained with the S106 that is presently under discussion.	pollutants and odour. In relation to steam, an assessment of the impact of visible plumes from the Facility stacks has been incorporated into the updated Chapter 14 Air Quality (document reference 6.2.14(1), REP1-006).
9. Flood Risk		
9.1	The SELLP contains Policy 4: Approach to Flood Risk (See Appendix 7). Essential infrastructure is referred to in paragraph 2. The issue is also featured in policies 2: Development Management (See Appendix 8), 3: Design of New Development (See Appendix 9), 28: Natural Environment (See Appendix 6), 30: Pollution (See Appendix 5) and 31: Climate Change and Renewable and Low Carbon Energy (See Appendix 10).	This Planning Statement for the Facility (document reference 5.2, APP-031) sets out a summary of the relevant policy relating to flood risk in paragraphs 7.153 to 7.165. The key policies relating to flood risk are identified in Table 6.5 including SELLP strategic priority 2, 8 and policy 4.
9.2 and 9.3	The Borough is at risk of tidal flooding and the site is located against the tidal section of the River Witham, known as the Haven at this point. Therefore, the flood risk issue is twofold: from the river onto the site and how activities on the site affect existing	This is noted and agreed. A Flood Risk Assessment (FRA) has been provided in Appendix 13.2 of ES Chapter 13 Surface Water, Flood Risk and Drainage (document reference 6.4.13, APP-106). The FRA considers all sources of flooding to and from the site, including the protection provided during a tidal event to the site and the wider area by the flood defences along The Haven.

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	<p>drainage. It therefore, has a potentially negative impact.</p> <p>Flood risk is considered in the ES in Chapter 13 in relation to increased sediment and surface water run off for the construction and operation phases. The need for the project is found in Chapter 2 and this may clarify the 'essential' infrastructure criterion in the local plan policy and the NPG in paragraph: 066 Reference ID: 7-066-20140306.</p> <p>Furthermore a flood risk assessment is at Appendix 13.2. The Council acknowledges that the Environment Agency are the expert body for this issue and the adequacy of the evidence.</p>	<p>Measures to prevent impacts on waters resulting from changes to surface runoff and the supply of sediment and contaminants are set out in ES Chapter 13 Surface Water, Flood Risk and Drainage (document reference 6.2.13, APP-051), the OCoCP (document reference 7.1, APP-120) and the Outline Surface Water Drainage Strategy (document reference 9.4, REP1-017).</p> <p>These assessments conclude that the Facility would not result in an increase in flood risk both on and off the site, taking into account the mitigation measures set out in the FRA, ES and OCoCP.</p> <p>The Applicant is engaged in ongoing dialogue with the Environment Agency with regards to flood risk matters.</p>
10. Historic Environment		
10.1	The SELLP contains Policy 29: The Historic Environment (See Appendix 11).	The Applicant recognises the importance of the setting of St Botolph's and the impact on the setting of this receptor is set out in Sections 8.8 and 8.9 of ES Chapter 8 Cultural Heritage (document reference 6.2.8, APP-046). A full list of the key cultural heritage assets assessed is provided in paragraphs 8.6.3 to 8.6.16.
10.2	There are many types of historic environment that will be impacted in some way by the proposal. The most dominant of these is the St Botolph's church tower where views of it may be impacted by shared views of the chimneys. This was raised by a Councillor in obtaining their agreement to this document. It is also in	Construction impacts are included within the assessments and no residual significant adverse effects on any cultural heritage features has been identified during either construction or operational phases of the Facility.

LIR Para Reference	LIR Topic	Applicant's Comments
	proximity with other cultural assets, such as Wyberton Conservation Area, Wyberts Castle Scheduled monument and St Leodegar's church in Wyberton. In addition, there are likely to be archaeological impacts as a result of the location of the site and the construction impacts.	
10.3	ES Chapter 8 considers cultural heritage. The summary table lists the dozen designations, the types of impact and the types of mitigation. In addition, archaeology is also dealt with. The Council considers that many of these effects will be mitigated through various embedded mitigation measures as proposed by the documents supporting the DCO. In addition, there are opportunities for any residual effects to be further mitigated through provisions contained with the S106, which is presently under discussion.	<p>Noted and agreed.</p> <p>The mitigation strategy for archaeology and cultural heritage is set out in the Outline Written Scheme of Investigation (OWSI) (document reference 7.3(1) REP1-012) which was updated to capture the outcomes of ongoing consultation with cultural heritage stakeholders. This was submitted to the Examination at Deadline 1.</p>
11. Landscape and Visual		
11.1	The SELLP does not have a single policy that considers this issue. However, Policy 2: Development Management (See Appendix 8), Policy 3: Design of New Development (See Appendix 9) and Policy 31: Climate Change and Renewable and Low Carbon Energy (See Appendix 10) do	This is noted.

LIR Para Reference	LIR Topic	Applicant's Comments
	refer to elements of a proposal that impact landscape and visual impacts. E.g. size, scale, layout, density, orientation, design, improving the character and quality of an area, protecting or incorporating existing built assets and green infrastructure.	
11.2	The site is within an industrial site that contains some relatively large buildings. The existing Boston Biomass UK No 3 Ltd facility is quite large in comparison to the existing buildings but small in comparison to the BAEF. The proposal is large and tall, especially the chimneys. Although the existing structures provide some screening and context to its scale the BAEF will be dominant from some viewpoints and therefore has a potentially negative impact on the landscape. It is considered that there will be significant impacts on views from the riverbanks, including Havenside Country Park.	<p>The Applicant notes that the Facility includes several large-scale industrial buildings, structures, stacks and the wharf. The Facility would be seen in context of other industrial infrastructure (notably Boston Biomass No 3) with six tall electricity pylons in close proximity and tall cranes visible on the skyline at the Port of Boston.</p> <p>ES Chapter 9 Landscape and Visual Impact Assessment (document reference 6.2.9, APP-047) sets out the assessment on landscape at year 1 and 15 of operations. Given the existing industrial nature of the Principal Application Site and surrounding area the Facility will not cause significant effects to landscape character. Minor adverse impacts are predicted on landscape.</p> <p>The ES does note that effects to views are predicted to be the worst during the construction stage with views from footpaths along the eastern bank of The Haven being most affected with close range, open views to construction. Visual effects during operation will be slightly less adverse, although close range views of the Facility from The Haven corridor to the east will remain moderate adverse.</p>
11.3	Chapter 9 of the ES considers Landscape and Visual Impact. It includes character areas from the Borough Council's Landscape Character Assessment and various viewpoints. The impact is considered for year 1 and year 15 of the proposal. The Council considers that many	<p>This is noted and agreed.</p> <p>Consultation has recently (September 2021) been undertaken with Boston Borough Council, Lincolnshire County Council and Natural England to discuss the proposed DCO application works to stop up certain footpaths and the enhancement of the resultant footpath diversion (as shown on the Access and Rights of Way Plan (document reference 4.5, APP-015).</p>

LIR Para Reference	LIR Topic	Applicant's Comments
	of these effects will be mitigated through various embedded mitigation measures as proposed by the documents supporting the DCO. In addition, there are opportunities for any residual effects to be further mitigated through provisions contained with the S106 that is presently under discussion.	The Applicant is in the process of preparing a Public Rights of Way (PRoW) Design Guide which will be submitted to the Examination at Deadline 3. Proposed measures will complement existing landscape and ecological mitigation identified in the ES and OLEMS (document reference 7.4, APP-123) but will also introduce wider, additional benefits for recreational opportunity and the interpretation and understanding of the historic importance of the area.
12. Noise and Vibration		
12.1	The SELLP contains Policy 30: Pollution (See Appendix 5). It considered noise including vibration as well as other issues.	This is noted.
12.2	Noise is raised as an issue in four of the responses and as a form of impact on human health has a potentially negative impact. It was also raised by a Councillor in obtaining their agreement to this document.	<p>The impacts from noise are set out in ES Chapter 10 Noise and Vibration (document reference 6.2.10, APP-048) and noise is specifically discussed in relation to human health in ES Chapter 22 (Health) (document reference 6.2.22, APP-060). The construction activity with the greatest potential to generate noise is the piling operations and an updated piling noise assessment (based on the updated construction programme) is provided as REP1-029 by The Applicant. No significant adverse effects are predicted once mitigation is incorporated into the construction and operation of the Facility in relation to noise or human health.</p> <p>The OCoCP (document reference 7.1, APP-120) includes (in Section 8) a commitment to develop a Construction Noise and Vibration Monitoring and Management Plan (NVMMP). Part 1 Requirement 10 of the draft Development Consent Order (REP1-003) sets out the need for a final CoCP and the need to include the NVMMP.</p>
12.3	Chapter 10 of the ES considers noise and vibration during construction and operation	This is noted.

LIR Para Reference	LIR Topic	Applicant's Comments
	on residential property. The Council considers that many of these effects will be mitigated through various embedded mitigation measures as proposed by the documents supporting the DCO. In addition, there are opportunities for any residual effects to be further mitigated through provisions contained with the S106, that is presently under discussion.	
13. Socio Economic Policies		
13.1	The SELLP does not have a single policy that considers this issue. However, Policies 7: Improving South East Lincolnshire's Employment Land Portfolio (See Appendix 1), 9: Promoting a Stronger Visitor Economy (See Appendix 12) and 31: Climate Change and Renewable and Low Carbon Energy (See Appendix 10) do relate to this issue in parts.	This is noted.
13.2	The proposal will provide employment during construction and apprenticeships are being offered in the S106. This supports the job creation aim of Policy 7 and as a result is a potentially positive impact. In addition Policy 31 supports renewable energy development. It is also hoped the development will improve power	<p>The Applicant notes and welcomes the comments on employment and the positive impact this will have as well as the support for renewable energy development. See also the response to 5.1 (above).</p> <p>The Applicant recognises the importance of the public footpath running through the Principal Application Site along the Roman Bank, especially in the light of permanent stopping up of other footpaths. A PRow design guide will be submitted to the Examination along with further details of stopping up of the footpaths where this is</p>

LIR Para Reference	LIR Topic	Applicant's Comments
	<p>capacity in the locality. However, the justification to Policy 9 indicates tourism is an important feature of the local economy and so the impact on the public footpath is an important issue that requires resolving as that is a potentially negative impact.</p>	<p>required at Deadline 3. The Applicant is liaising with Boston Borough Council, Lincolnshire County Council (as the Highways Authority responsible for PRoWs) and Natural England on this matter.</p>
13.3	<p>The ES contains Chapter 20 Socio Economics and concludes the impact is mostly negligible although some are beneficial. It does consider the footpath when concluding the impact on tourism is negligible. However, the County Council and ourselves have concerns on the suitability of the alternative footpath.</p>	<p>Comments regarding the overall conclusions of Chapter 20 of the ES (document reference 6.2.20, APP-058) are noted and agreed.</p>
13.4	<p>There is significant potential for positive effects both in terms of direct and indirect employment during construction and operation; in particular the commitment to education/skills/apprenticeships is welcomed. In addition, there is potential for positive economic impacts both directly and indirectly both during construction and operation because of the level of investment required to deliver and operate the facility. There will be wider net effects for example because of supply chains, need for hotel accommodation, and the</p>	<p>The Applicant has continued to liaise with Boston Borough Council (and others) in relation to the adequacy of the PRoW that will be used as the permanent diversion for those to be stopped up. As set out in the response to 11.3 (above) additional documentation to set out the outline works required to the footpath is supplied to the Examination at Deadline 3 and the Applicant continues to discuss this workstream through as part of the discussions regarding a section 106 agreement.</p>

LIR Para Reference	LIR Topic	Applicant's Comments
	<p>level of spend associated with the size of the workforce required throughout construction. The Council welcomes these effects and measures to be included within the DCO and S106 to secure these benefits and ensure that the positive impacts are received locally.</p>	
13.5	<p>The Council also supports the desire to ensure that the facility is future proofed, so that bi-products such as CO2 can be captured in significant quantities that can in turn support our existing food sectors, which are significant local employers. This approach should be expanded to look at battery-storage and the opportunities to support other inter-linked opportunities, businesses and supply chains that could co-locate in proximity to the development.</p>	
13.6	<p>The Council considers that on the whole the socio-economic impacts are likely to be positive, particularly when supported by the various embedded mitigation measures as proposed by the documents supporting the DCO. In addition, potential provisions within the S106 (currently under discussion) will provide further opportunities to deliver socio-economic benefits, which would assist in balancing out any residual negative impacts.</p>	

LIR Para Reference	LIR Topic	Applicant's Comments
14. Traffic and Transport		
14.1	The SELLP Policies 2: Development Management (See Appendix 8) and 33: Delivering a More Sustainable Transport Network (See Appendix 13) consider traffic and highway, including footpaths, issues.	This is noted.
14.2	The change from earlier versions of the scheme to bring construction materials to the site by boat, once part of the wharf is constructed, reduces the construction impact on the local highway network and as a consequence the impact is potentially neutral. The wharf requires the closure of a footpath. It is proposed to use another existing footpath to provide the lost route beside the river and our concerns about this are referred to above. It is also the Council's aim for this development to encourage better public transport and road links to the industrial estate.	<p>The Applicant notes and agrees that there will be a reduction in impacts on the highway in comparison with those set out in the Preliminary Environmental Impact Report (PEIR) due to provision of the wharf at an early stage in construction.</p> <p>Commentary on the local PRoW network are provided in rows 13.2 to 13.6 of this table (above).</p> <p>As set out in the draft Statement of Common Ground with Boston Borough Council (REP1-040) the Applicant does not consider that it would be proportionate for it to fund a bus service and operators may be unwilling to divert buses on to a private road network.</p>
14.3	Chapter 19 of the ES considers this issue, including the impact on, and closure of, a footpath. The replacement route is along a footpath that is much narrower and more enclosed than the one that runs along the riverbank. More detail is required to provide a suitable alternative route that will also benefit Socio Economic issues above.	The route for the permanent diversion has been discussed with officers from Boston Borough Council and the use of BOST/14/9 and BOST/14/11 has been confirmed in such discussions. The Applicant recognises the need to improve these footpaths to make them more attractive and usable and a PRoW design guide will be submitted to the Examination along with further details of stopping up of the footpaths where this is required at Deadline 3.

LIR Para Reference	LIR Topic	Applicant's Comments
14.4	<p>The Council is currently in dialogue regarding the scheme to provide an alternative PROW route and appropriate mitigation. Subject to a mutually agreeable solution being reached, the Council considers that there is no reason appropriate mitigation cannot be secured. In addition, there are opportunities for any residual effects to be further mitigated through provisions contained with the S106 that is presently under discussion.</p>	<p>The document contains commitments to a series of enhancement measures that will provide an attractive, safe and accessible path corridor.</p>
15. Waste Management		
15.1	<p>The SELLP has a very minor role in this issue. This issue primarily rests with the County Council.</p>	<p>This is noted.</p>
15.2	<p>The ES suggests Policy 3: Design of New Development (See Appendix 9) contains some useful principles. However, it is the role of the LCCM&WLP and the County Council are better positioned to commentate on the suitability of the ES in this regard. Generally, as a method of processing waste it is considered the proposal has a potentially positive impact, especially if transporting waste to North Hykeham Energy from Waste plant can be avoided. The Council also recognises the role that this facility will play in dealing with</p>	<p>This is noted. The need for the Facility in a national context is set out in the Applicant's comments on Boston Borough Council's Relevant Representation, in Row 2, Table 1-18, document reference 9.2, REP1-035.</p> <p>See also the response to 5.3 (above).</p>

LIR Para Reference	LIR Topic	Applicant's Comments
	a national need, and thus, logically, its role should not be confined or constrained by the LCCM&WLP in isolation.	
15.3	Chapter 23 of the ES considers this issue.	
16. Water Quality and Resources		
16.1	The SELLP Policy 30: Pollution (See Appendix 5) considers water quality. It is cross-referenced in the justification for Policy 2: Development Management (See Appendix 8).	This is noted.
16.2 and 16.3	<p>The local plan policy relates to surface and ground water. Poor surface water quality will impact terrestrial biodiversity as well as impact the saline water quality in the river and the Wash and as such has a potentially negative impact.</p> <p>Chapters 11, 12, 13, 15, 16, 17 of the ES consider this issue. The major focus of the assessment is on the marine environment but on shore, surface water is referred to in chapter 13.</p>	<p>Noted and agreed.</p> <p>ES Chapter 13 Surface Water, Flood Risk and Drainage (document reference 6.2.13, APP-051) considers the potential for impacts on surface waters and groundwater resulting from the Proposed Development and provides details of the measures required to prevent significant adverse impacts.</p> <p>Further details of these measures are provided in the OCoCP (document reference 7.1, APP-120) and the Outline Surface Water Drainage Strategy (document reference 9.4, REP1-017).</p> <p>The assessments conclude that, following application of these mitigation measures, the Facility would not result in adverse impacts on water quality within the surface drainage network, the tidal River Witham, or underlying groundwater.</p>
17 Summary		

LIR Para Reference	LIR Topic	Applicant's Comments
17.1	<p>Boston Borough Council is broadly supportive of the proposals for a variety of reasons including but not limited to:</p> <ul style="list-style-type: none"> • The proposed use would lead to employment within an area allocated for Employment development in the Local Plan. • The proposal would bring significant investment, and create opportunities for improvement in economic conditions, skills, employment and create a lasting legacy for the town. • The proposals would see waste products converted to energy, meeting local targets and supporting the national requirement for waste disposal and renewables. Other bi-products would also be captured or reused for other purposes. • The use of the River during construction and operation would prevent issues relating to highway use and in-direct impacts such as air quality. 	<p>This is welcomed and acknowledged. The Applicant also welcomes the useful and progressive discussions had with Boston Borough Council through the development of the proposals for the Facility and in relation to the Section 106 agreement.</p> <p>See the response to 5.1 (above) in relation to employment.</p>
17.2	<p>Boston Borough Council agrees with the Inspector that there are an array of issues that require further analysis, however, in</p>	<p>The Applicant notes Boston Borough Council's response and agrees that the mitigation set out in the ES along with the provision of a number of outline documents submitted to the Examination (with final versions secured through various requirements in the</p>

LIR Para Reference	LIR Topic	Applicant's Comments
	<p>overall terms, the Council considers that these issues and the resultant impacts can be appropriately dealt with or mitigated through the various documents submitted in conjunction with the Development Consent Order.</p>	<p>Development Consent Order) appropriately minimise and manage residual effects of the Proposed Development.</p>
17.3	<p>Boston Borough Council considers, that subject to the requirements (conditions) in the draft Development Consent Order, and subject to the conclusion of a S106 to the Councils satisfaction, it is considered that in isolation, or taken cumulatively, the local impacts of this development would be acceptable, and that broadly the scheme would accord with local and national policies.</p>	<p>The Applicant continues to liaise with Boston Borough Council in a positive manner in relation to the Section 106 agreement and we note and welcome Boston Borough Council's views on the Proposed Development's compliance with national and local policy.</p>