

REPORT

Boston Alternative Energy Facility

Without Prejudice Habitats Regulations Assessment
Derogation Case: Imperative Reasons of Overriding
Public Interest (IROPI) Case

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Table of Contents

1	Introduction	1
1.1	Purpose and Scope	1
1.2	The Proposed Development	1
1.3	Structure of Report	3
2	Relevant guidance	4
2.2	Approach to IROPI	5
3	Need for Electricity	7
3.1	National Policy Statements for Energy	7
4	Urgent need for waste management	10
4.1	Introduction	10
4.2	Need to reduce quantity of waste sent to landfills	10
4.3	Need to reduce exports of Refuse Derived Fuel	11
4.4	Need for processing of residues	13
5	Need for lower carbon transportation	14
6	Need for developing in a location which aligns with local planning policy	16
7	Socio-economic need	17
8	Conclusion	18
9	References	20

Table of Tables

Table 4-1	Combustible Waste Inputs to Landfill in the UK	11
Table 4-2	Annual RDF and SRF Exports from England	11

Table of Figures

Figure 1	Monthly Exports of RDF & SRF from England (2018-2020)	12
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1 Introduction

1.1 Purpose and Scope

1.1.1 This report sets out the ‘Imperative Reasons of Overriding Public Interest’ (IROPI) case for the Boston Alternative Energy Facility (herein ‘the Facility’), on behalf of Alternative Use Boston Projects Limited (‘the Applicant’). This IROPI case represents Stage 4 of the Facility’s without prejudice Shadow Habitat Regulations Assessment (HRA) process. Stage 3 Shadow HRA Assessment of Alternative Solutions identified no ‘alternative solutions’ to the Facility’s proposals which would meet the Facility’s need and objectives and have a lesser effect on The Wash Special Protection Area (SPA) and Ramsar site and The Wash and North Norfolk Coast Special Area of Conservation (SAC). This assessment is in the context of The Conservation of Habitats and Species Regulations 2017 (as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) (the Habitat Regulations) (HM Government, 2019).

1.1.1 The stages of the HRA process are detailed in section A17.2 of Appendix 17.1 Habitats Regulations Assessment (document reference 6.4.18, APP-111) and are summarised in Section 2 of the Assessment of Alternatives (document reference 9.28). The documents which comprise the Applicant’s Shadow HRA process are as follows:

- Stage 1: Screening/Likely Significant Effect (LSE) assessment is provided within Appendix 17.1 Habitats Regulations Assessment (document reference 6.4.18, APP-111);
- Stage 2: Appropriate Assessment is provided in Appendix 17.1 Habitats Regulations Assessment (document reference 6.4.18, APP-111);
- Stage 3: Without Prejudice Habitats Regulations Assessment Derogation Case: Assessment of Alternative Solutions (document reference 9.28);
- Stage 4: Without Prejudice Habitats Regulations Assessment Derogation Case: Imperative Reasons of Overriding Public Interest (IROPI) Case (this document)
- Stage 5: Without Prejudice Habitats Regulations Assessment Derogation Case: Compensation Measures (document reference 9.30).

1.2 The Proposed Development

1.2.1 The proposed Facility would deliver approximately 80 megawatts electric (MWe) of renewable energy to the National Grid using Refuse Derived Fuel (RDF) as a feedstock into a thermal treatment facility generating power via steam turbine generators. This technology provides significant environmental benefits

compared to landfilling residual waste and contributes to Government sustainable energy targets to achieve a net zero reduction in carbon emissions by 2050. A detailed description of the Facility is provided within **Chapter 5 Project Description** of the Environment Statement (document reference 6.2.5, APP-043). The layout of the proposed Facility is presented in Figure 5.1 (document reference 6.3.2, APP-068).

1.2.2 The Facility would comprise the following main elements:

- a wharf and associated infrastructure (including re-baling facility, workshop, transformer pen and welfare facilities);
- a RDF bale contingency storage area, including sealed drainage, with automated crane system for transferring bales;
- conveyor system running in parallel to the wharf between the RDF storage area and the RDF bale shredding plant. Part of the conveyor system is open and part of which is under cover (including thermal cameras);
- bale shredding plant;
- RDF bunker building;
- thermal treatment plant comprising three nominal 34 MWe combustion lines (circa 120 megawatts thermal (MWth)) and associated ductwork and piping, transformer pens, diesel generators, three stacks, ash silos and ash transfer network; and air pollution control residues (APCr) silo and transfer network;
- turbine plant comprising three steam turbine generators, make-up water facility and associated piping and ductwork;
- air-cooled condenser structure, transformer pen and associated piping and ductwork;
- Lightweight Aggregate (LWA) manufacturing plant comprising four kiln lines, two filter banks with stacks, storage silos for incoming ash, APCr, and binder material (clay and silt), a dedicated berthing point at the wharf, silt storage and drainage facility, clay storage and drainage facility, LWA workshop, interceptor tank, LWA control room, aggregate storage facility and plant for loading aggregate / offloading clay or silt;
- electrical export infrastructure;
- two carbon dioxide (CO₂) recovery plants and associated infrastructure, including chiller units;
- associated site infrastructure, including site roads, pedestrian routes, car parking, site workshop and storage, security gate, control room with visitor centre and site weighbridge; and
- habitat mitigation works for Redshank and other bird species comprising of improvements to the existing habitat through the creation of small features such as pools/scrapes and introduction of small boulders (Habitat Mitigation Works) within the Habitat Mitigation Area.

1.3 Structure of Report

1.3.1 This report is structured as follows:

- Section 1 introduces the purpose and scope of this report and provides a summary of the proposed Facility;
- Section 2 establishes the guidance relevant to the Facility's IROPI case;
- Section 3 details the UK need for electricity;
- Section 4 sets out the UK need for waste management;
- Section 5 discusses the need for lower carbon transportation in developments;
- Section 6 discusses the need for developing in a location which aligns with local planning policy;
- Section 7 sets out the local socio-economic need for economic growth and jobs; and
- Section 8 provides a conclusion regarding the extent to which the Facility meets the IROPI test.

2 Relevant guidance

2.1.1 This assessment of IROPI has been undertaken in accordance with the following:

- the European Commission's (EC) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive (EC, 2018);
- the EC's Guidance document on Article 6(4) of the Habitats Directive 92/43/EEC (EC, 2012);
- Department for Environment, Food and Rural Affairs (Defra) Guidance, Habitats regulations assessments: protecting a European site (Defra, 2021); and
- The Planning Inspectorate (PINS) Advice Note 10: Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects (PINS, 2017).

2.1.2 PINS Advice Note 10 notes *"Where it can be demonstrated that there are no alternative solutions to the project that would have a lesser effect or avoid an adverse effect on the integrity of the European site(s), the project may still be carried out if the competent authority is satisfied that the scheme must be carried out for IROPI."*

2.1.3 The Defra Guidance (2021) notes: *"If your appropriate assessment has shown that the proposal has failed the integrity test on a SAC and a priority habitat or species¹ would be affected, you can only normally consider the following reasons of public interest:*

- *human health*
- *public safety*
- *important environmental benefits*

However, If you're considering other reasons of overriding public interest, such as social or economic benefits, you must get the opinion of the relevant national government in England or Wales."

2.1.4 As the Facility is not predicted to have an adverse effect on a priority species or habitat of the Habitats Directive, the above provisions do not apply. This means that (as stated in Article 6(4) of the Habitats Directive), the competent authority

¹ Some Annex I habitats and Annex II species are defined as being of 'priority' because they are considered to be particularly vulnerable and are mainly, or exclusively, found within the European Union. The importance of these priority habitat types is emphasised at several places in the Directive (Articles 4 and 5 and Annex III), not only in terms of the selection of sites, but also in the measures required for site protection (Article 6) and surveillance (Article 11). However, for the Facility, NE have concerns over an adverse effect the harbour seal population of The Wash and North Norfolk Coast SAC (as detailed in the Assessment of Alternative Solutions (document reference 9.28)) which is not classed as a priority species.

can consider IROPI that include those relating to social or economic benefit, in addition to those matters set out above.

2.1.5 The Defra guidance (2021) states that there must be IROPI why the proposal must go ahead. Therefore, it must be decided if the proposal is:

- **imperative** - it's essential that it proceeds for public interest reasons
- in the **public interest** - it has benefits for the public, not just benefits for private interests
- **overriding** - the public interest outweighs the harm, or risk of harm, to the integrity of the European site that's predicted by the appropriate assessment.

2.1.6 National strategic plans, policy statements and major projects are more likely to have a high level of public interest and be able to show they are imperative and overriding. Plans or projects that only provide short-term or very localised benefits are less likely to be able to show imperative reasons of overriding public interest.

2.2 Approach to IROPI

2.2.1 This assessment has assessed IROPI in the context of:

- social or economic benefit; and/or
- human health and public safety; and/or
- overriding beneficial consequences of primary importance for the environment.

2.2.2 The IROPI argument in respect of the proposed development is premised on:

- An urgent need for electrical energy;
- An urgent need for waste management;
- The need for lower carbon transportation which is key for maintaining public safety and human health;
- The need for developing in a location which aligns with local planning policy which has socio-economic benefits; and
- Socio-economic benefits related to job creation during construction and operation of the Facility.

- 2.2.3 The above matters establish that the proposed development has long term benefits which are imperative and overriding, and that there is a public interest in it proceeding despite the effects alleged by Natural England (NE) (and other Interested Parties) on the conservation objectives of The Wash SPA and Ramsar and The Wash and North Norfolk Coast SAC (notwithstanding the Applicant's Stage 2 no Adverse Effect on Integrity (AEOI) conclusion).
- 2.2.4 These matters are considered in detail in sections 3 to 8 below.

3 Need for Electricity

3.1 National Policy Statements for Energy

EN-1 Part 2 Government Policy

- 3.1.1 EN-1 sets out the 'need' that exists for new energy infrastructure and this is clearly confirmed by Parts 2 and 3 of EN-1 (DECC, 2011a).
- 3.1.2 Part 2 of EN-1 provides the policy context for the development of nationally significant energy infrastructure. EN-1 states (Paragraph 2.1.2) that *“energy is vital to economic prosperity and social well-being. Therefore, it is important to ensure that the UK has secure and affordable energy. Producing the energy that the UK requires necessitates a significant amount of infrastructure, both large and small scale”*.
- 3.1.3 With respect to security of energy supplies, EN-1 states *“It is critical that the UK continues to have secure and reliable supplies of electricity as we make the transition to a low carbon economy. To manage the risks to achieving security of supply we need: sufficient electricity capacity (including a greater proportion of low carbon generation) to meet demand at all times.”*

EN-1 Part 3 Need

- 3.1.4 Part 3 of EN-1 addresses the need for new nationally significant energy infrastructure. It explains the 'need' that exists for nationally significant energy infrastructure, stating (Paragraph 3.1.1) the UK needs all the types of energy infrastructure covered by EN-1 (this covers a range of electricity generating capacity, including renewable energy) to achieve energy security. It further states (Paragraph 3.1.2) that *“it is for industry to propose new energy infrastructure and that the Government does not consider it appropriate for planning policy to set targets for, or limits on, different technologies.”*
- 3.1.5 Part 3 of EN-1 identifies that the Secretary of State should assess applications for development consent for the types of infrastructure covered by the energy NPSs *“...on the basis that the Government has demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need...”* is as described for each of them. The Secretary of State should give substantial weight to the contribution that all proposed developments would make toward satisfying this need when considering applications for development consent.
- 3.1.6 The UK is committed to generate at least 15% of energy demand from renewable energy sources by 2020 and by 2050 to further reduce carbon emissions to net

zero. The proposed Facility will provide a sustainable and renewable form of energy recovery, to contribute towards meeting renewable targets and carbon emissions and is in line with the requirements of NPS EN-1 and EN-3 (DECC, 2011a; 2011b).

- 3.1.7 EN-1 (Paragraph 3.3.10) further states *“As part of the UK’s need to diversify and decarbonise electricity generation, the Government is committed to increasing dramatically the amount of renewable generation capacity... increasingly it may include plant powered by the combustion of biomass and waste”*.
- 3.1.8 The future increases in electricity demand are highlighted in Section 3.3.14: *“[...]Even with major improvements in overall energy efficiency, we expect that demand for electricity is likely to increase, as significant sectors of energy demand (such as industry, heating and transport) switch from being powered by fossil fuels to using electricity. As a result of this electrification of demand, total electricity consumption (measured in terawatt hours over a year) could double by 2050.”*
- 3.1.9 Section 3.4 of EN-1 includes assessments of the need for new major renewable energy infrastructure (DECC, 2011a). In the light of this, the need for infrastructure covered by EN-3 has been demonstrated and the Facility can help meet this need.
- 3.1.10 EN-1 (Paragraph 4.1.2) confirms that given the level and urgency of need for infrastructure of the types covered by the energy NPSs, there is a presumption in favour of granting consent to applications for energy Nationally Significant Infrastructure Projects (NSIPs).
- 3.1.11 EN-1 clarifies that Development Plan Documents or other documents in Local Development Frameworks may be both important and relevant considerations to the Secretary of State’s decision making. However, EN-1 confirms (Paragraph 4.1.5) that in the event of a conflict between (Development Plan Documents or other documents in the Local Development Framework) and an NPS, the NPS ‘prevails’ for the purpose of decision making given the national significance of the infrastructure.

EN-3 – Energy from Waste Need

- 3.1.12 Development that includes energy from biomass and/or waste with power generation of >50 megawatts (MW) is covered by EN-3 (Paragraph 1.8.1) (DECC, 2011b). The policies set out in EN-3 are additional to those on generic impacts set out in EN-1 and do not replace them and should be considered together with EN-1 policies.
- 3.1.13 Section 2.5.2 of EN-3 (DECC, 2011b) states that *“The recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, will play an increasingly important role in meeting the UK’s energy needs. Where the waste*

burned is deemed renewable, this can also contribute to meeting the UK's renewable energy targets. Further, the recovery of energy from the combustion of waste forms an important element of waste management strategies in both England and Wales."

- 3.1.14 Therefore, in the context of EN-1 and EN-3 the Facility is proposed to generate 80 MW of renewable energy to the National Grid, which is equivalent to approximately 171,535 homes². This would contribute to the producing the energy that the UK urgently needs to meet a rising demand for electricity.
- 3.1.15 Additionally, measures set out in the NPS have been given further impetus to reflect evolving understanding of the urgency of actions to combat climate change, including the UK's legally binding commitment within the Climate Change Act 2008 to reduce greenhouse gas emissions to net zero by 2050, made in July 2019. As concluded in Chapter 21 Climate Change (document reference 6.2.21, APP-059) the operation of the Facility would be likely to result in a decrease in greenhouse gas (GHG) emissions compared to existing waste treatment routes, and the net contribution to regional and national emissions was not considered to be a material impact on the UK's ability to meet its Carbon Budgets or the requirements of the Climate Change Act 2008.

Carbon Dioxide Recovery

- 3.1.16 BEIS state that the deployment of Carbon Capture, Utilisation and Storage (CCUS) at EfW facilities is essential for meeting net zero and deep decarbonisation of industry critical assets (BEIS, 2021). Within the Sixth Carbon Budget (Climate Change Committee (CCC), 2020) CCC have recommended that all new EfW plants should be built as 'Carbon Capture and Storage (CCS) ready', encouraging the application of CCS to all EfW plants by 2050.
- 3.1.17 Despite there being currently no statutory requirement for CCUS for EfW facilities, the proposed development incorporates two carbon dioxide (CO₂) recovery plants. The process of carbon recovery within the Facility is set out within Chapter 5 Project Description of the ES (document reference 6.2.5, APP-043). The Facility will include the connection of the flue-gas system from the two outer thermal treatment plant lines to carbon dioxide recovery plants, which will recover CO₂ (to food grade) for off-site reuse in various industries. Some of the CO₂ will also be retained on-site for use in fire prevention. The final product quality will meet standards prescribed by the International Society of Beverage Technologists (ISBT) 2001 quality guidelines for liquid carbon dioxide (CO₂).

² This value is based on data from the Department for Business, Energy and Industrial Strategy (BEIS) which identified that in 2019 the average UK house uses 3.731 MW energy in a year (BEIS, 2020). The calculation is based on the Facility operating 8000 hours per year at 80 MW / hour export.

4 Urgent need for waste management

4.1 Introduction

4.1.1 The proposed Facility will source fuel from throughout the UK, as detailed in the **Chapter 5 Project Description** of the ES (Document reference 6.2.5, APP-043). Primary sources of fuel will comprise wastes which are currently being landfilled and will be diverted then processed into RDF, and in doing so will move up the waste hierarchy. In addition, RDF that is currently being exported out of the UK will be sourced for the Facility, as indicated in the **Fuel Availability and Waste Hierarchy Assessment** report (document reference 5.8, APP-037).

4.1.2 The UK's Circular Economy Package (CEP) was published on 30 July 2020 by the UK, Welsh, Scottish and Northern Ireland governments and is predominantly the same as the European CEP (Defra, 2020). The CEP proposes a binding landfill target to reduce landfill to maximum of 10% of municipal waste by 2035. The CEP will also provide concrete measures to promote re-use and stimulate industrial symbiosis where one industry's by-product is reused as another industry's raw material. The proposed Facility will contribute to the CEP target to reduce landfill, promote reuse and stimulate industrial symbiosis.

4.2 Need to reduce quantity of waste sent to landfills

4.2.1 In line with the aims of the CEP, the Facility provides a recovery solution to divert waste materials currently being disposed to landfill and instead utilise it as fuel at the proposed Facility. The assessment of the availability of wastes to use as fuel is detailed in the Addendum to Fuel Availability and Waste Hierarchy Assessment (document reference 9.5, REP1-018), the assessment has considered the most recent landfill input data for the UK.

4.2.2 A review of the current quantities of waste being landfilled throughout the UK has been undertaken as part of the assessment. The primary combustible portion has been established and presented in **Table 4-1** below. The assessment has identified that around 12.5 million tonnes of combustible waste was landfilled in the UK in 2019, with approximately 10.5 million tonnes which would be available to the proposed Facility via a network of ports.

Table 4-1 Combustible Waste Inputs to Landfill in the UK

Country	Waste Quantity (000s tonnes)	
	Combustible Waste	Available in Catchment Areas
England	10,117	8,552
Northern Ireland	451	380
Scotland	1,427	1,213
Wales	507	292
Total	12,502	10,437

4.3 Need to reduce exports of Refuse Derived Fuel

- 4.3.1 The Facility also promotes the principle of proximity by reducing the material that is sent abroad for energy recovery. The estimates of carbon impacts on this are provided in **Chapter 21 Climate Change** of the ES (document reference 6.2.21, APP-059).
- 4.3.2 Large quantities of Refuse Derived Fuel (RDF) and solid recovered fuel (SRF) are currently exported from the UK to various international destinations to be used as feedstock for Energy from Waste (EfW) facilities. Waste is exported from all countries within the UK as noted in a recent report published by the Chartered Institute of Waste Management (CIWM, 2018).
- 4.3.3 The UK Government is keen to support domestic RDF and SRF markets, where they can provide better environmental outcomes, to ensure that the UK benefits from the energy generated from UK waste (Defra, 2018). The proposed Facility will expand the domestic capacity to deal with RDF and SRF. The current UK operational installed capacity is 16.13 million tonnes, which processed around 14 million tonnes of waste in 2020.
- 4.3.4 Recent annual data for the quantity of RDF and SRF exports for England is presented in **Table 4-2** below. A more detailed breakdown of monthly exports of RDF and SRF for the years 2018 to 2020 is presented in **Figure 1**.

Table 4-2 Annual RDF and SRF Exports from England

Year	Tonnes		
	RDF	SRF	Total
2018	2,807,041	379,380	3,186,421
2019	2,444,980	377,556	2,822,536
2020	1,383,622	357,034	1,740,657

Source: Environment Agency (2021)

4.3.5 The data indicates that for England, over 2.8 million tonnes of RDF and SRF was exported to international destinations in 2019, including over 2.4 million tonnes of RDF. Provisional annual data for 2020 indicates a fall in exports to over 1.7 million tonnes, most likely relating to the impact of the COVID-19 pandemic leading to restrictions on transport and travel.

4.3.6 The monthly data presented in **Figure 1** shows that export quantities fluctuate from month to month, with peak exports of RDF and SRF occurring during the autumn and winter periods which is likely due to increases in demand for energy from EfW facilities abroad during these seasons.

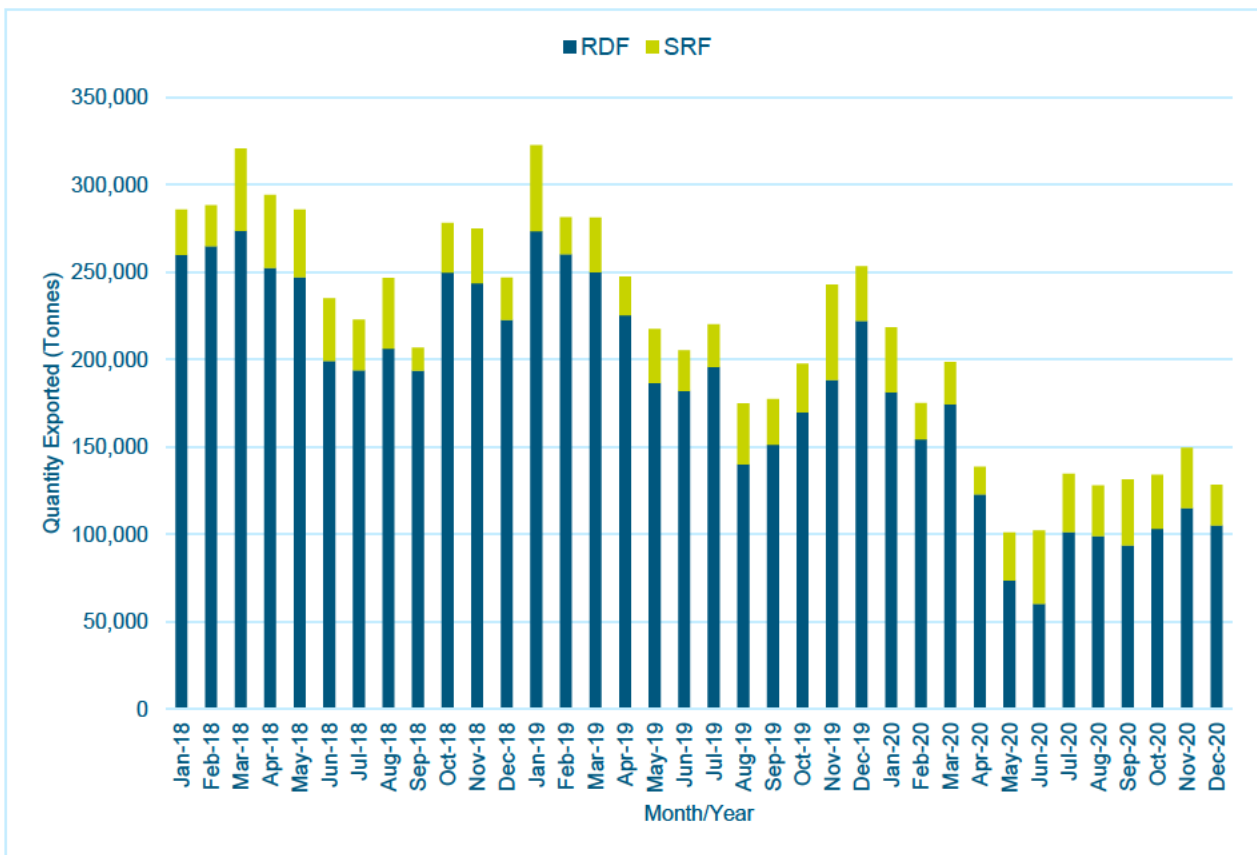


Figure 1 Monthly Exports of RDF & SRF from England (2018-2020)

Source: Environment Agency (2021)

4.3.7 As discussed above, approximately 2.8 million tonnes of waste-derived fuel (RDF and Solid Recovered Fuel (SRF)) was exported to international destinations in 2019 (Environment Agency, 2021). It is clear that very large quantities of RDF have been and continue to be exported to overseas EfW facilities from the UK. Diverting a proportion of this material to the proposed Facility will be a more favourable solution in terms of both the proximity principle and contributing to UK energy demand.

4.4 Need for processing of residues

4.4.1 It is important not to look at the recovery of energy in isolation as the sole waste hierarchical consideration. The other relevant factor is the management of residues from the Facility.

4.4.2 There is an active market in the UK for the processing of bottom ash into useful secondary recycled products. This is evidenced by the Quality Protocol³ in place for bottom ash and pulverised fuel ash/furnace bottom ash⁴.

4.4.3 The Facility is proposing to take the bottom ash and the APCr and fly ash and convert these into lightweight aggregate (LWA) rather than disposing to landfill. It is anticipated that just over 200,000 tonnes (design point = 201,890 tonnes) of LWA would be produced from bottom ash residues, and just less than 100,000 tonnes (design point = 97,531 tonnes) from APCr. The LWA will be manufactured to a standard that meets market specification for use in construction. Hence, the material will be fully recycled into a product that ceases to be waste.

4.4.4 Furthermore, the Facility will process the bottom ash residues prior to the LWA process by crushing and passing via a magnet to remove the ferrous metals. This is only like to recover a small proportion (approximately 0.4% of the overall RDF input), however, it will mean that typically 5,000 tonnes per annum of material will be segregated for recycling, thus providing a higher hierarchical option than landfill.

4.4.5 The Facility is promoting a higher hierarchical option by recycling into an aggregate product, compared to disposal by landfill or other lower options.

³ <https://www.gov.uk/government/publications/quality-protocol-pulverised-fuel-ash-pfa-and-furnace-bottom-ash-fba>

⁴ Note that the Environment Agency intends to review the current batch of Quality Protocols. Initial correspondence from the Environment Agency indicates that the Quality Protocol for ash is 6th in line for review

5 Need for lower carbon transportation

- 5.1.1 NPS EN-1 notes in Section 5.13 *“The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.2 of this NPS.”* (DECC, 2011a).
- 5.1.2 In addition, NPS EN-1 notes in Section 5.13: *“Water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective.”*
- 5.1.3 NPS EN-3 notes in Section 2.5.25: *“Government policy encourages multi-modal transport and the IPC (PINS) should expect materials (fuel and residues) to be transported by water or rail routes where possible. (See Section 5.13 of EN-1 on transport impacts). Applicants should locate new biomass or waste combustion generating stations in the vicinity of existing transport routes wherever possible.”* (DECC, 2011b).
- 5.1.4 Due to the high volumes of RDF required for the Facility it was paramount to ensure the Application Site was located in the vicinity of transportation options such as water-borne or rail transport in preference to adopting road transport. The need for this is highlighted in the following objectives for the Facility:
- To minimise adverse impacts on the function and efficiency of strategic transport infrastructure; and
 - To minimise carbon emissions associated with transportation.
- 5.1.5 A “Comparative Analysis of Greenhouse Gas Emissions from Road and Marine Vessel Transport Options to the Site” (document reference 9.7, REP1-020) was included at Deadline 1 of the examination. This concluded that *“The commitment to transport RDF waste to the Facility via marine vessel rather than HGV will result in an overall reduction in GHG emissions compared to delivery by road. This high-level assessment shows that GHG emissions from marine vessels will reduce GHG emissions by approximately 30% when compared to HGVs.”*
- 5.1.6 This supports the UK’s statutory commitment to reduce carbon emissions to net zero by 2050, which is further emphasised in the government’s recent Net Zero Strategy document (HM Government, 2021).
- 5.1.7 In addition to the benefits associated with a reduction in carbon emissions, use of vessels rather than road transportation during operation also has human health benefits from an air quality perspective.
- 5.1.8 The design of the Facility, and the use of vessels to import RDF, has resulted in significantly lower traffic generation than would otherwise be experienced if RDF

were imported by road. As such, this has minimised effects on receptors in proximity to the road network, and particularly those within the Boston Air Quality Management Areas (AQMAs) which currently experience elevated pollutant concentrations.

- 5.1.9 The contribution of emissions from shipping is considered to be low particularly due to the fact vessels would not be required to run their auxiliary engines whilst berthed, and therefore emissions would only occur as vessels approach and leave the Facility and during manoeuvring.

6 Need for developing in a location which aligns with local planning policy

- 6.1.1 The need for development in an appropriate location is highlighted in the project objective *“To develop the Facility at a location that aligns with local planning policy”*. This objective is defined in order to promote development in a sustainable manner and to align with the needs of the local authorities.
- 6.1.2 The Lincolnshire Mineral and Waste Local Plan (LMWLP) and the South-East Lincolnshire Local Plan (SELLP) include spatial strategies and land allocation for specific developments.
- 6.1.3 The adopted LMWLP Site Allocations document, adopted in December 2017, identifies the Principal Application Site as predominantly falling within 119 ha of land allocated as WA22-BO: Riverside Industrial Estate Waste Area (Lincolnshire County Council, 2017). The accompanying Sustainability Appraisal undertaken for the ‘Site Locations’ report confirms that the site is suitable for potential waste uses including, EfW projects.
- 6.1.4 The South-East Lincolnshire Local Plan (SELLP) (March 2019) identifies 89.7 ha of land as BO006 within the Riverside Industrial Estate, allocated for the purposes of Business (B1), General industrial (B2) and Storage or distribution (B8) (South-East Lincolnshire Joint Strategic Planning Committee, 2019). Part of the Principal Application Site falls within this Local Plan allocation, with the remainder designated as countryside. However, it is noted that whilst the SELLP deals with all land use and development issues affecting South-East Lincolnshire, issues associated with minerals and waste are covered in the LMWLP.
- 6.1.5 Overall, the combined need for a location which appropriately addresses the need for lower carbon transportation and aligns with local planning policy is met by the location of the Application Site.

7 Socio-economic need

- 7.1.1 Boston is located within the Greater Lincolnshire Local Enterprise Partnership (GLLEP). The GLLEP published their Strategic Economic Plan (SEP) in 2014 before refreshing it in Spring 2016 (GLLEP, 2016).
- 7.1.2 The refreshed SEP outlines the ambition to secure new investment to accelerate the delivery of:
- 13,000 new jobs;
 - Support up to 22,000 businesses;
 - Up to 100,000 new homes; and
 - An increase in the value of the Greater Lincolnshire economy by £3.2 billion.
- 7.1.3 The SEP identifies that the low carbon economy is worth £1.2 billion per annum to the Greater Lincolnshire economy, employing over 12,000 people, and with significant potential to secure up to £60 billion of private investment over the next 15 years. Linked to this potential investment, the SEP identifies energy from waste, in addition to other low carbon or environmental goods and services such as biomass and biofuels, as a major opportunity for growth. One of the priorities for the low carbon sector includes the development of a Greater Lincolnshire-wide energy efficiency/waste management programme.
- 7.1.4 The local plan for Boston is the South-East Lincolnshire Local Plan 2011-2036 (South-East Lincolnshire Joint Strategic Planning Committee, 2019), which was adopted on 8 March 2019.
- 7.1.5 Policy 7 (Improving South-East Lincolnshire’s Employment Land Portfolio) states that: *“the South-East Lincolnshire authorities will, in principle, support proposals which assist in the delivery of economic prosperity and some 17,600 jobs in the area”*.
- 7.1.6 Therefore, there is an evident local need for jobs including in energy from waste.
- 7.1.7 The Applicant advised that the Facility is expected to support, at its peak, approximately 250 to 300 direct construction jobs. As discussed in Chapter 20 Socio-economics (document reference 6.2.20, APP-058) it is estimated that approximately 81 to 131 of the 250 to 300 direct construction jobs to be created will be filled by local residents. During operation, the Facility is expected to create 108 direct FTE job opportunities, with 47 jobs filled by local residents.
- 7.1.8 Therefore, the Facility will support local planning policies through the local jobs provided and will assist in economic prosperity in the area.

8 Conclusion

8.1.1 This report sets out the Applicant's IROPI case for the Facility in accordance with the requirements of the Habitats Regulations (HM Government, 2019).

8.1.2 The proposed develop provides IROPI as follows:

- **Imperative** – it is essential that it proceeds due to the following reasons:
 - Demand for electricity is likely to increase, particularly as significant sectors of energy demand switch from being powered by fossil fuels to using electricity. Therefore, the total electricity consumption could double by 2050 (DECC, 2011a). There is a need to meet this increasing demand;
 - There is a need to diversify and decarbonise electricity generation including by the combustion of waste (DECC, 2011a);
 - It is critical that the UK continues to have secure and reliable supplies of electricity in the transition to a low carbon economy (DECC, 2011a);
 - There is a national need to divert waste materials currently being disposed to landfill in line with the aims of the CEP (Defra, 2020);
 - There is a need to reduce UK exports of RDF and increase domestic use of RDF where the UK benefits from energy generation (Defra, 2018) and to promote the proximity principle.
- The Facility is **in the public interest** for the following reasons set out above and in addition:
 - The Facility is proposed to generate 80 MW of renewable energy to the National Grid, which is equivalent to approximately 171,535 homes;
 - There are wider economic benefits to Boston and Lincolnshire in terms of jobs during construction and operation;
 - The Facility utilises vessel movements rather than road movements during operation which in order to minimise impacts to transport infrastructure, reduce carbon emissions and reduce health impacts associated with air quality; and
 - The Facility accords with local plan allocations (LMWLP and SELLP) for the land which aligns with local needs for employment land.
- **Overriding** – the national, regional and local imperative needs met by the Facility outweigh the view from NE, Royal Society for the Protection of Birds (RSPB) and Lincolnshire Wildlife Trust (LWT) that AEOI cannot be excluded, beyond all reasonable scientific doubt for The Wash SPA and Ramsar and The Wash and North Norfolk Coast SAC. The benefits are long-term and the Facility will be capable of providing renewable energy generation for around 25 years and it can be deployed within a relatively short time frame (within the 2020s). The Facility demonstrates overriding public interest and meets

national policy and legislative objectives with regards to energy generation and diversion of waste from landfill.

- 8.1.3 Overall, this report demonstrates that in respect of the Facility, there are imperative reasons of overriding public importance for allowing the proposed development to proceed. The Facility would support good human health and public safety through diversifying energy supply, improving energy security, providing additional electricity generation to meet rising demand and by diverting waste from landfill, which has benefits associated with reducing carbon emissions. The Facility also provides key social and economic benefits both UK-wide and locally.

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