



THE PLANNING ACT 2008
THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Boston Alternative Energy Facility

Appendix F3 to Natural England's Deadline 5 Submission

Natural England's Comments on dDCO [REP3-004] and Schedule of Changes [REP3-022]

For:

The construction and operation of Boston Alternative Energy Facility (AEF) that would generate approximately 102 MW of renewable energy and is located immediately south of Boston town, Lincolnshire.

Planning Inspectorate Reference: EN010095

25th January 2022

Natural England's Comments on dDCO [REP3-004] and Schedule of Changes [REP3-022]

Introduction

This document provides Natural England's response in relation to the following documents:

- 2.1 (2) Revised Draft Development Consent Order (dDCO) [REP3-004]
- 9.46 Schedule of changes to the Draft Development Consent Order (dDCO) [REP3-022]

Summary

Natural England continues to have concerns in relation particular work items which will need to be resolved in consultation with NE and the MMO.

Natural England has advised within Appendix B3 that a range of ornithological mitigation and monitoring need to be secured within the DCO/DML. We would suggest that this mitigation and monitoring would best be secured through inclusion of an ornithological mitigation and monitoring plan, with an outline plan being submitted into examination as early as possible. Additionally, we wish to highlight that within Appendix J2 we have asked for the inclusion of a construction window as a separate DCO/dML condition outside of the OLEMS. This is due to the need to ensure that this key mitigation occurs and to avoid any ambiguity or confusion prior to construction.

Detailed Comments Table

	SOC issue No.	Section	Comment	Recommendation	RAG
1.	4	Article 7	The Applicant has confirmed the maximum limits are 20m for most works, however for three work items (Work No. 1A(iv) (Efw plant emissions stacks), any boundary with Work No. 2(d) (LWA Facility emissions stacks) and any boundary with Work No. 4 (Wharf)) there are no lateral limits of deviation.	Natural England notes that we have received clarification. We are content with the limit of deviation for all works except those with no lateral limit of deviation which remain as per our response of REP2-044. With regard to Works No 4 (Wharf). Natural England queries if the MMO have any comments on the acceptability of the limits of deviation and if the deemed Marine Licence could accommodate lateral changes?	

2.	17	Schedule 2 Requirement 13 (1)	The Applicant has included the relevant SNCB as a consultee on the construction traffic management plan as we requested. This was previous Requirement 12 (d) and the request related to concerns regarding the English Coastal Path.	Natural England welcomes this change.	
3.	26	Schedule 9 Part 1 Para 1	The Applicant has updated the definition of commence. The new definition does not have too many issues. However, they have included taking boreholes as part of the works excluded from the definition of commencement. Boreholes might need some mitigation depended on methodology.	Natural England notes the updated wording for commencement. We have concerns regarding the inclusion of boreholes, works which may require some mitigation for environmental impacts.	
4.	44	Schedule 9 Part 4 Para 12	This condition has been updated to include consultation with the relevant statutory nature conservation body as per our request.	Natural England accepts the changes proposed.	
5.	47	Schedule 9 Part 4 Para 16	At our request the Applicant has included the SNCB as a consultee.	Natural England notes and welcomes change to include consultation of the relevant Statutory Nature Conservation Body. This addresses our concerns with this condition.	
6.	53	Schedule 9 condition 25	This has been added to deal with decommissioning. NE would like to check that the MMO is content with the inclusion.	NE would like to know if the MMO is content with this?	