

**Our ref:** Q220592  
**Your ref:** EN010138  
**Email:** [REDACTED]@quod.com  
**Date:** 28th June 2023



Martin Almond  
Case Officer  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Martin

## **Indaver Rivenhall Limited – Rivenhall IWMF – EN010138**

### **Section 46 of the Planning Act 2008 ('the Act') Duty to notify Secretary of State of proposed application**

Indaver Rivenhall Limited ('the Applicant') is hereby notifying the Planning Inspectorate on behalf of the Secretary of State for Energy Security and Net Zero under section 46 of the Act of its intention to submit an application ('the Application') for development consent for the extension of the generating capacity of the Rivenhall Integrated Waste Management Facility ('the Proposed Development'). The Applicant currently intends for the Application to be submitted in the autumn of 2023.

Prior to submitting the Application, the Applicant is intending to carry out statutory consultation on the Proposed Development from 09:00am on 28<sup>th</sup> June 2023 to 23:59:59 on 23<sup>rd</sup> August 2023 pursuant to section 42, 47 and 48 of the Act.

### **The Proposed Development**

The Rivenhall Integrated Waste Management Facility ('IWMF') is currently being constructed in accordance with planning permission granted through the Town and Country Planning Act 1990 (as amended) by Essex County Council (ECC ref: ESS/34/15/BTE, dated 26 February 2016). The planning permission allows the IWMF to generate up to 49.9 megawatts of electrical energy ('MW').

A Development Consent Order ('DCO') application is being prepared to apply for consent to allow the IWMF to generate over 50MW of electricity. The Proposed Development then falls under the definition of a Nationally Significant Infrastructure Project ('NSIP') within Sections 14(1)(a) and 15(1)(2)(a) and (c) of the Planning Act 2008 ('PA 2008'), being the extension of an onshore electricity generating station in England with an extended capacity of more than 50MW.

The Proposed Development is located on the site of the former Rivenhall Airfield near Silver End, Kelvedon, Essex (National Grid Reference TL 82336 20457) ('the Site').





The Proposed Development is an Environmental Impact Assessment development ('EIA development'), as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. As confirmed at paragraph 1.4.6 of the Scoping Report submitted to the Planning Inspectorate on 25 April 2023, the Application will be accompanied by an Environmental Statement. A Preliminary Environmental Information Report ('PEIR') has been prepared for the purposes of the statutory consultation.

### Statutory consultation

Indaver (the Applicant) intends to consult on the Proposed Development under Section 42, 47 and 48 of the Act between 09:00 on 28<sup>th</sup> June and 23:59:59 on 23<sup>rd</sup> August 2023 ('the consultation period').

In accordance with regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, enclosed is a notice which has been publicised in accordance with Section 48 of the Planning Act 2008 and the requirements set out in Regulation 4 of the Infrastructure Planning (Application: Prescribed Forms and Procedure) Regulations 2009.

### The consultation documents

Pursuant to section 46 of the Act, the Applicant is required to supply the Secretary of State with the information that it intends to provide to consultees under section 42 of the Act or before commencing consultation under section 42.

The Applicant will be providing the following documents to the section 42 consultees, which are enclosed with this letter:

- Notice of the proposed application which has been publicised in accordance with section 48 of the Act;
- PEIR (including a location plan) and non-technical summary;
- Statement of Community Consultation and corresponding notice;
- Information boards that will be used at the local information events listed below;
- Consultation newsletter; and
- Feedback form.

This information will also be made available for viewing and free to download online at [www.rivenhall-iwmf.co.uk](http://www.rivenhall-iwmf.co.uk) under the 'DCO Process' tab, during the consultation period.

Hard copies of the information being consulted upon will be available to view at the venues listed in **Table 1** below during the consultation period. Hard copies can also be requested, subject to printing charges. A soft copy of the consultation materials can be provided on a USB upon request, free of charge.



**Table 1 - Hard copy deposit locations**

Location	Address
Braintree Library	5 Fairfield Rd, Braintree CM7 3YL
Silver End Library	Silver End Library, Silver End Village Hall, Broadway, CM8 3RQ
Kelvedon Library	Aylett's Foundation School, Maldon Road, Kelvedon, CO5 9BA
Coggeshall Library	Friends Meeting House, 29 Stoneham Street, Coggeshall, Colchester, CO6 1UH
Witham Library	18 Newland Street, Witham, CM8 2AQ
Rivenhall IWMF*	Information Hub building, Woodhouse Farm, Woodhouse Lane, Kelvedon, CO5 9DF

\*by appointment only.

The Applicant is also intending to hold public information events at the times and locations listed in **Table 2**, where the consultation materials will be available to view.

**Table 2 - Public information events**

Location	Address	Date
Kelvedon	Kelvedon Hall (The Institute), 78 High St, Kelvedon, Colchester CO5 9AA	6th July 2023
Rivenhall	Rivenhall Village Hall, 54 Church Rd, Rivenhall, Witham CM8 3PH	14th July 2023
Bradwell	Bradwell Village Hall, Church Road, Bradwell, Braintree CM77 8EP	22nd July 2023
Coggeshall Village Hall	23 Stonehame Street, Coggeshall, Colchester, CO6 1UH	26th July 2023
Silver End	Silver End Village Hall and Community Hub, Broadway, CM8 3RQ	31st July 2023

Should the Planning Inspectorate require the documents in any other format, or have any other queries, please do not hesitate to contact the Project Team by telephone on 01279 311 440 or by email at [info@rivenhall-iwmf.co.uk](mailto:info@rivenhall-iwmf.co.uk).



Yours sincerely



Carly Vince  
**Senior Director**

- enc. Sample covering letters sent to section 42 consultees
  - Section 48 notice
  - Section 47 notice
  - Feedback form
  - Statement of Community Consultation
  - PEIR
  - Information boards
  - Consultation newsletter
- 
- cc. John Ahern (Indaver Rivenhall Ltd)

**Our ref:** Q220592  
**Email:** [REDACTED]@quod.com  
**Date:** XX XXX 2023



Firstname Surname  
Address  
Address  
Postcode

Dear Consultee

**Rivenhall Integrated Waste Management Facility Development Consent Order  
Statutory pre-application consultation: 09:00am on 28<sup>th</sup> June to 11:59:59pm on  
23<sup>rd</sup> August 2023  
Section 42(1)(a), (b), and (d) of the Planning Act 2008 ('the Act')**

Indaver Rivenhall Limited ('the Applicant') is carrying out statutory consultation on its proposals to extend the generating capacity of the Rivenhall Integrated Waste Management Facility ('the Proposed Development') pursuant to section 42 of the Act. This letter explains how to take part in the consultation and invites you to share your views on the proposals.

**The Proposed Development**

The Rivenhall Integrated Waste Management Facility ('IWMF') is currently being constructed in accordance with planning permission granted through the Town and Country Planning Act 1990 (as amended) by Essex County Council (ECC ref: ESS/34/15/BTE, dated 26 February 2016). The planning permission allows the IWMF to generate up to 49.9 megawatts of electrical energy ('MW').

A Development Consent Order ('DCO') application ('the Application') is being prepared to apply for consent to allow the IWMF to generate over 50MW of electricity. The Proposed Development then falls under the definition of a Nationally Significant Infrastructure Project ('NSIP') within Sections 14(1)(a) and 15(1)(2)(a) and (c) of the Planning Act 2008 ('PA 2008'), being the extension of an onshore electricity generating station in England with an extended capacity of more than 50MW. The Application will be submitted to the Secretary of State for Energy Security and Net Zero under section 37 of the Act for the Proposed Development.

The Proposed Development is located on the site of the former Rivenhall Airfield near Silver End, Kelvedon, Essex (National Grid Reference TL 82336 20457) ('the Site').

The IWMF includes an energy from waste ('EfW') plant that uses heat from the incineration of residual waste to generate steam in a boiler. The steam is passed through a turbine generator to produce electricity before being cooled and condensed back to water, and fed back into the boiler. The IWMF currently would limit the amount of steam that accesses the turbine to limit its generating capacity to 49.9MW. The Proposed Development would involve the carrying out of an engineering operation to either mechanically modify the actuated steam turbine inlet control valve or by installing and





commissioning an actuated steam turbine inlet control valve. This would allow a greater volume of steam to reach the turbine, thus generating a greater output of electrical energy (above 50MW). To be clear, there would be no change in the overall amount of steam produced by the EfW plant as there is no change in the residual waste throughput. The Proposed Development would only affect the internal plant and would not alter the external appearance of the IWMF.

The Proposed Development is an Environmental Impact Assessment development (EIA development), as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, and an Environmental Statement will be submitted as part of the Application. The Environmental Statement will provide a detailed description of the Proposed Development and its likely significant environmental effects. Information compiled so far about the Project's likely significant environmental effects is set out for consultation in a Preliminary Environmental Information Report ("the PEIR") and summarised in a non-technical summary.

### Why we are writing to you

The Applicant is carrying out statutory consultation on the Proposed Development from **09:00am on 28<sup>th</sup> June to 23:59:59pm on 23<sup>rd</sup> August 2023**.

You are being consulted partly as you have been identified as a prescribed consultee under section 42(1)(a) or (b). In addition, under sections 42(1)(d) and 44 of the Act, the Applicant is required to consult with any person who is: (i) an owner, lessee, tenant (whatever the tenancy period) or occupier of the land; (ii) holds an interest in the land or has power to sell and convey or to release the land; or (iii) might be entitled to make a relevant claim (as defined in section 44(6) of the Act) if the Development Consent Order were made and implemented. The Applicant is writing to you as, after diligent inquiry, it considers that you fall within one of those categories.

### The consultation documents

The following documents are available to download free of charge from 09:00am on 28<sup>th</sup> June until at least 23:59:59pm on 23<sup>rd</sup> August 2023 on the Applicant's website at <https://www.rivenhall-iwmf.co.uk/dco-process/>:

- Notice of the proposed application which has been publicised in accordance with section 48 of the Act;
- PEIR (including a location plan) and non-technical summary;
- Statement of Community Consultation;
- Information boards that will be used at the local information events listed below;
- Consultation newsletter; and
- Feedback form.

Enclosed with this letter are the following documents in hard copy:



- Notice of the proposed application which has been publicised in accordance with section 48 of the Act; and
- A feedback form.

The above documents are also available to view free of charge at the libraries and council offices and at the local information events that are listed in the abovementioned section 48 notice.

The above documents can be provided on a USB memory stick upon request free of charge. Hard copies of these documents can be obtained upon request, the cost for which will be considered on a case-by-case basis and appropriate charges may apply. Requests for documents should be made to the Applicant by telephone on 01279 311 440 or by email at [info@rivenhall-iwmf.co.uk](mailto:info@rivenhall-iwmf.co.uk). Reasonable postage charges may apply.

### Responding to the consultation

Responses must be received by the Applicant by no later than **11:59:59pm n Wednesday 23<sup>rd</sup> August 2023**. When providing comments please include your name and address, or if you would prefer your comments to be anonymous your postcode only, and confirm the nature of your interest in the Proposed Development. Responses must be submitted by:

- By emailing the Applicant at [info@rivenhall-iwmf.co.uk](mailto:info@rivenhall-iwmf.co.uk)
- By writing to the Applicant at Woodhouse Farm, Woodhouse Lane, Kelvedon, Essex, CO5 9DF
- By submitting your comments via the Applicant's online feedback form found here: <https://www.rivenhall-iwmf.co.uk/feedback/>
- By attending one of the public events listed in the section 48 notice referred to above and filling in the written feedback form provided.

The Applicant will have regard to all responses received through the means set out above by the deadline when developing the Application. A Consultation Report will be submitted as part of the Application that will provide the details of the pre-application consultation undertaken by the Applicant, any relevant responses received by the Applicant and the account taken by the Applicant of those relevant responses. The Applicant may be required to submit copies of the consultation responses to the Planning Inspectorate and if so the Applicant will comply with all applicable data protection legislation.

### Further information

Further details in relation to the Proposed Development and the IWMF can be found on the Applicant's website at [www.rivenhall-iwmf.co.uk](http://www.rivenhall-iwmf.co.uk).

For further information or queries about this letter, the consultation, the consultation documents or the Proposed Development, please contact the project team by:

- By post: Woodhouse Farm, Woodhouse Lane, Kelvedon, Essex, CO5 9DF



- Online: <https://www.rivenhall-iwmf.co.uk/contact-us/>
- By telephone: 01279 311 440
- By email: [info@rivenhall-iwmf.co.uk](mailto:info@rivenhall-iwmf.co.uk)

Yours sincerely

Carly Vince  
**Senior Director**

enc. Section 48 notice  
Feedback form

cc. John Ahern (Indaver Rivenhall Ltd)