

Indaver Rivenhall IWMF DCO

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ENVIRONMENTAL STATEMENT [PINS Ref: EN0101038]

ES APPENDIX 5.4: SCHEDULE OF STATUTORY CONSULTEE COMMENTS AND RESPONSES

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Indaver Rivenhall Ltd

Leading the field in
sustainable waste
management.

Table 1: Key Statutory Consultee Comments and Responses

Topic	Consultee(s)	Summary of Comment	Action / Response
General	Planning Inspectorate	Use Integrated Waste Management Facility then the abbreviation IWMF – comments were made in scoping that people didn’t understand what the acronym stood for	Noted. Glossary is provided in ES Volume 1 (Doc Ref. 6.1)
		In paragraph 3.4.1 (re. Works No 1), can you be more specific than ‘a few days’?	A more specific timeframe has been provided in ES Chapter 5: Description of the Proposed Development (Doc Ref. 6.1)
Carbon emissions	Braintree District Council	Whilst the documentation states that there will be no increase in direct greenhouse gas emissions from the facility, this statement could be misleading (Para 7.1 to 7.4 PEIR Non-Technical Summary). It doesn’t cite the scope 1, scope 2 or scope 3 emissions of the plant despite the fact it will be overall positive from a carbon emissions point of view.	<p>There will be no change to the combustion process and so there will be no change to the direct greenhouse gas emissions from the facility. This statement is not considered misleading.</p> <p>References to scope 1, 2 and 3 emissions have been added to ES Chapter 7: Climate Change and Greenhouse Gases (Doc Ref. 6.1)</p>
		At paragraph 7.3 it is suggested that it should state that carbon emissions shall be recorded and published and offset against the positive carbon impact for the environment and that these would be nominal in relative to the positive effects of the site upon carbon emissions.	The Proposed Development will not involve any change to the carbon emissions associated directly with the IWMF compared to the Consented Scheme.

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			Therefore, carbon emission monitoring and recording is not reasonably related to the Proposed Development.
Noise assessment		Receptors at Silver End and Park Gate Road should be included within the assessment to ensure adequate assessment of nearby sensitive receptors in varying directions of propagation.	Receptors along Park Gate Road including Park Gate Farm Cottages have been included in the assessment. Receptors at Silver End, including Sheepcotes Farm have been included in the assessment.
		The Scoping Report states that the calculations provided by the EPC contractor would be relied upon in the event that data provided by the EPC contractor is unsuitable. In such a case it would be necessary to undertake revised calculations. It is assumed that this is a typo. However, clarification is required to confirm that 'Method 2' would be utilised in the event that 'Method 1' is deemed unsuitable. It is therefore recommended that an updated survey is undertaken to support the identification of thresholds for residential impacts. The thresholds should be based on existing or updated survey data, whichever is lower. Survey data for all survey periods should be presented and for all working periods. Presentation of survey data should include statistical analysis of background sound levels for all survey years. Assessment of rating sound levels over background should be presented within the ES in order to provide further context to the assessment.	Octave band sound power levels for proposed plant have been provided by the EPC contractor and have been used for the purposes of the assessment. In terms of the proposed assessment methodology and thresholds used, this remains in-line with the methodology used for the Consented Scheme and has been agreed with the Inspectorate. Therefore, the noise limits used as part of this assessment will remain consistent with the Consented Scheme and updated survey data has not

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			been used to inform this assessment.
Receptors	Essex County Council	The surrounding land uses are described in section 2.3.1 of the PEIR Vol 1. A number of points should be noted, in that there are more properties within 1km of the site than stated in the PEIR. The nearest residential property is The Lodge, but there is second residential property at this location Allshots Farm house. Adjacent to Allshots Fam is a scrap yard.	Noted. No action required.
		The PEIR Vol 1 para 2.3.3 refers to Brick House on Sheepcotes Lane, there is a residential property at this location, but it is known as Sheepcotes Farm, there is a business "Brick House" also at this location, but this is a small ceramics business.	Noted. No action required.
		Many priorities within Silver End village are within 1km of the Application Site including part of a relatively new housing estate, where properties are within approximately 500m meters on Jewitt Way.	Noted. No action required.
Public Rights of Way		PEIR Vol 1 paragraph 2.3.6 refers to the access road to the IWMF being crossed by three Public Rights of Way ('PRoW'). It should be noted the access from the A120 to the IWMF built footprint is crossed by four PRoW (Bradwell 19, Bradwell 58, Bradwell 57 and Kelvedon 35).	Noted. No action required.
Conservation Area		At Paragraph 2.9 of the PEIR Vol 1 it is noted that it stated that the closest Conservation Area is Coggeshall. It should be noted that Silver End has a Conservation Area and is located within 1km.	Noted. Paragraph 2.9 updated to reflect this point.
Alternatives		It is noted within the PEIR that one alternative is the "Do nothing scenario" It is stated at paragraph 4.3.3	

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		<p>that without the proposed development "...the beneficial effects of the development would also not be realised". However, the direct use of heat and steam for heating or use in a commercial/industrial use is more efficient than energy generation. The permitted scheme includes a Market De-Ink Paper Pulp plant using some of the heat, steam and power directly and therefore more environmentally sustainable development.</p> <p>That said, ECC is not opposed to energy generation from waste in principle, but when considering the merits of the IWMF, by both the Inspector in 2010 and the Waste Planning Authority (WPA) in 2016, it was on the basis of an integrated facility with a direct use of the heat and steam, which delivered sustainable development.</p>	
Essex Climate Action Commission		<p>What the document omits to mention is that ECC has set up the Essex Climate Action Commission to advise us about tackling climate change. It was launched in May 2020 for an initial term of two years and has since been extended for a further three years. The commission will run until 2025.</p> <p>The applicant is requested to both make reference to the as published Essex Climate Action Plan, and to comment on the scheme's implications for the same.</p>	Noted. Reference is provided in ES Chapter 7: Climate Change and Greenhouse Gases (Doc Ref. 6.1) .
Climate-related benefits		It is recommended that the opportunity to deliver other climate-related co-benefits of the project should be explored in order to make best use of the development as here proposed. For example, educational benefits could be delivered in terms of education information boards at suitable locations, and school workshops etc,	This recommendation is noted. However, it is not considered something that is necessary to make the Proposed Development acceptable in planning

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		<p>explaining the role of the project in delivering a decarbonised national grid, UK energy security, strategy and tackling climate change.</p>	<p>terms. Nonetheless, through the Statutory Consultation the Applicant has been informing the public about the role that the IWMF will play in helping to sustainably manage waste generated in the region and the benefits this has, which includes helping to de-carbonise the grid. More information on the Statutory Consultation and the materials that were provided to the public are set out in the Consultation Report (Doc Ref 5.1).</p>
<p>GHG emissions</p>		<p>ECC would reiterate those points raised by BDC that whilst the documentation states that there will be no increase in direct greenhouse gas emissions from the facility, this statement could be misleading (Para 7.1 to 7.4 – PEIR Non-Technical Summary). The PEIR makes no reference to the Green House Gas Protocol 2001 and doesn't cite the scope 1 (direct emissions from the plant), scope 2 (emissions from electricity purchased by the organisation) and potentially scope 3 emissions (indirect emissions including those from general suppliers) of the plant.</p>	<p>There will be no change to the combustion process and so there will be no change to the direct greenhouse gas emissions from the facility. This is not considered misleading.</p> <p>References to scope 1, 2 and 3 emissions have been added to ES Chapter 7: Climate Change and Greenhouse Gases (Doc Ref. 6.1).</p>

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		<p>It is considered that the DCO application should summarise the carbon emission figures, to demonstrate the positive carbon impact on the environment. If the DCO were to be granted that carbon emissions should be recorded and published, to show the positive impact even if small.</p>	<p>As above, the Proposed Development will not affect the carbon emissions from the IWMF as compared to the Consented Scheme. Therefore, monitoring would not show any change between before the Proposed Development being implemented and after. Instead, the carbon benefits of the Proposed Development are in displacing energy that is supplied to the grid that is derived from fossil fuels.</p>
Minerals and Waste Planning Authority		<p>The PEIR does not provide a response to the comments raised by the MWPA on the Scoping Report with respect to noise at Table 8.1.</p>	<p>Noted. Table 8.1 of the PEIR does not provide a response to the MWPA's comments in respect to noise. ECC consultation comments are addressed in the ES, as signposted below.</p>
Noise assessment		<p>The Scoping Report proposes no new baseline data needs to be gathered as the existing conditions of the existing permission for the IWMF form the baseline. The WPA wholly supports the acoustic specialist view that a new noise assessment is required and the new noise assessment is undertaken in accordance with BS4142:2014 +1:2019, appropriate for the noise effects</p>	<p>An assessment in-line with BS 4142 is not proposed to be undertaken for this assessment. For the purposes of the DCO application, the assessment relates to the increased</p>

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		<p>of industrial facility on residential properties. The EfW should also be considered as a specific sound source, not the additional component, as BS4142:2014 +A1:2019 is clear that residual and background sound sources/levels should not include any contribution from the specific sound source.</p>	<p>electrical output from the IWMF which is achieved through changing one item of plant compared to the Consented Scheme. All other plant remains the same as the Consented Scheme. Conditions 38, 39 and 40 set out noise limits for the day, evening and nighttime at the closest receptors. The draft DCO also makes clear that the IWMF would continue to be constructed and operated according to the terms of the Consented Scheme.</p> <p>Therefore, it is proposed assess the potential effects of the DCO in-line with the consented noise limits as these are the limits to which the IWMF will be operated.</p> <p>This methodology will ensure that the effects of the DCO proposals can be assessed and, if necessary, measures proposed to mitigate the effects of the DCO specifically.</p>
		<p>It should also be noted that mineral operations are now located more distant to the IWMF than at the time of the assessment in 2005 and 2015. Extraction operations are now complete on land adjacent to the IWMF, with restoration works largely anticipated to be completed within the next 2 years by 2025, prior to operation of the EfW plant. The mineral processing plant area lies approximately 1.3 km to the north and extraction operations in site A7 lie approximately 1.2 km to the east north east of the Application Site. The quarry haul road will in 2025 be the closet element of the quarry to the IWMF at 600m. It is considered that this supports that the noise assessment should be on the basis of an industrial facility as quarrying does now form part of the noise environment.</p>	

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		<p>When considering evening and night time operations the noise assessment should take into account the Dry Silo Mortar plant and the bagging plant at Bradwell Quarry processing area which are both permitted to operate in the evenings (18:30 to 22:00) Mondays to Fridays.</p>	<p>A cumulative assessment has been presented to include the noise being generated by the Bradwell Quarry and the results compared to the consented noise limits.</p>
UKHSA	Air quality modelling	<p>We recommend that the developer undertakes emissions modelling assessments relating to the operation of the proposed development to demonstrate the stated reductions, to confirm the developer's scoping conclusions that the proposed development will not have a detrimental effect on human health, the environment and local air quality.</p>	<p>The ES has been based on the EIA Scoping Opinion provided by the Planning Inspectorate (ES Appendix 3.3, Doc Ref. 6.2) confirming that an assessment of air quality was not required.</p>
Anglian Water	Water resources assessment	<p>We require water resources to be scoped into the Environmental Statement, and a Water Resources Assessment undertaken to demonstrate the water requirements of the facility in terms of the split between domestic supply needs and fire suppression, and non-domestic (process) requirements. In terms of the non-domestic requirements the assessment should assess the proportion of potable mains water is required in comparison (m³/hr or MI/day) to utilising water from the lagoons (we noted from the EIA for the consented scheme that these were groundwater fed, and supplemented with rainwater/runoff from buildings, abstraction and treated wastewater), and recycled process water.</p> <p>Anglian Water would seek to ensure that water resources are scoped into the Environmental Statement at the next stage to ensure that the facility</p>	<p>The ES has been based on the EIA Scoping Opinion provided by the Planning Inspectorate (ES Appendix 3.3, Doc Ref. 6.2) confirming that an assessment of water resources was not required.</p>

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		can demonstrate that there is sufficient water supply available to meet the requirements of the operational processes.	
Noise Assessment	Jacobs, on behalf of ECC	Reference is needed to Planning Practice Guidance on the consideration of noise impacts	This has been added into the ES Chapter (see para. 8.2.3 and Table 8.6).
		It is considered that that is it unclear how the facility will generate a greater output of electricity and what the impactions of that would be.	The only change to the Energy from Waste (EfW) plant which was assessed for the Consented Scheme is in relation to the inlet control valves. This will allow it to run at greater efficiency to generate a greater output, with no additional inputs required. There are no other changes to the facility. Therefore, it is considered that there would be no changes in the level of noise and vibration generated by the plant.
		In terms of the noise survey, it is unclear whether a new survey has been undertaken or if it was just for new noise receptors in Silver End or a more extensive survey was undertaken. In addition, information is needed to substantiate the claim that the 2005 measurements are still relevant as reference in the 2015 survey, as such the baseline data needs to be robustly demonstrated that it is justified.	Within the ECC consultation response to the Request for a Scoping Opinion, the need for additional background noise monitoring was not considered necessary, except for new receptors identified on Jewitt Way, Silver End. Given that the

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			<p>assessment will consider the closest sensitive receptors, if no impact is identified at these receptors, it is considered that no impact would be experienced at receptors further away along Jewitt Way.</p> <p>Given that there are noise limits associated with the Consented Scheme the assessment would not be based on measured baseline sound levels at the receptors. Therefore, the relevance of the 2005 measurements is minimal and as such it was not considered necessary to use updated baseline survey data for the purposes of this updated assessment.</p>
		<p>It would be expected that the ES robustly demonstrate that the use of the current noise limits remains valid. In particular, reference should be made to BS4142:2014+A1:2019, given this is recognised as the appropriate guidance when considering the noise effects of industrial facilities on residential premises. It shall be noted that an assessment in line with the requirements of BS4142:2014+A1:2019 would allow the consideration of impact in accordance with the</p>	<p>An assessment in-line with BS 4142 is not proposed to be undertaken for this assessment. For the purposes of the DCO application, the assessment relates to the increased electrical output from the energy from waste</p>

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		<p>most current and relevant guidance. It would enable consideration of existing and updated baseline noise monitoring to confirm or revise proposed noise limits. In deriving such limits, the Standard allows for due consideration to be given, as appropriate, to matters such as absolute noise levels (i.e. consideration to guidance in BS 8233 and WHO), context of the sound, and characteristics of the sound.</p>	<p>component of the IWFM which is achieved through changing one item of plant compared to the Consented Scheme. All other plant remains the same as the Consented Scheme. Conditions 38, 39 and 40 set out noise limits for the day, evening and nighttime at the closest receptors. The DCO makes clear that the IWFM would continue to be constructed and operated according to the terms of the planning permission granted by ECC. Therefore, it is proposed to assess the potential effects of the DCO in-line with the consented noise limits as these are the limits to which the IWFM will be operated. This methodology will ensure that the effects of the Proposed Development can be assessed and, if necessary, measures proposed to mitigate the effects of the DCO specifically.</p>

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		<p>No justification is provided on why night-time is deemed as more sensitive when compared to daytime.</p>	<p>Night-time is widely accepted as more sensitive to daytime for noise levels due to lower background levels and the likelihood for sleep disturbance.</p>
		<p>The facility needs to be treated as one noise source, and not the additional components of that facility, as such combined noise levels needs to be considered.</p>	<p>The assessment considers all items of plant and building noise breakout on the assumption that all items would be operating simultaneously so as to represent a worst-case scenario.</p>

