

Indaver Rivenhall IWMF DCO

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009

# ENVIRONMENTAL STATEMENT [PINS Ref: EN0101038]

## ES CHAPTER 1: INTRODUCTION

Document Reference: EN0101038/APP/6.1

Revision Number 1.0

APFP Regulation 5(2)(a)

November 2023  
Indaver Rivenhall Ltd

Leading the field in  
sustainable waste  
management.

# Contents

---

Contents	ii
1 Introduction	1
1.1 Background	1
1.2 The Applicant	4
1.3 Overview of the Proposed Development	4
1.4 Legislative and Planning Policy Context	4
1.5 ES Structure and Project Team	9
1.6 Statement of Competency	9
References	11

## Tables

Table 1.1 Consultant Project Team

## Figures

Figure 1.1 Site Location Plan  
 Figure 1.2 Planning Application Order Limits  
 Figure 1.3 DCO Consenting Process

## ES Volume 2 - Appendices (Doc Ref. 6.2)

Appendix 1.1 Location of Specified Information in the ES

# 1 Introduction

---

## 1.1 Background

- 1.1.1 This Environmental Statement (ES) was prepared on behalf of Indaver Rivenhall Limited ('Applicant') for the Rivenhall Integrated Waste Management Facility ('IWMF') Development Consent Order ('DCO'). The Applicant is applying for development consent to increase the generating capacity of the consented Rivenhall IWMF ('Proposed Development'). As the generating capacity of the IWMF with the Proposed Development would exceed 50 megawatts ('MW'), development consent granted in the form of a DCO is required under Section 31 of the Planning Act 2008<sup>1</sup>. The application for the DCO ('Application') is being submitted to the Planning Inspectorate, with the decision on whether to grant a DCO being made by the Secretary of State ('SoS') for Energy Security and Net Zero ('ESNZ') pursuant to the Planning Act 2008.
- 1.1.2 The development site ('Site') is located on part of the Rivenhall IWMF site ('IWMF Site') at the former Rivenhall airfield, north west of Kelvedon. Figures 1.1 and 1.2 show the Site location and Order Limits, as well as the IWMF Site boundary.
- 1.1.3 The Rivenhall IWMF was granted planning permission in February 2016<sup>i</sup> under the Town and Country Planning Act 1990<sup>2</sup> ('TCPA'). The permission provides for the construction and installation of an IWMF that includes plant that produces energy from waste ('EfW plant'), with a generating capacity of up to 49.9 MW, together with other waste management processes ('Consented Scheme'). Construction works are underway at the IWMF Site, and the EfW plant is scheduled to be complete and commissioned by the end of 2025. The Consented Scheme, the Site and its surrounds are described further in **ES Volume 1 Chapter 2: Existing Site Conditions and Consented Scheme (Doc Ref. 6.1)**.
- 1.1.4 The generating capacity of the EfW plant to be installed as part of the Consented Scheme is controlled by inlet control valves which physically prevent the output exceeding 49.9MW. The Proposed Development seeks to improve the efficiency of the Rivenhall EfW plant, resulting in a generating capacity of over 50MW<sup>ii</sup>. This will be achieved through a number of '*engineering operations*' which constitute '*development*' for the purposes of Section 32 of the Planning Act 2008. The engineering operations would involve works to the inlet control valves to enable the generating capacity to exceed 50MW.
- 1.1.5 The Proposed Development is an 'EIA development' as defined by the EIA Regulations, requiring an Environmental Impact Assessment ('EIA'). This ES is provided in accordance with the Infrastructure Planning (Environmental Impact

---

<sup>i</sup> 2016 Permission, planning reference: ESS/34/15/BTE, as amended by ESS/34/15/BTE/NMA1, ESS/34/15/BTE/NMA2, ESS/34/15/BTE/NMA3, ESS/34/15/BTE/NMA4, ESS/34/15/BTE/NMA5 and ESS/34/15/BTE/NMA6 [correct as of 07/11/2023].

<sup>ii</sup> It is assumed that the EfW plant is likely to operate with a generating capacity between 60 and 65 MW.

Assessment) Regulations 2017<sup>3</sup> ('EIA Regulations') to inform the consideration of the Application and provide the Secretary of State with the environmental information that must be taken into account when determining the Application.

Figure 1.1: Site Location Plan

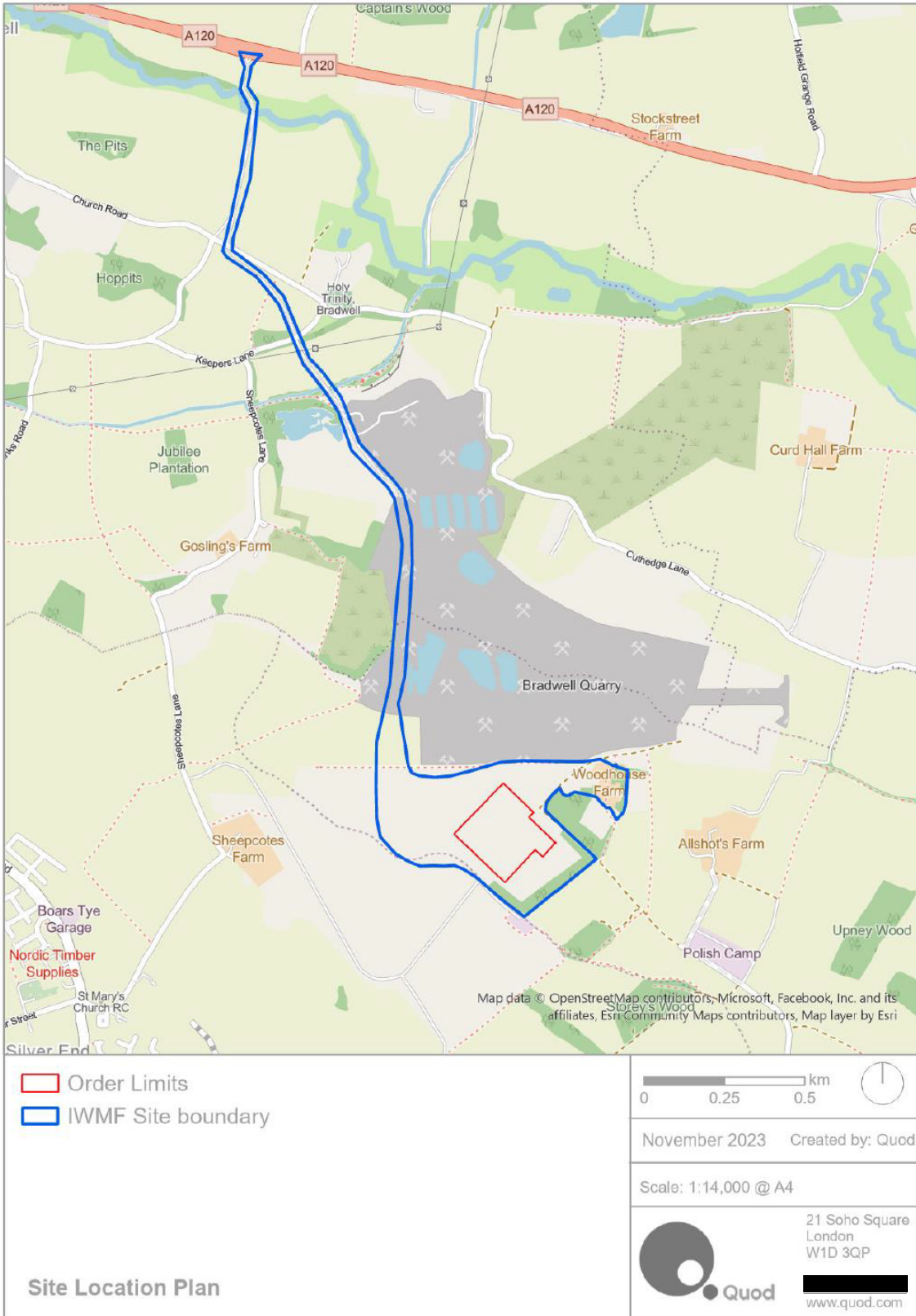




Figure 1.2: Planning Application Order Limits



## 1.2 The Applicant

1.2.1 The Applicant, Indaver Rivenhall Limited, is a company whose ultimate parent company is Indaver Holdings NV, a European waste management company. Indaver Holdings NV and its subsidiaries are active in the UK and elsewhere in Europe, with facilities and operations in Belgium, Germany, Ireland, the Netherlands, Italy, France, Spain and Portugal. Indaver Holdings NV and its subsidiaries provide high-quality sustainable waste management solutions to large scale industry, waste collectors, and public authorities.

## 1.3 Overview of the Proposed Development

1.3.1 The Proposed Development involves works to the steam inlet control valves of the EfW plant to enable the generating capacity to exceed 50MW. The greater generating capacity will be achieved by the implementation of one of two development work options. Each option enables the EfW plant to generate over 50MW of electricity through increasing the maximum amount of steam which reaches the turbine installed as part of the Consented Scheme. The option taken forward is dependent on the timing of the granting of the DCO relative to the installation and commissioning phases of the Consented Scheme. The Works Options are as follows:

- **Work Option No.1** – an extension to the [EfW plant at the Rivenhall IWMF] with the effect that, once extended, the [EfW plant] will have a gross installed generating capacity in exceedance of 50MW, comprising the removal of mechanical limitations to the inlet control valves
- **Work Option No.2** – an extension to the [EfW plant at the Rivenhall IWMF] with the effect that, once extended, the [EfW plant] will have a gross installed generating capacity in exceedance of 50MW, comprising installation of unrestricted inlet control valves

1.3.2 Further information on the Proposed Development is provided in **ES Volume 1, Chapter 3: Proposed Development and Construction (Doc Ref. 6.1)**.

## 1.4 Legislative and Planning Policy Context

### Consenting Process

1.4.1 The Proposed Development is a '*Nationally Significant Infrastructure Project*' ('NSIP') under Sections 14(1)(a), 15(1) and 15(2)(a) to (c) of the Planning Act 2008 as it is an extension of an onshore generating station in England (i.e., the EfW plant), which (when extended) will have a capacity exceeding 50MW. Development consent for the construction of an NSIP requires the grant of a DCO. Consent for the operation of the EfW plant at over 50MW will be sought as part of the DCO.

1.4.2 The DCO process is comprised of six primary stages, as set out in Figure 1.3.



Figure 1.3: DCO Consenting Process



- 1.4.3 An application for a DCO is submitted to the Planning Inspectorate acting on behalf of the SoS. Subject to an application being accepted, an inspector (or panel of inspectors) is appointed to examine the application (*‘Examining Authority’* or *‘ExA’*). The Examining Authority will inspect the application and make a recommendation to the SoS who will then decide whether to grant a DCO, or not.

### EIA Process

- 1.4.4 The Applicant has notified the SoS in writing under Regulation 8(1)(b) of the EIA Regulations that an ES will be provided with the DCO application for the Proposed Development.

- 1.4.5 The EIA requirement for NSIP developments has been adopted into law through the EIA Regulations. The EIA Regulations specify which developments are required to undergo EIA, and schemes relevant to the NSIP planning process are listed under either *‘Schedule 1’* or *‘Schedule 2’*. Developments listed in *‘Schedule 1’* must be subject to EIA, while developments listed in *‘Schedule 2’* must only be subjected to EIA if they are considered *‘likely to have significant effects on the environment by virtue of factors such as its nature, size or location’*. The criteria on which this judgement must be made are set out in Schedule 3 of the EIA Regulations.

- 1.4.6 The Proposed Development is a *‘Schedule 2’* development. Paragraph 13(1) of Schedule 2 of the EIA Regulations refers to:

*“Any change to or extension of development of a description listed in Schedule 1 to these Regulations (other than a change or extension falling within paragraph 21 of that Schedule) or in paragraphs 1 to 12 of this Schedule, where that development is already authorised, executed or in the process of being executed, and the change or extension may have significant adverse effects on the environment”.*

- 1.4.7 The EfW plant is already authorised as part of the Consented Scheme and is in the process of being constructed. The Proposed Development comprises an extension of the consented EfW plant and as such falls into Paragraph 13(1) of Schedule 2 of the EIA Regulations.

- 1.4.8 EIA is a systematic process that aims to prevent, reduce or offset the significant adverse environmental effects of development proposals and enhance beneficial effects. It ensures that planning decisions are made considering the likely significant environmental effects and with engagement from statutory bodies and other stakeholders including the public.

- 1.4.9 The first stage of the EIA process is to undertake a scoping study to determine the context and extent of the information to be included within the ES (see EIA Scoping Process below). Following the completion of an EIA Scoping Report and publication

of the Planning Inspectorate's Scoping Opinion, the EIA for a DCO is reported in two stages:

1. a Preliminary Environmental Information (PEI) Report was prepared to inform consultation with the public and other stakeholders about the Proposed Development ('2023 Statutory Consultation'), based on the preliminary environmental information available at the time of consultation; and
2. an ES is prepared to accompany the application.

1.4.10 The EIA process is integral to all stages of the DCO process, with the PEI Report and ES providing environmental information on the project to the Planning Inspectorate that informs the pre-examination, examination and decision stages.

### EIA Scoping Process

1.4.11 The Applicant submitted an EIA Scoping Report ('Scoping Report') (see **ES Volume 2, Appendix 5.1: EIA Scoping Report (Doc Ref. 6.2)**) in support of a formal request for a Scoping Opinion to the Planning Inspectorate on 25<sup>th</sup> April 2023. The Scoping Report defined the topics that the Applicant considered should be addressed in the ES and the level of detail to which they would be assessed. The Scoping Report provided justification for '*scoping out*' certain topics from the EIA, where the Proposed Development would have either no influence on these environmental aspects or it was unlikely to result in significant effects. The Planning Inspectorate issued their adopted Scoping Opinion ('Scoping Opinion') (see **ES Volume 2, Appendix 5.2: Planning Inspectorate Scoping Opinion (Doc Ref. 6.2)**) on 6<sup>th</sup> June 2023.

1.4.12 The Scoping Opinion included formal responses received by PINS from consultees. All issues raised in the Scoping Opinion are summarised and responded to in the relevant technical chapters. The Scoping Opinion compliance schedule is provided in **ES Volume 2, Appendix 5.3: Schedule of Scoping Opinion Comments and Responses (Doc Ref. 6.2)**.

1.4.13 Table 1.1 outlines the technical topics that are considered by the EIA and addressed within the ES, as agreed with PINS via the Scoping Opinion.

### Consultation and Preliminary Environmental Information

1.4.14 Consultation is integral to the preparation of a DCO application and to the EIA process. The comments of the consultation bodies and the local community help identify issues that may require further consideration and inform the environmental studies.

1.4.15 During the pre-application phase, promoters of a DCO application are required to consult with statutory consultees under Section 42 of the Planning Act 2008 and the local community under Section 47 of the Planning Act 2008. The DCO application must also be publicised under Section 48 of the Planning Act 2008. For EIA development, an applicant is required to consult on preliminary environmental information.



- 1.4.16 A PEI Report was prepared to satisfy the requirements of Regulation 12 of the EIA Regulations. In accordance with Regulation 12(2), the PEI Report presented *‘the information referred to in Regulation 14(2) which... has been compiled by the applicant ... and ... is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development)’*.
- 1.4.17 Under Regulation 12 of the EIA Regulations, the PEI Report was submitted to the Planning Inspectorate, enabling consultees (both specialist and non-specialist) to understand the likely environmental effects of the Proposed Development and facilitated consultation responses on the Proposed Development during the pre-application stage.
- 1.4.18 The PEI Report reported on the existing and future baseline conditions at the Site and provided an assessment of the likely environmental effects of the Proposed Development and their significance. In accordance with the EIA Regulations, the PEI Report considered the significant effects of all stages of the Proposed Development including construction and operation (where applicable). Assessments were reported in topic-based sections that also considered the potential for cumulative effects that may arise from the Proposed Development when considered alongside other relevant nearby development proposals. Where significant adverse effects on the environment were identified, the PEI Report proposed ways to prevent, reduce and, where possible, offset these effects (‘mitigation measures’).
- 1.4.19 The PEI Report was published for consultation on 28<sup>th</sup> June 2023 and the consultation period ended on 23<sup>rd</sup> August 2023. Consultation responses have been reviewed (refer to **ES Volume 1, Chapter 5: Consultation (Doc Ref. 6.1)**) and have informed the preparation of this ES.
- 1.4.20 Feedback from consultation of the PEI Report has been considered and incorporated into the ES. Further detail on consultation can be found in **ES Volume 1, Chapter 5: Consultation (Doc Ref. 6.1)**.

### Environmental Statement

- 1.4.21 To enable consultees to understand the likely environmental effects of the Proposed Development, this ES presents the findings of the environmental assessments undertaken. The Applicant has sought the views of consultees on the information contained within the PEI Report and during the consultation period leading up to submission of the Application for both the EIA and the project design to have regard to.
- 1.4.22 This ES for the Proposed Development advances the content of the PEI Report. It incorporates the responses from the consultation, results of surveys and assessment undertaken, and any mitigations measures implemented in relation to the Proposed Development for which the DCO is being applied for.
- 1.4.23 This ES has been prepared to satisfy the requirements of Regulation 14(1) of the EIA Regulations. Regulation 14(2) and Schedule 4 of the EIA Regulations identify

the information for inclusion in an ES. **ES Volume 2, Appendix 1.1: Location of Specified Information in the ES (Doc Ref. 6.2)** provides a summary of where the requirements of Regulation 14(2)/(3)/(4) and Schedule 4 of the EIA Regulations are addressed within the ES.

1.4.24 PINS Advice Note Seven<sup>6</sup> notes:

*“a good ES is one that:*

- *provides a clear description of the Proposed Development through all phases of the development consistent with the DCO in terms of construction, operation and decommissioning phases;*
- *clearly explains the processes followed to develop the ES including the established scope or the assessment;*
- *explains the reasonable alternatives considered and the reasons for the chosen option taking into account the effects of the Proposed Development on the environment;*
- *details the forecasting methods for the assessment and the limitations (as relevant);*
- *assesses in an open and robust way the assessment of likely significant effects explaining where results are uncertain;*
- *provides sufficient details of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects, the likely efficacy of such measures and how they are secured;*
- *details the need for any ongoing monitoring or remediation; and*
- *demonstrates that the information is sufficient to enable a reasoned conclusion to be reached.”*

### **Planning Policy Context**

1.4.25 The following national planning policy is relevant to the Proposed Development:

- National Planning Policy Framework (‘NPPF’)<sup>4</sup>;
- National Policy Statement (‘NPS’) EN-1<sup>5</sup>;
- NPS for Renewable Energy Infrastructure (EN-3)<sup>6</sup>;
- Revised draft NPS EN-1<sup>7</sup>; and
- Revised draft NPS EN-3<sup>8</sup>.

1.4.26 The regional planning policy relevant to the Proposed Development is the Essex County Council & Southend-on-Sea Borough Council Waste Local Plan<sup>9</sup>.

1.4.27 The local planning policy relevant to the Proposed Development is the Braintree Local Plan 2033<sup>10</sup>.

1.4.28 The ES does not assess if the Application is in accordance with national, regional and local planning policy. An assessment of the accordance of the Application with national and local planning policy is provided in the **Planning Statement, Sections 5 and 6 (Doc Ref. 7.1)**.

## 1.5 ES Structure and Project Team

1.5.1 The format of this ES covers the assessment topics agreed through the EIA Scoping process. The project team, authors of the ES Chapters and the structure of the ES are set out in Table 1.1.

**Table 1.1: Consultant Project Team**

Consultant Role / Input	Organisation
Applicant	Indaver Rivenhall Limited
Principal Designer and EPC Contractor	Hitachi Zosen Inova (HZI)
Planning Consultants Environmental Planning and EIA Co-ordinator	Quod
<i>ES Volume I (ES Chapters)</i>	
Chapter 1: Introduction	Quod
Chapter 2: Existing Site Conditions and Consented Scheme	Quod
Chapter 3: Proposed Development and Construction	Quod
Chapter 4: Alternatives	Quod
Chapter 5: Consultation	Quod
Chapter 6: EIA Methodology	Quod
Chapter 7: Climate Change and Greenhouse Gases	Fichtner Consulting Engineers
Chapter 8: Noise and Vibration	SLR Consulting
Chapter 9: Summary	Quod
<i>ES Volume II – Appendices</i>	
ES Non-Technical Summary	Various

## 1.6 Statement of Competency

1.6.1 Quod is the lead editor of this ES and the author of certain chapters, as outlined in Table 1.1. Quod is a member of the Institute of Environmental Management and Assessment ('IEMA') EIA Quality Mark Scheme, an accreditation scheme which sets

high standards for EIA practice and demonstrates a commitment to excellence in EIA activities.

- 1.6.2 Each member of the project team is a suitably qualified professional and details of the professional competency of the technical authors is provided in each technical chapter. The Applicant has provided the following statement confirming that it considers the experts to be competent.

*“In accordance with Regulation 14(4)(a) of the EIA Regulations, Indaver Rivenhall Limited (the Applicant) can hereby confirm that the technical consultants appointed to contribute and author this Environmental Statement are competent experts and have demonstrated evidence of sufficient expertise to carry out robust assessment and reporting. This is evidenced in the technical chapters of the Environmental Statement.”*



## References

---

<sup>1</sup> Her Majesty's Stationary Office ('HMSO'), (2008). Planning Act 2008. The Stationary Office.

<sup>2</sup> HMSO, (1990). Town and Country Planning Act 1990. United Kingdom: Central Government.

<sup>3</sup> Her Majesty's Stationary Office (HMSO), 2017. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. The Stationary Office. May 2017.

<sup>4</sup> Department for Levelling Up, Housing and Communities, 2023. National Planning Policy Framework, September 2023.

<sup>5</sup> Department of Energy and Climate Change ('DECC'), (2011). Overarching National Policy Statement for Energy (EN-1). July 2011.

<sup>6</sup> DECC, (2011). National Policy Statement for Renewable Energy Infrastructure (EN-3). July 2011.

<sup>7</sup> DESNZ, (2023). Revised (draft) Overarching National Policy Statement for Energy (EN-1). March 2023.

<sup>8</sup> DESNZ, (2023). Revised (draft) NPS for Renewable Energy Infrastructure (EN-3). March 2023.

<sup>9</sup> Essex County Council, (2017). Essex and Southend-on-Sea Waste Local Plan. Adopted July 2017.

<sup>10</sup> Braintree District Council, (2022). The Braintree District Local Plan 2013 – 2033. Adopted July 2022.

