

Indaver Rivenhall IWMF DCO

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009

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07 May 2024
Indaver Rivenhall Ltd

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VERSION HISTORY

<u>Version no.</u>	<u>Date</u>	<u>Submission</u>	<u>Status</u>	<u>Doc Ref</u>	<u>PINS Ref</u>
1	November 2023	Application	Superseded	7.1	APP-047
2	7 May 2024	Deadline 1	Latest	7.1	

Glossary

Abbreviation	Definition
APFP Regs	Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009
Applicant	Indaver Rivenhall Limited
BDC	Braintree District Council
CNP	<u>Critical National Priority</u>
Consented Scheme	The IWMF as approved by the IWMF TCPA Permission that is currently under construction at the IWMF Site.
DCO	Development Consent Order. A DCO is the form in which the Secretary of State grants consent for development applied for under the Planning Act 2008.
ECC	Essex County Council
EfW	Energy from Waste. Treatment processes and technologies used to generate a useable form of energy and which also reduce the solid volume of residual waste.
EIA	Environmental Impact Assessment. A process for predicting the effects of a proposed development on the environment that informs decisionmakers in relation to planning permissions, consents, licences and other statutory approvals, as required by Directive 2014/52/EU (the EIA Directive).
EIA Regs	Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
Environmental Permit	Environmental Permit (No.: EPR/FP3335YU), as varied by (No. EPR/FP3335/YU/V002, date 03 June 2020), and transferred to the Applicant (No. EPR/CP3906LP).
ES	Environmental Statement. The document reporting the process and outcomes of the EIA. Book 6 of this Application.
ExA	Examining Authority
Host Authorities	The relevant planning authorities within which the Proposed Development is located, being Braintree District Council and Essex County Council.
IWMF	Integrated Waste Management Facility
IWMF Site	The location of the IWMF as approved by the IWMF TCPA Permission.
IWMF TCPA Permission	Planning permission reference ESS/34/1539/23 /BTE (as amended and superseded from time to time, including by permissions granted pursuant to sections 73 and 96a of the TCPA 1990), dated 26 February 2016, for the development of

	an Integrated Waste Management Facility at the former Rivenhall Airfield
LA	Local Authority
LPAs	Local Planning Authorities
LWS	Local Wildlife Site
MW	Megawatt of electricity
NPPF	National Planning Policy Framework
NSIP	Nationally Significant Infrastructure Project. A project that, by reason of its scale and/or Infrastructure Project (NSIP) importance, needs Development Consent before it can be built or operated.
NPS	National Policy Statement. Policy statements that set out the government's objectives for the development of nationally significant infrastructure. They undergo a democratic process of public consultation and parliamentary scrutiny before being designated (i.e. published). They provide the primary basis for deciding NSIPs.
PA 2008	Planning Act 2008
PINS	Planning Inspectorate
Proposed Development	The application for which Development Consent is being sought – the proposed extension to the electrical generating capacity of the EfW component of the Rivenhall IWMF.
SoS	Secretary of State
Statutory Consultation	The consultation held between 28 June and 23 August 2023 in accordance with sections 42, 47, and 48 of the PA 2008.
TCPA 1990	Town and Country Planning Act 1990 (as amended)
TPO	Tree Protection Order

0 Executive Summary

- 0.1 This Planning Statement has been prepared in respect of an application for a Development Consent Order ('DCO') to allow the Proposed Development, this being the extension of the electrical generating capacity of the Rivenhall Integrated Waste Management Facility ('IWMF'). The Proposed Development is defined under the Planning Act 2008 as a Nationally Significant Infrastructure Project as it comprises the extension of a generating station in England to a capacity exceeding 50 megawatts. It requires a DCO from the Secretary of State for Energy Security and Net Zero ('the SoS'). This Planning Statement has been prepared on behalf of Indaver Rivenhall Ltd ('the Applicant') to support the DCO application and should be read in conjunction with the other documents submitted with the Application.
- 0.2 Sections 2-4 of this Planning Statement provide background details on the Rivenhall IWMF, which is currently under construction pursuant to planning permission issued by Essex County Council in ~~2016~~ 2024 (ECC ref: [ESS/39/23/BTE](#), dated 26th January 2024). This is referred to within the Planning Statement as the 'Consented Scheme'. Information on the Order Limits and the Proposed Development is also provided.
- 0.3 Section 5 outlines those policies and other matters that the Applicant considers are likely to be important and relevant to the SoS's decision. The Application's compliance with those policies is then set out in Section 6. The assessment of the Proposed Development is informed by the findings of the Environmental Impact Assessment as set out in the **Environmental Statement ('ES') (Doc Ref. 6.1)**.
- 0.4 By delivering a greater amount of electrical energy from reliable, low-carbon sources and avoiding adverse environmental impacts, the Proposed Development is considered to be in accordance with the relevant National Policy Statements ('NPSs'), as well as relevant policies from the Local Development Plan. As such, it is considered that a DCO should be granted for the Proposed Development.
- 0.5 Since submission of the DCO Application on 10th November 2023 and its acceptance by the Planning Inspectorate on 8th December 2023, this Planning Statement has been amended to account for the adoption of the updated NPSs, which came into force on 17th January 2024. These updated NPSs are an important and relevant consideration in the SoS's determination of the application for the Proposed Development.
- 0.6 The same has been done to account for updates made to the National Planning Policy Framework on 20th December 2023. Updates have also been made to account for changes in the Consented Scheme's planning history.
- 0.7 The updated assessment does not alter the conclusion that a DCO should be granted for the Proposed Development.

1 Introduction

- 1.1 This Planning Statement supports an application made to the Secretary of State for Energy Security and Net Zero ('the SoS') under section 37 of the Planning Act 2008 ('PA 2008') for a Development Consent Order ('DCO') to be made for the extension of a generating station at land within the former Rivenhall Airfield, Essex ('the Application').
- 1.2 This Planning Statement has been prepared in support of the DCO application, to assist the Examining Authority (the 'ExA') and the SoS in their decision-making by demonstrating compliance with relevant planning policy. In this instance relevant planning policy consists of the National Policy Statements ('NPSs') for energy infrastructure, as well as any other matters that are important and relevant to the determination of the Application, including the National Planning Policy Framework 2023 ('NPPF') and applicable local planning policy.
- 1.3 This Planning Statement is structured as follows:
 - Section 2 provides information on the Consented Scheme, which forms the future baseline against which the Proposed Development should be considered.
 - Section 3 provides information on the Order limits.
 - Section 4 sets out the Proposed Development, planning history and local planning designations.
 - Section 5 summarises the relevant policy considerations of the NPS and other matters.
 - Section 6 assesses the Proposed Development against the NPS and against relevant national and local policy.
 - Section 7 provides the conclusions of this Planning Statement in terms of planning policy compliance.

The Applicant

- 1.4 The Applicant, Indaver Rivenhall Limited, is a fully-owned subsidiary of Indaver Holdings NV, a European waste management firm headquartered in Flanders, Belgium. Indaver Holdings NV operates not only in the UK but also across Europe, with a presence in Belgium, Germany, Ireland, the Netherlands, Italy, France, Spain, and Portugal. Indaver Holdings NV and its affiliated companies have specialised in providing high-quality sustainable waste management solutions to large scale industry, waste collectors, and public authorities for more than 30 years.

The Proposed Development and the Consented Scheme

- 1.5 An Integrated Waste Management Facility ('IWMF') is being constructed at the former Rivenhall airfield to help divert waste from landfill and better manage the waste that we produce. When operational, the IWMF will treat residual waste and convert this into

electricity to help power homes and businesses in a process known as Energy from Waste ('EfW').

- 1.6 The Rivenhall IWMF is located to the east of Silver End near Braintree in Essex, on the site of the former Rivenhall Airfield. It is located within the local authority areas of Braintree District Council ('BDC') and Essex County Council ('ECC'). ECC that acts as the local planning authority ('LPA') for the Rivenhall IWMF, being the authority that oversees matters relating to waste and minerals.
- 1.7 The Rivenhall IWMF is currently under construction in accordance with a planning permission issued by ECC (ECC Ref: ~~ESS/34/15/39/23/BTE~~, dated ~~26/02/2016~~01/2024) pursuant to section 73 of the Town and Country Planning Act 1990 (as amended; 'the TCPA 1990'). This is referred to as 'the Consented Scheme'. The planning permission itself is referred to as the 'IWMF TCPA Permission', is provided at Appendix 1, and is described further in Section 2 of this Planning Statement. It is a variation of an earlier planning permission (ECC Ref: ~~ESS/37/08/BTE~~; as amended by ESS/34/15/BTE) issued by the Secretary of State in 2010 and 2016 respectively.
- 1.8 There is no express cap on the amount of electricity that the IWMF can generate set out in the planning permission (or associated Section 106 Agreement). However, by virtue of the permission having been granted pursuant to the TCPA 1990 and when read alongside the PA 2008, it has a *de jure* generating cap of 49.9 megawatts of electricity ('MW'). This is because a DCO is required to authorise the operation of an onshore generating station at a capacity above 50MW and any works necessary for such operation.
- 1.9 This DCO application seeks permission to allow the IWMF to generate more than 50MW. The Proposed Development then falls under the definition of a Nationally Significant Infrastructure Project ('NSIP') within Sections 14(1)(a) 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.
- 1.10 Clearly, an understanding of the Consented Scheme is vital for also understanding the Proposed Development. To help set this context, information relating to the Consented Scheme is set out before a description of the Order limits and of the Proposed Development.

2 The Consented Scheme

- 2.1 This section sets out information relating to the Consented Scheme, which is currently under construction at the 'IWMF Site', this being the land to which the IWMF TCPA Permission applies. The Proposed Development seeks to extend the electrical generating capacity of the Consented Scheme, so the Consented Scheme constitutes the 'future baseline' against which the Proposed Development is assessed. A detailed description of the Consented Scheme is set out in the **ES Volume ('Vol.') 1, Chapter 2: Existing Site and Consented Scheme (Doc Ref: 6.1)**.

Location and context

- 2.2 The IWMF Site falls mostly within the former Rivenhall Airfield east of Braintree, Essex. The entire IWMF Site area is approximately 25.3 hectares ('ha') and is accessed via the Coggeshall Road (A120). The IWMF building is located in the southern part of the IWMF site, approximately 1.7km south of Coggeshall Road.
- 2.3 The Planning Application Area and General Arrangement Plan (Ref: Figure 1-2B) of the Consented Scheme is provided at Appendix 2. An extract of the Typical Arrangement Plan is provided below at Figure 1.



Figure 1 - Extract of Typical Arrangement Plan (ref: Figure 1-5B) of the Consented Scheme (not to scale)

2.4 The IWMF Site overlaps with Bradwell Quarry where sand and gravel extraction has been occurring. The mineral extraction works within the IWMF Site are now complete, though extraction and processing works are ongoing in land adjacent to the IWMF Site.

2.5 The IWMF Site contains three Grade II listed structures in its southern portion at Woodhouse Farm. A Tree Protection Order covers the band of trees in the south of the IWMF site. An Environmental Sensitivities Map is provided at Figure 2.2. of the **ES Vol. 1, Chapter 2: Existing Site and Consented Scheme (Doc Ref: 6.1)**.

2.6 The land surrounding the IWMF Site is predominantly rural and open. The village of Silver End is the closest settlement, located approximately 1km west of the IWMF site. Coggeshall, Rivenhall, Kelvedon and Witham are located approximately 3.5km north-west, 2.3km south, 3.5km south-west and 4km south respectively. Braintree is located circa 4.5km to the east. A small rural business centre is located at Allshots Farm approximately 500m south-east of the IWMF Site.

IWMF TCPA Permission

2.7 The IWMF received planning permission through the TCPA 1990 in 2010 ('the 2010 planning permission').¹

2.8 The 2010 planning permission was subsequently amended via an application made under section 73 of the TCPA 1990.^{2,3} It has been recently amended again via another section 73 permission (reference ESS/39/23/BTE, dated 26th January 2024), which now constitutes the operative planning permission. The 2016/2024 Planning Permission (as amended and superseded from time to time, including by subsequent permissions granted pursuant to sections 73 and 96a of the TCPA 1990) is referred to in this Application as the IWMF TCPA Permission.

2.9 The effect of the most recent section 73 permission was to (amongst other things), remove condition 66 from the planning permission. Condition 66 had stated:

In the event that the IWMF is not brought into beneficial use within 5 years of commencement of the development (as notified under condition 1) the operator shall within 6 months of the end of the 5 year period submit a plan of action for an alternative use or a scheme of rehabilitation for the site for approval by the Waste Planning Authority. The plan of action for an alternative use or scheme of rehabilitation shall be implemented within 6 months of approval by the Waste Planning Authority.

¹ LPA reference ESS/37/08/BTE, dated 02/03/2010. Planning Inspectorate reference APP/Z1585/V/09/2104804.

² LPA reference ESS/34/15/BTE, dated 26/02/2016

³ LPA reference ESS/34/15/BTE, dated 26/02/2016

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2.10 Other conditions have been removed from the planning permission as the requirements have now been discharged.⁴ The list of plans approved under Condition 2 of the permission was not changed by the 2024 Planning Permission.

~~2.92.11~~ An application was submitted under Section 73 of the TCPA 1990 in January 2022 to vary condition 68 of the 2016 Planning Permission.⁵ A further application was submitted in April 2023 under Section 73 of the TCPA 1990 to remove Condition 66 of the 2016 Planning Permission.⁶ This has received a resolution to grant subject to the completion of a legal agreement. If either of these permissions were granted, it would supersede the 2016 If this permission was granted, it would supersede the 2024 Planning Permission as the operative consent.

~~2.102.12~~ The IWMF TCPA Permission has been subject to the following non-material amendments:

Table 1: IWMF Non-Material Amendment history⁷

Application Ref.	Description	Status
<u>ESS/39/23/BTE/NMA1</u>	<u>Non Material Amendment to planning permission ESS/39/23/BTE (Integrated Waste Management Facility) to allow amended details and drawings in relation to the stabilisation works on the north western slope of the IWMF void (Part retrospective).</u>	<u>Pending consideration</u>
<u>ESS/34/15/BTE/NMA10</u>	<u>Non-Material Amendment to amend the wording of Condition 14 of planning permission ESS/34/15/BTE to allow amended details for the stack cladding. Planning permission ESS/34/15/BTE is for the Integrated Waste Management Facility.</u>	<u>Granted 11/03/2024</u>
<u>ESS/34/15/BTE/NMA9</u>	<u>Non-Material Amendment to amend the wording of Condition 8 of planning permission ESS/34/15/BTE to allow the delivery and removal of abnormal indivisible loads associated with mobile cranes in connection with the construction the Integrated Waste Management Facility (IWMF).</u>	<u>Granted 19/12/2023</u>

⁴ These are conditions 10, 11, 16, 28, 30, 64, and 67.

⁵ LPA reference ESS/02/22/BTE

⁶ LPA reference ESS/39/23/BTE

⁷ Correct as of 07/11/2023 29/04/2024.

Application Ref.	Description	Status
	ESS/34/15/BTE is the planning permission for the IWMF.	
ESS/34/15/BTE/NMA8	Non-Material Amendment to amend the wording of Condition 35 of planning permission ESS/34/15/BTE to allow out of hours working between January 2024 and June 2024. ESS/34/15/BTE is the planning permission for the Integrated Waste Management Facility.	Granted 19/01/2024
ESS/34/15/BTE/NMA7	Non-material amendment to planning permission ESS/34/15/BTE (Integrated Waste Management Facility) to allow amended layout drawings for the car park and associated lighting and landscaping.	Granted 22/02/2024 Pending consideration
ESS/34/15/BTE/NMA6	Non-material amendment to amend the wording of Condition 35 of planning permission ESS/34/15/BTE to allow out of hours working between May 2023 and December 2023.	Granted 07/06/2023
ESS/34/15/BTE/NMA5	Non-material amendment to amend the wording of condition 45, 57 and 59 of planning permission ESS/34/15/BTE to allow updated details with respect to soil nailing, planting details and earthworks sequencing.	Granted 31/05/2023
ESS/34/15/BTE/NMA4	Non-material amendment to amend the wording of condition 50 of planning permission ESS/34/15/BTE to allow amended drawings and details to enable changed alignment of permanent fencing and fencing details.	Granted 13/04/2023
ESS/34/15/BTE/NMA3	Non-material amendment to amend the wording of Condition 8 of planning permission ESS/34/15/BTE to allow the delivery and removal of abnormal indivisible loads associated with the piling rigs in connection with the construction the IWMF.	Granted 30/08/2022
ESS/34/15/BTE/NMA2	Non-material amendment to amend the wording of Condition 45 and 57 of planning permission ESS/34/15/BTE to allow reference to updated details with respect to earthworks sequencing and planting details.	Granted 13/01/2022

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Application Ref.	Description	Status
ESS/34/15/BTE/NMA1	Non-material amendment to amend the wording of Condition 64 of planning permission ESS/34/15/BTE to allow reference to updated historic environment documentation.	Granted 30/09/2021

2.442.13 The construction of the Consented Scheme is currently underway pursuant to the IWMF TCPA Permission, with the consented EfW facility due to be completed and commissioned by the end of 2025.

2.422.14 There have been multiple condition discharge applications and notifications made pursuant to the IWMF TCPA Permission. These are detailed in Appendix 3. A collection of applications for full planning permission and Listed Building Consent relating to the repair and refurbishment of listed buildings and structures at Woodhouse Farm have been ~~considered and received a resolution to grant~~ granted by the BDC Planning Committee on 17th October 2023.⁸ These would supersede ~~have superseded~~ the listed building consent issued by BDC previously.⁹

2.432.15 A full description of the Consented Scheme is provided in **ES Vol. 1, Chapter 2: Existing Site and Consented Scheme (Doc Ref 6.1)**, including information on its appearance, grid connection, water management, landscaping, drainage and transport arrangements.

Operation of the Consented Scheme – Energy from Waste plant

2.442.16 When completed and operational, the Rivenhall IWMF will contain numerous processes for the management of waste delivered to the site.

2.452.17 The process which is of relevance to the Proposed Development and this Application is that relating to the generation of electricity by the Energy from Waste ('EfW') plant.

2.462.18 Residual waste that is processed at the IWMF is delivered to the reception hall, tipped into a bunker and then transferred from the bunker to the furnace, where it is combusted at a high heat.

2.472.19 The combustion of waste leads to the generation of hot flue gases, which are maintained at more than 850°C for at least two seconds to ensure full combustion. The hot flue gases pass through a boiler where their heat is used to generate high pressure steam. The cooled flue gases are then passed through a comprehensive flue gas treatment system, which reduces the concentrations of pollutants to well below the

⁸ LPA references 22/02462/LBC; 22/02463/FUL; 22/02462/FUL; 22/02464/FUL; 23/00351/FUL; 23/00352/LBC – all granted on 1st December 2023.

⁹LPA reference 15/01191/LBC dated 22nd September 2015.

permitted emission levels set in the Environmental Permit (described below) before the cleaned flue gases are released to atmosphere via a stack.

2-182.20 The high pressure steam produced by the boiler is either: (i) fed into a turbine to drive rotation of the blades, then expanded to lower pressure, condensed back into water in an aero-condenser and recirculated into the boiler to be re-heated by the hot flue gases; or (ii) directed via a bypass valve to be cooled and condensed back into water in an aero-condenser and recirculated into the boiler to be re-heated by the hot flue gases without entering the turbine. Electricity can only be generated from steam that is sent to the turbine. The condensation and recirculation of steam back to the boiler does not generate electricity.

2-192.21 Whether the steam is fed into the turbine or recirculated via the bypass valve is controlled by a set of inlet control valves. These inlet control valves and the bypass valve itself determine the amount of steam fed to the turbine and, therefore, the amount of electricity that can be produced by the EfW plant. These valves are located immediately upstream of (i.e. before) the first stage of turbine rotating blades. The inlet control valves which are to be installed under the Consented Scheme will be physically restricted to ensure that they cannot be opened to allow more steam into the turbine than would be required to generate a maximum of 49.9MW of electricity.

2-202.22 In this way, the EfW plant is able to control the flow of steam to the turbine and ensure that it does not generate more than 49.9MW.

2-212.23 The Consented Scheme is programmed to become operational in Autumn 2025. It will take some months for the EfW component to come online and generate electricity, such that it is expected that the first electrical output of the EfW would be in Spring 2026.

2-222.24 Further information on the consented scheme and the process is set out in **ES Vol. 1, Chapter 2: Existing Site and Consented Scheme (Doc Ref 6.1)**.

Environmental Permit

2-232.25 The operation of the Consented Scheme will be subject to the conditions set out in an Environmental Permit (no. EPR/FP3335YU), which was subsequently varied (no. EPR/FP3335/YU/V002, date 03 June 2020) and transferred to the Applicant (no. EPR/CP3906LP) ('the Environmental Permit').

2-242.26 The Environmental Permit controls, amongst other things, the amount of waste that can be combusted, and the daily average emissions limits from the Consented Scheme. The Environmental Permit sets out that the limits imposed on the emissions will mean that all emissions either screen out as insignificant or where they do not screen out as insignificant are considered unlikely to give rise to significant pollution.¹⁰

¹⁰ Environmental Permit reference EPR/FP3335YU/V002, 03 June 2020, page 19.

The Environmental Permit states that compliance with the emissions limits will ensure protection of the environment and human health.¹¹

~~2.252.27~~ No changes to the Environmental Permit are required as a result of the Proposed Development.

¹¹ Environmental Permit reference EPR/FP3335YU/V002, 03 June 2020, page 34.

3 The Order limits

- 3.1 This section sets out background information on the location of the Order limits and its surroundings, any designations or allocations that apply to the land, and relevant planning history.
- 3.2 Distinction is made between the location of the Order limits and the 'IWMF Site' – that being the boundary to which the IWD~~MF~~ TCPA Permission relates (as described above).

Location of the Order limits

- 3.3 The Order limits (shown on the **Location Plan (Doc Ref 2.1)**) comprises approximately 5.5ha of land within the former Rivenhall Airfield. It is located east of Braintree, approximately 3km south east of Bradwell village, approximately 1km to the north east of Silver End and approximately 3km south west of Coggeshall.
- 3.4 The Order limits are located within the southern part of the IWMF Site and represent the boundaries of the two-dimensional envelope of the IWMF building footprint, as defined by the Consented Scheme.
- 3.5 The Order limits are located in the authority areas of BDC and ECC.

Order limits site description

- 3.6 The land within the Order limits is currently a construction site, where works associated with the construction of the Consented Scheme are underway.
- 3.7 The Order limits sits at approximately 15m below ground level, due to the minerals excavation work that has previously occurred there.
- 3.8 The surrounding context is as per for the IWMF Site.

Local planning policy context

Statutory Development Plan

Essex and Southend on Sea Waste Plan

- 3.9 The IWMF Site, and therefore the Order limits, is allocated within the Essex and Southend on Sea Waste Plan (2017) (the 'Waste Plan') under Policy 3: Strategic Site Allocations as suitable for waste management development for biological waste management and residual non-hazardous waste management.
- 3.10 Appendix B – Development Principles of the Waste Plan sets out at Table 17 a high-level overview of the availability, capacity and access considerations for Rivenhall.

Appendix B also sets out a number of site-specific issues and opportunities that are to be addressed, as follows:

- Any development of the site would need to ensure mineral traffic associated with the quarry (MLP sites A3, A4, A5, A6 and A7) is still able to utilise the existing access road to the A120.
- Widening of private haul road to two way working and improvement of minor road crossings (as identified in Section 106 Agreement attached to extant planning consent for IWMF).
- Waste traffic would use the existing access, which would be required to be made to a standard suitable for road traffic from the existing mineral processing area to the waste site. HGV movements would be restricted in line with current permitted movements to avoid adverse impacts to the A120. Provision of screening on south west, south east and northern boundaries would be important. Views from the Essex Way should be screened. The access road to the facility should be at low level with planting on both sides of the access road.
- Future built development to be at low level, with the bulk of any structure to be below ground level. Tree Preservation Order (TPO) to be protected as much as possible and management of surrounding TPO woodland suggested to maximise screening and biodiversity value.
- The impacts from the proposal need to be addressed on the designated buildings located in the vicinity - especially on the setting of the Woodhouse Farm Listed Building.
- Rights of Way – Kelvedon footpath 8 runs close to the site and its route should be protected.
- Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.
- If the proposed site layout cannot accommodate the statutory easements (relevant to existing infrastructure on the site) the diversion of the existing assets may need to be considered. Any activity that requires excavation should only proceed with caution, and the existing underground infrastructure must be supported and protected and not be put at risk from disturbance.

Essex Minerals Local Plan

- 3.11 The IWMF Site falls within a Minerals Consultation Area and Minerals Safeguarding Area for Sand and Gravel in the Essex Minerals Local Plan (2017). Bradwell Quarry is a designated Preferred and Reserve Sand and Gravel Site with several potential extensions to the existing quarry identified.

Braintree District Local Plan

- 3.12 The Braintree District Local Plan 2033 consists of two parts; Section 1 being a strategic plan for north Essex adopted in 2021, and Section 2 providing policies for Braintree District adopted in 2022. A site to the south of Rivenhall Airfield is allocated under Policy LPP5 Allshot's Farm, Rivenhall for employment use with structural landscaping.

This allocation lies to the east of the IWMF Site on Woodhouse Lane. The IWMF Site is not subject to any allocations or designations within the Braintree District Local Plan.

Designations and allocations

Statutory and non-statutory designations

- 3.13 The Order limits lie within Flood Zone 1.
- 3.14 The Order limits do not fall within any Air Quality Management Areas.
- 3.15 The Order limits are not subject to any statutory or non-statutory designations for nature. An ecological mitigation area for Great Crested Newts associated with the IWMF quarrying works is located to the east of Woodhouse Farm. The closest ecological sites are Storey's Wood Local Wildlife Site ('LWS') and Upney Wood LWS approximately 290m south and 900m south east of the Site. The closest statutory designated ecological site is Brockwell Meadows Local Nature Reserve approximately 4.5km south east of the Site. Please refer to the **Statutory and Non-Statutory Sites or Features of Nature Conservation Plan (Doc Ref 2.4)** for further information.
- 3.16 Three Grade II listed buildings associated with Woodhouse Farm are located approximately 180m north east of the Order limits. Three other Grade II listed properties lie within a 1km radius of the Order limits. There are no World Heritage Sites, Scheduled Ancient Monuments, Registered Parks and Gardens, Registered Battlefields or locally listed buildings within 1km of the Order limits. The Order limits are not located within or in proximity to a Conservation Area. The closest Conservation Area is the Silver End Conservation Area located approximately 1.2km south west of the Order limits. Please refer to the **Statutory and Non-Statutory Features of Historic Interest Environmental Plan (Doc Ref 2.5)** for further information.

4 The Proposed Development

Introduction

4.1 This section of the Planning Statement provides an overview of the Proposed Development, and the legislative basis for it constituting a NSIP. A full description of the Proposed Development is also provided at **ES Vol. 1, Chapter 3: Proposed Development and Construction (Doc Ref: 6.1)**.

Description of development

4.2 The Proposed Development seeks permission to remove the mechanical stops from the actuators for the inlet control valves and/or to install inlet control valves with actuators without a mechanical stop, to allow a greater volume of the steam generated by the boiler to be sent to the turbine than would be allowed under the Consented Scheme. The effect of sending more steam into the turbine is that there is more energy available, which equates to greater mechanical power from the turbine and, therefore, greater electrical power from the generator. This allows the turbine to run more efficiently and generate over 49.9MW of electricity due to the increased volume of steam being fed into the turbine rather than directly recirculated to be cooled and condensed back to water.

4.3 No additional throughput and combustion of waste is required to achieve this uplift in generating capacity, nor would there be any change to the type of wastes processed and combusted at the IWMF as a result of the Proposed Development. The total amount of steam generated by the EfW plant would not change as a result of the Proposed Development. The Proposed Development would only result in a change to where that steam is directed, and the volume of steam allowed to go to the turbine.

4.4 Aside from the above, the Consented Scheme will continue to be constructed and operated as per the terms of the IWMF TCPA Permission. This means that the following (which is not intended as an exhaustive list) will not change as a result of the Proposed Development:

- all details relating to the external appearance of the IWMF, including the layout, size, scale, landscaping (including any visual or ecological mitigation/improvements), lighting, and location and dimensions of the stack;
- access arrangements to the IWMF Site;
- the number of heavy goods vehicle movements associated with the construction and operation of the Consented Scheme;
- the number of employees at the IWMF Site during construction and operation of the Consented Scheme;
- the amount or type of waste that is delivered to and incinerated at the Consented Scheme;

- the process for the treatment and use of flue gases and other residues produced from the incineration of waste, meaning there would also be no change to the concentration of particles in the emissions;
- the visibility or size of any plume emanating from the stack;
- the hours of construction and operation of the Consented Scheme; and
- any plans or measures in place relating to the decommissioning of the Consented Scheme.

Engineering Works

4.5 The Proposed Development would be implemented through one of two Work options within the DCO. The Work option implemented would depend on the progress of the construction of the Consented Scheme at the time of granting the DCO. These Work options are as follows:

- Work No.1 – an extension to the existing generating station comprising mechanical modifications to the actuated steam turbine inlet control valves to allow steam capacity to be increased, with the effect that the extended generating station will have a gross installed generating capacity of over 50MW; and
- Work No.2 – an extension to the existing generating station comprising the installation and commissioning of unrestricted actuated steam turbine inlet control valves with a capacity of over 50MW, with the effect that the extended generating station will have a gross installed generating capacity of over 50MW.

4.6 To be clear, consent is sought for both Works set out above. Work No. 1 would be carried out in the scenario in which the EfW component of the IWWMF is built out before a DCO is granted. Work No. 2 would occur if a DCO is granted ahead of the relevant part of the EfW plant being installed. At the time of writing, it is anticipated that Work No. 2 would be carried out. However, flexibility on this is necessary to account for uncertainties surrounding the granting of the DCO and the build-out of the Consented Scheme.

4.7 It is anticipated that it would take approximately one to two weeks to carry out the Proposed Development, which would be carried out by suitably qualified engineers.

Environmental Permit

4.8 The Applicant has been liaising with the Environment Agency about the Proposed Development. No changes to the Environmental Permit are necessary as a result of the Proposed Development. Any necessary variations to permits and/or consents are outside of the scope of the DCO application and will be sought separately, as set out in the **List of Other Consents and Licenses (Doc Ref. 7.4)**.

Legislative context

4.9 The Proposed Development comprises alterations to the control valves to allow for an unrestricted flow of steam to reach the turbine. The effect of these works would be to increase the capacity of the Consented Scheme to above 50MW.

4.10 The use of more modern and enhanced technology would not require an increase in waste throughput or physical changes to the consented building envelope or external layout.

4.11 This would be achieved through physical works that are 'engineering operations' which constitutes 'development' for the purposes of Section 32(1) of the Planning Act 2008. This section states that 'development' in the PA 2008 has the same meaning as it does in the TCPA 1990, where it is defined at section 55 of that Act.

4.12 S55 of the TCPA 1990 defines the meaning of 'development' as follows:

"(1) Subject to the following provisions of this section, in this Act, except where the context otherwise requires, "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

(1A) For the purposes of this Act "building operations " includes—

(a)demolition of buildings;

(b)rebuilding;

(c)structural alterations of or additions to buildings; and

(d)other operations normally undertaken by a person carrying on business as a builder.

2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which—

(i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building,

and are not works for making good war damage or works begun after 5th December 1968 for the alteration of a building by providing additional space in it underground;"

4.13 In proposing engineering operations, the definition of development set out in s55(1) of the TCPA 1990 is met. The Proposed Development does not involve any alterations to the external appearance of the Consented Scheme. It is recognised that this could call into question whether s55(2) may discount the proposals from constituting 'development'. S55(2), however, relates specifically to the 'maintenance, improvement or other alteration of any building' (own emphasis). 'Building' is itself defined at s336(1) of the TCPA 1990 to exclude plant or machinery comprised in a building. Alterations to the plant within the IWFM building carried out through engineering operations would constitute development for the purposes of s55 of the TCPA 1990 (and, therefore, of

the PA 2008) despite not involving any changes to the external appearance of the IWMF.

Nationally Significant Infrastructure Project

- 4.14 Section 14(1)(a) of the PA 2008 sets out that a NSIP is a project that consists of *‘the construction or extension of a generating station’*. Sections 15(1) and 15(2) jointly set out that a generating station is within section 14(1)(a) when it has been constructed or extended such that its capacity is more than 50MW.
- 4.15 The Proposed Development, in comprising operations that would extend the generating station to a capacity of more than 50MW, constitutes a NSIP for which development consent is required (as per section 31 of the PA 2008).

5 Planning Act 2008 and National Policy Statements

Introduction

- 5.1 The reasoning for why the Proposed Development constitutes a NSIP is set out above at Section 4.
- 5.2 This section sets out the legislative and planning policy framework for the determination of NSIPs, primarily against the policies set out in the NPSs for energy infrastructure. Other matters relevant to the SoS's decision making are also identified. An assessment of the Proposed Development against this framework is provided in Section 6 of this Planning Statement.

Legislative framework

- 5.3 The primary legislative framework for the determination of NSIP applications comprises:
- the Planning Act 2008 (the 'PA 2008');
 - the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regs'); and
 - the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations').
- 5.4 Section 37 of the PA 2008 requires submission of an application for development consent to PINS prior to the development of an NSIP. PINS then examine the application on behalf of the SoS, prior to making a recommendation for approval or refusal. If granted, it would be issued in the form of a DCO by the relevant SoS, which in the case of the IWMF will be the SoS for Energy Security and Net Zero.
- 5.5 The NPSs provide the policy framework for NSIP applications to be determined against under the PA 2008 regime. Section 5 of the PA 2008 allows the SoS to designate NPSs to set out national policy to apply to the types of NSIPs designated at Section 14 of the PA 2008. Section 104 of the PA provides that where an NPS has effect, the SoS must have regard to:

“(a) any national policy statement which has effect in relation to development of the description to which the application relates (a “relevant national policy statement”),

(aa) the appropriate marine policy documents (if any), determined in accordance with Section 59 of the Marine and Coastal Access Act 2009,

(b) any local impact report (within the meaning given by Section 60(3) submitted to the Secretary of State before the deadline specific in a notice under Section 60(2),

(c) any matters prescribed in relation to development of the description to which the application relates, and

(d) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision."

National Policy Statements for Energy Infrastructure

5.6 Section 104(2)(a) of the PA 2008 requires the SoS to have regard to any NPS that has effect in relation to the Proposed Development.

5.7 A series of NPSs for Energy Infrastructure were published in 2011 by the SoS for the former Department of Energy and Climate Change. The NPSs considered to be relevant for the Proposed Development and its determination by the SoS are as follows:

- Overarching NPS for Energy (EN-1);
- NPS for Renewable Energy (EN-3).

5.8 A series of revised NPSs for Energy Infrastructure came into force on 17 January 2024 after the application for the Proposed Development was accepted for examination on 8 December 2023. These revised NPSs only have effect for applications accepted after they came into force¹². However, the following are an important and relevant consideration in the SoS's determination of the application for the Proposed Development:

- Revised Overarching NPS for Energy (EN-1);
- Revised NPS for Renewable Energy (EN-3).

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Overarching NPS for Energy (EN-1)

5.85.9 ~~The adopted~~ The adopted Overarching NPS for Energy (EN-1) (2011) which was in force on the date that the application for the Proposed Development was accepted sets out the national policy for the delivery of energy infrastructure NSIPs in England and Wales and the commitment to meet the legally binding target to reduce Greenhouse Gases ('GHG') emissions by 80% by 2050. This means reducing the amount of energy provided by fossil fuels and replacing it with energy supplied from low carbon sources.

5.95.10 EN-1 establishes the need for new energy NSIPs to achieve energy security at the same time as reducing greenhouse gas emissions, and the need to replace closing electricity generating capacity. This includes utilising EfW systems with or without carbon capture storage, which fall under the scope of the NPS.

¹² Revised NPS EN-1 (2023), paragraph 1.6.2: "The Secretary of State has decided that for any application accepted for examination before designation of the 2023 amendments, the 2011 suite of NPSs should have effect in accordance with the terms of those NPS."

[5.145.11](#) EN-1 also provides policy and guidance on generic impacts to aid LPAs (in this case BDC and ECC) in the preparation of their Local Impact Reports.

[5.145.12](#) NPS EN-1 has joint effect alongside technology-specific NPSs, which in this case is the NPS for Renewable Energy (EN-3).

NPS for Renewable Energy (EN-3)

[5.145.13](#) NPS EN-3 forms the technology-specific NPS for biomass and waste combustion NSIPs where generation is greater than 50MW. It provides the assessment principles and technology-specific information for the assessment of such applications to be considered in addition to the generic impacts set out in EN-1.

[5.145.14](#) NPS EN-3 establishes the following technology-specific impact assessment principles for biomass and EfW infrastructure, in addition to the generic impacts in EN-1:

- national designations, Green Belts and other locational considerations;
- air quality and emissions;
- landscape and visual effects;
- noise and vibration impacts;
- odour, insect and vermin infestation;
- waste management;
- residue management;
- water quality and resources.

[5.145.15](#) An assessment of the Proposed Development against the principles of EN-1 and EN-3 is set out in Section 6 of this Statement.

Important and Relevant Matters

[5.155.16](#) As set out in s104(2)(d) of the PA2008, the SoS must have regard to any other matters which they may think are both important and relevant to their decision.

Revised draft National Policy Statements

Revised Overarching NPS for Energy (EN-1)

5.17 The Revised Overarching NPS for Energy (EN-1) (2023) sets out the national policy for the delivery of energy infrastructure NSIPs in England and Wales and the commitment to meet the legally binding target of reaching net zero Greenhouse Gases ('GHG') emissions by 2050. There are interim targets to reduce GHG emissions by 68% from 1990 levels by 2030 and by 78% by 2035.¹³ This means reducing the amount

¹³ Revised NPS EN-1 (2023), paragraph 2.2.1.

of energy provided by fossil fuels and replacing it with energy supplied from low carbon sources.

5.18 Revised NPS EN-1 establishes the need for new energy NSIPs to achieve energy security at the same time as reducing greenhouse gas emissions, and the need to replace closing electricity generating capacity. This includes utilising EfW systems with or without carbon capture storage, which fall under the scope of the Revised NPS.

5.19 Revised NPS EN-1 also provides policy and guidance on generic impacts to aid LPAs (in this case BDC and ECC) in the preparation of their Local Impact Reports.

5.20 Revised NPS EN-1 has joint effect alongside technology-specific Revised NPSs, which in this case is the Revised NPS for Renewable Energy (Revised NPS EN-3).

5.465.21 The Energy White Paper (December 2020) signalled a commitment to review the Energy NPSs to ensure that the planning policy framework enables the delivery of the infrastructure required for the transition to net zero.

5.475.22 The adopted and the draft NPS EN-1 and NPS EN-3, continue to propose similar principles for consideration in decision making. As the current NPS EN-1 and NPS EN-3 were published in 2011, the draft revised NPSs reflect up to date targets including the carbon budgets and the pathway to achieving net zero by 2050. The urgency of nationally significant energy infrastructure is made plain, as is the need for a diversity of energy supplies to ensure these are secure, reliable and affordable in accordance with the British Energy Security Strategy (2022) and the Government's Energy Security Plan (2023).

Revised NPS for Renewable Energy (EN-3)

5.23 Revised NPS EN-3 forms the technology-specific NPS for biomass and waste combustion NSIPs where generation is greater than 50MW. It provides the assessment principles and technology-specific information for the assessment of such applications to be considered in addition to the generic impacts set out in Revised NPS EN-1.

5.24 Revised NPS EN-3 establishes the following technology-specific impact assessment principles for biomass and EfW infrastructure, in addition to the generic impacts in Revised NPS EN-1:

- combined heat and power (CHP);
- carbon capture readiness;
- fuels;
- nature of applications;
- commercial aspects of waste combustion plants
- network connection;
- flexibility;
- national designations, Green Belts and other locational considerations;

- air quality and emissions;
- landscape and visual effects;
- noise and vibration impacts;
- odour, insect and vermin infestation;
- waste management;
- residue management;
- water quality and resources.

5-185.25 An assessment against the draft National Policy Statements is set out in Tables 6, 7 and 8 of this Planning Statement.

Other matters

5-195.26 Other matters that are considered to be both important and relevant to the determination of this DCO application are:

- the National Planning Policy Framework (2023); and
- relevant policies from the Development Plan.

5-205.27 The Proposed Development's compliance with the NPPF and relevant development plan policy is considered at Section 6 at Tables 4 and 5 respectively.

5-245.28 This DCO application seeks consent to increase the amount of electricity that is generated through non-fossil fuel sources. The Applicant considers that there are a number of other important and relevant matters that should inform the SoS's decision, including:

- Net Zero Strategy: Build Back Greener, HM Government (October 2021);
- The Ten Point Plan for a Green Industrial Revolution, HM Government (November 2020);
- Industrial decarbonisation strategy, HM Government (March 2021);
- Energy White Paper: Powering our net zero future, HM Government (December 2020);
- Mission Zero: Independent Review of Net Zero, Rt Hon Christ Skidmore MP, (January 2023);
- British Energy Security Strategy, HM Government (2022);
- Energy Security Plan, HM Government (2023);
- A Green Future: Our 25 Year Plan to Improve the Environment, HM Government (2018); and
- Climate Change Act ('CCA') 2008 (as amended).

5-225.29 The above suite of strategies build upon the legislative baseline set by the CCA 2008, which provides a legal requirement for the UK to achieve net zero carbon emissions by 2050, alongside interim targets. Meeting this challenge is essential and

there is no one answer to meeting it; every available option for reducing the UK's reliance on fossil fuels will need to be taken.

5-235.30 Given the nature of the Consented Scheme, strategies and legislation that relates to the management of waste could be deemed relevant to the SoS's decision. Prime among these would be the Waste (England and Wales) Regulations 2011, and the Resources and Waste Strategy for England, adopted in 2018. It should be noted, however, that these would only be of limited relevance to the Proposed Development as it does not rely on any additional throughput of waste to achieve the power uplift. In short, there would be no conflict between the Proposed Development and the Waste Hierarchy.¹⁴

¹⁴ As set out in the Waste (England and Wales) Regulations 2011, Regulation 12(1).

6 Policy Assessment

Introduction

- 6.1 This section provides an assessment of the Proposed Development against the relevant NPSs following the format set out in EN-1 with regard to the 'assessment principle' and 'generic impact' headings. Matters contained in EN-3 in relation to EFW generating stations are also assessed, where these are not already covered in EN-1.
- 6.2 In accordance with s104(2)(d) of the PA 2008, an assessment of the Proposed Development against other important and relevant matters are provided, namely: the NPPF (Table 4), the Local Development Plan (Table 5) and the ~~draft~~revised NPSs (Tables 6-8).
- 6.3 Finally, a consideration of whether the SoS should take a decision other than in accordance with the relevant NPSs (as per s104(4) – s104(8) of the PA 2008) is provided.

Conformity with National Policy Statements – Assessment Principles

General points

- 6.4 Part 4 of NPS EN-1 sets out certain general policies for applications for energy infrastructure covered by the NPS.
- 6.5 Paragraph 4.1.2 states that the SoS should start with a presumption in favour of granting consent for energy NSIPs, unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. This is because of the 'level and urgency of the need' for new energy infrastructure of the types covered by NPS EN-1 and the technology specific NPSs.
- 6.6 Paragraph 4.1.3 states that when considering any proposed development, the SoS should take into account:
- "its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and*
- its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts."*
- 6.7 This balancing exercise should, as paragraph 4.1.4 makes clear, be considered at the national, regional and local levels.
- 6.8 As a starting point, the presumption in favour of the Proposed Development applies to this application. This is because it represents an NSIP for the purposes of Sections 14(1)(a) and 15 of the PA 2008, being the extension of an onshore electricity generating station in England, which when extended will have a capacity of more than

50MW. Section 104 of the PA 2008 is also relevant, requiring the SoS to determine any such application in accordance with the relevant NPSs (EN-1 and EN-3), whilst having regard to any local impact report prepared by the relevant local authority and any other matters that the SoS thinks are important and relevant.

- 6.9 This is before consideration is given to the fact that the Application is for permission to generate a greater amount of electrical energy without the need for additional fuel, or any changes to the construction, appearance, operation or emissions of the Consented Scheme. The result is a contribution towards weening the UK energy supplies off fossil-fuels and onto cleaner, more dependable sources of energy that make a positive contribution towards the Government's net zero by 2050 target.
- 6.10 Paragraph 4.1.5 provides advice on what the SoS may consider both important and relevant to their decision making, which can include Development Plan Documents or other documents in the Local Development Framework. Should any conflict arise between these or any other documents and an NPS, the NPS prevails for the purpose of decision making.
- 6.11 An assessment of the Proposed Development against relevant policies within the Local Development Plan is provided later in this section. Where any conflict between Development Plan policies and the NPS arises, this is addressed.
- 6.12 Paragraph 4.1.8 allows the SoS to take into account any development consent obligations that an applicant agrees with local authorities. The Consented Scheme is subject to a set of conditions and obligations that have been agreed pursuant to the IWMF TCPA Permission.

[Environmental Statement \(EN-1 s4.2\)](#)

- 6.13 Paragraph 4.2.1 of EN-1 states that all projects that are subject to the European Environmental Impact Assessment Directive must be accompanied by an Environmental Statement describing the aspects of the environment likely to be significantly affected by the project. The Directive requires an assessment of likely significant effects of the proposed project on the environment, including both direct and indirect, individual and cumulative effects.
- 6.14 The Proposed Development represents an Environmental Impact Assessment ('EIA') development as it falls under the provision of paragraph 13(1) of Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). An **ES (Doc Ref 6.1)** is submitted with the Application. It has been prepared in accordance with the **Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2))** that was adopted on 6 June 2023.
- 6.15 Paragraph 4.2.2 encourages applicants to provide information on the likely significant social and economic effects of the Proposed Development, including how any likely significant negative effects would be avoided or mitigated.
- 6.16 The Proposed Development would not have any significant adverse social or economic effects. There would be no changes to employment numbers and no other changes to the Consented Scheme that may cause significant social or economic effects. For

these reasons, PINS agreed that social and community issues could be scoped out of the EIA. This is not to say that there would be no social effects, however. The underlying reason for the urgency and need for new energy infrastructure is climate change. The social implications of continuing on a 'business as usual' trajectory and the associated global increases in temperature are severe – with increased risk of flooding and drought leading to a higher prevalence of global food shortages and civil instability. The Proposed Development's social and economic effects should be considered by the SoS in this global context, including how it would positively contribute to avoiding the negative social and economic effects associated with climate heating.

- 6.17 Paragraph 4.2.3 of EN-1 encourages the ES to cover the environmental, social and economic effects arising from all stages of the Proposed Development, these being pre-construction, construction, operation and decommissioning. Paragraph 4.2.5 requires the ES to provide information on how the proposal may interact and/or combine with the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence). Paragraph 4.2.6 states that the SoS should consider how effects may interact with each other, including whether in-combination effects may impact the environment despite being acceptable on an individual basis.
- 6.18 The **ES (Doc Ref 6.1)** includes an assessment of the Proposed Development at the operation stages. An assessment of the construction and decommissioning stages were agreed to be scoped out of the EIA. Please refer to **ES Vol. 1, Chapter 6: Methodology (Doc Ref 6.1)**. The ES includes cumulative assessment with relevant projects (**ES Vol. 2, Appendix 6.1: Cumulative Schemes Schedule (Doc Ref 6.2)**) and an in-combination assessment (**ES Vol. 1, Chapter 9: Summary (Doc Ref 6.1)**). The Application complies with paragraphs 4.2.3-4.2.6 in this regard.
- 6.19 Paragraph 4.2.8 provides for circumstances in which there are details related to the Proposed Development that are yet to be fully finalised. In such circumstances, the Applicant is required to assess to the best of their knowledge the maximum extent of the Proposed Development in terms of site and plant specifications. Where details are yet to be finalised, paragraph 4.2.9 requires the SoS to grant development consent subject to appropriate development consent requirements.
- 6.20 As set out in the **Draft Development Consent Order (Doc Ref 3.1)**, it is proposed to include a requirement that the Proposed Development is carried out (i.e. constructed, operated and decommissioned) as if it were authorised by the IWMF TCPA Permission and all details, plans or other matters approved by the LPA pursuant to conditions attached to the IWMF TCPA Permission. The result of this will be that the IWMF TCPA Permission will remain the 'primary' means by which the Consented Scheme is controlled. Condition 19 of the IWMF TCPA Permission requires the submission of details to confirm the IWMF process layout and configuration to the LPA prior to works to install process equipment or plant within the IWMF. No additional requirement for the DCO would be needed in this regard.

Habitats and Species Regulations (EN-1, 4.3)

- 6.21 Paragraph 4.3.1 requires the SoS to consider whether the project may have a significant effect on a European site, either alone or in combination with other plans or projects. The Applicant should also provide the SoS with sufficient information to understand whether an Appropriate Assessment is required.
- 6.22 There are no habitats that qualify as European sites that are proximate to the Site, the closest being Belcher's and Broadfield Woods Site of Special Scientific Interest, which lies circa 6.3 kilometres north of the Site. The **EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2))** makes clear that there would be no significant adverse environmental effects as a result of the Proposed Development, and no significant effects on European sites. The **Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2))** confirms the absence of likely significant effects on ecology by scoping that out of the EIA. Therefore, no Appropriate Assessment is required to be carried out by the SoS.
- 6.23 The Application therefore complies with paragraph 4.3.1 of EN-1.

Alternatives (EN-1, 4.4)

- 6.24 EN-1 does not contain any general requirement to consider alternatives, which remains in the first instance a matter of law and detailed guidance that falls outside of the scope of the NPS. It cautions, however, at paragraph 4.4.2 that:

"applicants are obliged to include in their ES, as a matter of fact, information about the main alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility;

in some circumstances there are specific legislative requirements, notably under the Habitats Directive, for the [SoS] to consider alternatives. These should also be identified in the ES by the applicant; and

in some circumstances, the relevant energy NPSs may impose a policy requirement to consider alternatives..."

- 6.25 EN-1 does impose a policy requirement to consider alternatives in relation to avoiding significant harm to biodiversity and geological conservation interests, flood risk, and development within nationally designated landscapes at sections 5.3, 5.7 and 5.9 respectively.
- 6.26 Paragraph 4.4.3 provides guidance to the SoS in how they should consider the assessment of alternatives. This includes that the consideration of alternatives should be carried out in a proportionate matter; and that consideration of alternatives should include whether there is a realistic prospect of an alternative delivering the same infrastructure capacity in the same timescale as the proposed development.
- 6.27 An assessment of alternatives is provided at **ES Vol. 1, Chapter 4: Alternatives (Doc Ref 6.1)**, as required by Regulation 14(2)(d) of the EIA Regulations and advised in

Advice Note 7. Since the Proposed Development is for the extension of a generating station that is already consented, no consideration was given to alternative sites.

6.28 The alternatives that are considered include:

- Implementation of the Consented Scheme (i.e. 'the 'Do Nothing scenario').
- An electricity generation capacity for the Proposed Development less than that proposed to be assessed in the ES (i.e. less than 60MW).
- An electricity generation capacity for the Proposed Development greater than that proposed to be assessed in the ES (i.e. greater than 65MW).
- Other engineering operations, including different engineering solutions for the Proposed Development.

6.29 The ES makes clear that none of the alternatives are considered reasonable by the Applicant, and that the Proposed Development remains the best option available for delivering energy infrastructure capacity in accordance with the NPS. The requirements set out at paragraph 4.4.2 of EN-1 are satisfied.

Criteria for 'good design' for energy infrastructure (EN-1, 4.5)

6.30 Section 4.5 of EN-1 sets out the importance of applying good design to energy projects. Paragraph 4.5.1 states that this applies to producing sustainable infrastructure that is efficient in the use of energy during its operation.

6.31 The Proposed Development involves no changes to the external appearance of the Consented Scheme. What changes it does propose are purely internal and relatively small in scale, involving the installation or replacement of an inlet control valve. Opportunities to incorporate any element of 'design' is therefore extremely limited. The Proposed Development does, however, involve utilising energy produced by the IWMF more efficiently. In as far as this is relevant to good design, the Proposed Development is compliant with the ambitions set out in section 4.5 of EN-1. Otherwise, this section is considered to be broadly not applicable to the Proposed Development.

Consideration of combined heat and power (CHP) (EN-1, 4.6)

6.32 This section of EN-1 sets out the benefits of CHP plant in reducing the emissions by more efficiently harnessing energy generated at generating stations, especially CO₂. Consideration of opportunities to incorporate CHP should be included from the earliest point when considering locations for a project.

6.33 The Proposed Development seeks only to allow a greater volume of steam to reach the turbine, which in turn will allow the generating station to generate more low-carbon electrical energy. The Proposed Development will not affect the way that heat is harnessed or utilised by the Consented Scheme.

Carbon capture storage ('CCS') and carbon capture readiness ('CCR') (EN-1, 4.7)

6.34 Government policy and criteria on CCR for new combustion generating stations is applicable to those with a generating capacity at or over 300MW and as such is not applicable to the Proposed Development (paragraph 4.7.10).

Climate change adaptation (EN-1, 4.8)

- 6.35 This section of EN-1 sets out the challenges that a changing climate will pose, which include increased flooding, drought, heatwaves and intense rainfall events, as well as rising sea levels. Adaptation to a changing climate is necessary to help avoid the worst potential effects of these risks. Consideration of any necessary mitigation measures should be based on the latest UK Climate Projections, the Government's latest UK Climate Change Risk Assessment and in consultation with the Environment Agency.
- 6.36 The Proposed Development seeks to allow the Consented Scheme to generate a greater amount of electricity, thereby displacing the need for energy that would otherwise be derived from fossil fuel sources. The Proposed Development is closely related to climate change, however, this section of the NPS is more specifically relevant to making sure that energy infrastructure is adaptable and resilient to a changing climate. In this sense, it is less applicable to the Proposed Development, which does not propose any changes to the Consented Scheme that would alter its suitability, adaptability or resilience to a changing climate.
- 6.37 A **Flood Risk Assessment (Doc Ref 7.2)** has been prepared to demonstrate that flood risk will not be increased either on or near the Site as a result of the Proposed Development. The Consented Scheme benefits from sustainable drainage systems designed to accommodate extreme flows. Modelling demonstrates that these systems will be sufficient to manage all potential flow from both short extreme storm and longer extended/seasonal wet rainfall events. This includes for potential changes in rainfall severity associated with climate change. The Proposed Development does not include any changes to the Consented Scheme's drainage systems. In as far as this section is applicable, the Proposed Development does not make the Consented Scheme any less adaptable to climate change is considered to comply with section 4.8 of EN-1.

Grid connection (EN-1, 4.9)

- 6.38 The Applicant has entered into a contract with UKPN in respect of the 132kV grid connection for the Consented Scheme. The connection will run along the access road from the IWMF Site as far as Ash Lane and then the route follows various minor roads to the Braintree substation. Permitted development rights under Class B(a) Development by an Electricity Undertaking under Part 15 of the Town and Country Planning (General Permitted Development) (England) Order 2015 permit statutory undertakers, such as UKPN, to lay such a connection underground in public highway or other open ground.
- 6.39 This is unchanged by the Proposed Development as there is sufficient capacity in this connection to support the increase in electrical output.
- 6.40 The grid connection was assessed as cumulative development in the ES (as amended) for the Consented Scheme.¹⁵ As the grid connection is unchanged by the Proposed

¹⁵ Regulation 22 Addendum Environmental Statement, Honace Limited, December 2022.

Development, consideration of the grid connection has been scoped out of the cumulative assessment for the EIA of the Proposed Development.

- 6.41 A **Grid Connection Statement (Doc Ref 7.5)** has been prepared in support of the Application to make clear that there are existing arrangements in place. In this regard, the Application meets the requirements of section 4.9 of EN-1.

Pollution control and other environmental regulatory regimes (EN-1, 4.10)

- 6.42 Paragraph 4.10.1 recognises that issues relating to discharges or emissions may be subject to separate regulation, or other consenting and licensing regimes. Paragraph 4.10.2 seeks to restrict the SoS's assessment to whether the development itself is an acceptable use of land, rather than the control of processes, emissions or discharges themselves.
- 6.43 As described in Section 2 of this Planning Statement, the Consented Scheme benefits from an Environmental Permit that sets limits on the emissions from the incineration of waste. This confirms that Best Available Techniques would be used to comply with those limits, in which case the Consented Scheme would not give rise to significant pollution and would not pose a risk to human health.
- 6.44 As the Proposed Development does not require the combustion of any additional fuel, there would be no changes to emissions compared to the Consented Scheme. There would be no changes to air quality effects at the construction, operational or decommissioning stages compared to the Consented Scheme. There would be no changes to the discharge of water compared to the Consented Scheme as a result of the Proposed Development.
- 6.45 No changes to the Environmental Permit are required to accommodate the Proposed Development and the Consented Scheme would continue to be able to meet and perform well below the maximum levels set out in the Environmental Permit following implementation of the Proposed Development.
- 6.46 The Proposed Development is considered to comply with section 4.10 of EN-1.

Safety (EN-1, 4.11)

- 6.47 Paragraph 4.11.1 requires applicants to consult with the Health and Safety Executive ('HSE') on matters relating to safety. Paragraph 4.11.4 states that the SoS should be satisfied that an assessment by the competent authority (as defined under the Control of Major Accident Hazards Regulations 2015) has been done where required.
- 6.48 The Proposed Development involves internal works only that would be carried out by suitably qualified engineers. The **EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2))** prepared by the Applicant states in Section 9 that the additional increase in electrical output sought through the Proposed Development relative to the Consented Scheme is not anticipated to change the vulnerability of the facility to major accidents and disasters. The HSE and the EA have been consulted as part of the Applicant's statutory consultation. A summary of the HSE's and the EA's consultation response

and the Applicant's response to it is provided in the **Consultation Report, Appendix G (Doc Ref 5.2)**.

6.49 For these reasons, the Proposed Development complies with section 4.11 of EN-1.

[Hazardous substances \(EN-1, 4.12\)](#)

6.50 The Proposed Development does not itself involve any proposals related to the handling of hazardous substances (nor is the handling of hazardous substances a component of the Consented Scheme). This section of EN-1 is not considered to be applicable to the consideration of the Proposed Development.

[Health](#)

6.51 Paragraph 4.13.1 states that energy production can have negative impacts on some people's health. Paragraph 4.13.3 describes that this could include '*increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests*'.

6.52 The **Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2))** agreed with the Applicant's **EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2))** that there would be limited interaction between the Proposed Development and human health during operation. Any minimal impacts generated by the Proposed Development (such as noise) are not anticipated to result in any significant health and well-being effects and that further assessment can be scoped out of the EIA.

6.53 Any potential causes of effects that could be harmful to human health will already benefit from controls established through the IWMF TCPA permission. For instance, during the construction phases dust will be suppressed in accordance with the details set out under Condition 51 of the IWMF TCPA permission. As the Proposed Development does not involve any increases to the amount of waste delivered to the Site, there would be no changes to the intensity or nature of odours associated with the operation of the Consented Scheme.

6.54 The Proposed Development is considered to comply with section 4.13 of EN-1.

[Common law nuisance and statutory nuisance \(EN-1, 4.14\)](#)

6.55 Paragraph 4.14.1 makes clear that the local authority will continue to have a duty under Part III of the Environmental Protection Act 1990 ('EPA 1990') to investigate complaints of statutory nuisance and serve an abatement notice where satisfied of its existence, likely occurrence or reoccurrence.

6.56 Paragraph 4.14.2 states that it is very important for the SoS to consider possible sources of nuisance under section 79(1) of the EPA 1990 so that appropriate requirements can be included on any grant of development consent to mitigate or limit those sources of nuisance.

6.57 A **Statement of Statutory Nuisance (Doc Ref 7.3)** has been prepared to support this Application. It makes clear that the Proposed Development would not give rise to any

effects that could cause a statutory nuisance. This is further confirmed in the **ES Vol. 1, Chapter 8: Noise and Vibration (Doc Ref 6.1)**.

6.58 The requirements of section 4.14 of EN-1 are met.

Security considerations (EN-1, 4.15)

6.59 Paragraph 4.15.1 states that security considerations apply across all national infrastructure sectors. Paragraph 4.15.2 states that Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development.

6.60 Paragraph 4.15.4 states that an application ‘*should only include sufficient information in the application as is necessary to enable the IPC to examine the development consent issues and make a properly informed decision on the application*’.

6.61 The Proposed Development would not alter any of the security arrangements that would be delivered through the Consented Scheme, which include gated and controlled access to the Site, lighting, and closed-circuit television cameras.

6.62 The Proposed Development is considered to comply with section 4.15 of EN-1.

Generic impacts

6.63 Section 5 of EN-1 sets out a series of ‘*generic impacts*’ that are potentially relevant to energy infrastructure development. In some cases, however, the generic impacts may be covered in the technology-specific NPSs.

6.64 Table 2 considers the Proposed Development against the generic impacts set out in NPS EN-1. Where those same impacts are set out in NPS EN-3, these are also considered and referenced. The table demonstrates the Proposed Development will not give rise to any significant adverse generic impacts and is in compliance with those sections of NPS EN-1 and EN-3 referenced.

Table 2 - Assessment against NPS EN-1 and EN-3 Generic Impacts

Generic Impact	Summary	Assessment
Air quality and emissions (EN-1, 5.2; EN-3, 2.5.37-2.5.45)	<p>Where the project is likely to have adverse effects on air quality, the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (EN-1, para 5.2.6).</p> <p>For decision making, the SoS is encouraged to give substantial weight where a project would lead to</p>	<p>The operation of the Consented Scheme will be subject to the Environmental Permit that (inter alia) sets limits on emissions from the incineration of waste. Compliance with the limits set out will ensure that there will be no significant pollution effects and no significant risk to human health as a result of the operation of the Consented Scheme. No changes to the Environmental</p>

Generic Impact	Summary	Assessment
	<p>a deterioration of air quality in an area (EN-1, para. 5.2.9).</p> <p>Paragraph 2.5.39 of EN-3 sets out that in addition to the air quality legislation referred to in EN-1, the Waste Incineration Directive ('WID') is relevant and sets out specific emission limit values for waste combustion plants.</p> <p>Paragraph 2.5.40 states that the applicant's EIA should include an assessment of the air emissions resulting from the proposed infrastructure and demonstrate compliance with the relevant regulations.</p> <p>Paragraph 2.5.41 states that compliance with the WID and Large Combustion Plant Directive is enforced through the environmental permitted regime that is regulated by the EA.</p> <p>Paragraph 2.4.43 states that "<i>where a proposed waste combustion generating station meets the requirements of WID and will not exceed the local air quality standards, the [SoS] should not regard the proposed waste generating station as having adverse impacts on health.</i>"</p> <p>Abatement technologies do not need to be considered by the SoS, as these are controlled EA and through the environmental permit regime (EN-3, para. 2.5.45)</p>	<p>Permit are required as a result of the Proposed Development.</p> <p>The Proposed Development does not involve any increases to the type or quantum of waste that is allowed to be incinerated at the IWMF. Nor are any changes to Consented Scheme's systems for flue gas treatment and abatement proposed.</p> <p>The potential for significant effects on air quality was considered through the EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2)) prepared by the Applicant. PINS agreed that an assessment of air quality effects could be scoped out of the EIA for the reasons stated above.</p> <p>The Proposed Development would achieve a greater quantum of electricity being produced without any changes to air quality impacts compared to the Consented Scheme. This should be attributed positive weight by the SoS in their decision making.</p> <p>The Proposed Development complies with EN-1 and EN-3 in regard to air quality and emissions.</p>
Biodiversity and geological conservation (EN-1, 5.3)	Paragraph 5.3.3 of EN-1 requires that the ES clearly sets out " <i>any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance, on</i>	The Proposed Development comprises engineering works that would be carried out within the building envelope of the Consented Scheme. The Proposed Development would

Generic Impact	Summary	Assessment
	<p><i>protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the [SoS] consider thoroughly the potential effects of a proposed project.”</i></p> <p>Paragraph 5.3.7 provides a general principle for decision making that development should avoid significant harm to biodiversity and geological conservation interests.</p> <p>Paragraph 5.3.15 states that when considering proposals, the SoS should maximise opportunities to build-in beneficial biodiversity or geological features.</p>	<p>not lead to any significant adverse environmental effects and would not have any effect on any sites of international, national or local importance at any stage. Nor would it have any effect on geological interest or conservation features.</p> <p>The Proposed Development comprises only internal works and therefore avoids harm to biodiversity and geological conservation interests and complies with section 5.3 of EN-1 in this regard.</p> <p>Given the nature of the Proposed Development – being engineering operations carried out within a consented building - opportunities to incorporate measures to improve biodiversity are very limited. The Consented Scheme has remediated a mineral extraction site and provided a landscaping scheme that will deliver new planting including around 30,000 new trees and shrubs) and enhance existing areas of woodland. A Habitat and Management Plan for the IWMF Site has been agreed with the LPA, pursuant to Condition 54 of the IWMF TCPA Permission.</p>
Civil and military aviation and defence interests (EN-1, 5.4)	Paragraphs 5.4.10-5.4.11 of EN-1 set out that where there may be an effect on civil or military aviation and/or other defence assets, an assessment of this should be set out in the ES. The Applicant should also consult the relevant body or aerodrome that is likely to be affected by the proposed development.	The Proposed Development involves no changes to the external appearance of the Consented Scheme, including its stack. It will not have any implications for civil and military aerodromes, aviation technical sites, or other types of defence interests.

Generic Impact	Summary	Assessment
Coastal change (EN-1, 5.5)	N/A	The Site is not located in a coastal area.
Dust, odour, artificial light, smoke, steam, infestation (EN-1, 5.6 EN-3, 2.5.59 – 5.2.63)	<p>Paragraphs 5.6.1 and 5.6.3 of EN-1 recognise that energy infrastructure has the potential to release a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. A degree of impact may be unavoidable, but the aim should be to keep the impacts to a minimum and at a level that is acceptable.</p> <p>Paragraph 5.6.4 of EN-1 requires the applicant to assess the potential for insect infestation and emissions in the ES.</p> <p>Paragraph 2.5.59 of EN-3 recognises that insect and vermin infestation may be a particular issue with regard to storage of fuels for EfW generating stations. Paragraph 2.5.60 requires the Applicant to assess the potential for insect infestation and emissions of odour, with particular regard to the handling and storage of waste.</p> <p>EN-3 paragraph 2.5.61 says that the SoS should satisfy themselves that the proposal sets out appropriate measures to minimise impacts on local amenity from odour, insect and vermin infestation.</p>	The Proposed Development would not have any impact on the process of waste entry, handling and egress from the Consented Scheme. As such, there would be no changes to the types of nuisances set out in these sections of the NPSs, and there would be no such nuisances arising from the Proposed Development itself. A Statement of Statutory Nuisance (Doc Ref 7.3) confirms this.
Flood risk (EN-1, 5.7)	Paragraph 5.7.4 of EN-1 requires that applications for energy developments of 1 hectare or greater in Flood Zone 1 in England and all proposals for energy developments located in Flood Zones 2 and 3 in England should be accompanied by a Flood Risk Assessment ('FRA').	<p>The Proposed Development's Order Limits are located in Flood Zone 1 and are greater than 1ha.</p> <p>The Proposed Development does not involve any alterations to water discharge or use and it would not result in any additional areas of hardstanding compared to the Consented Scheme. The Proposed Development would</p>

Generic Impact	Summary	Assessment
	<p>Paragraph 5.7.5 sets out the minimum requirements for FRAs, which are that they should:</p> <ul style="list-style-type: none"> ▪ <i>“be proportionate to the risk and appropriate to the scale, nature and location of the project;</i> ▪ <i>consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</i> ▪ <i>take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made;</i> ▪ <i>be undertaken by competent people, as early as possible in the process of preparing the proposal;</i> ▪ <i>consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure;</i> ▪ <i>consider the vulnerability of those using the site, including arrangements for safe access;</i> ▪ <i>consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures, so that assessments are fit for the purpose of the decisions being made;</i> ▪ <i>consider the effects of a range of flooding events including extreme events on people, property, the natural and historic</i> 	<p>not result in any significant flood risk effects.</p> <p>Nonetheless, to ensure that the requirements of EN-1 and Regulation 5(2) of the APFP Regs are met, a Flood Risk Assessment (Doc Ref 7.2) has been carried out by SLR Consulting Ltd on behalf of the Applicant.</p> <p>The assessment has been carried out in a manner that is proportionate to the risk and appropriate to the nature of the Proposed Development (as described above). The flood risk arising from a range of sources has been considered. The risk of flooding for all sources will be low, and no flood risk reduction measures are necessary to achieve this.</p> <p>The development lifetime over which the assessment is made is confirmed at Section 3.1 of the FRA as 40 years. The impacts of climate change and extreme events are considered in sections 3.5 and 4.2 of the FRA. It confirms that the sustainable drainage systems included as part of the Consented Scheme would remain effective in extreme weather events and long duration storms.</p> <p>The Proposed Development does not include any changes to the Consented Scheme’s drainage strategy. The FRA confirms that the Consented Scheme’s drainage strategy have been designed to accommodate extreme flows and changes in</p>

Generic Impact	Summary	Assessment
	<p><i>environment and river and coastal processes;</i></p> <ul style="list-style-type: none"> ▪ <i>include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project;</i> ▪ <i>consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems;</i> ▪ <i>consider if there is a need to be safe and remain operational during a worst case flood event over the development's lifetime; and</i> ▪ <i>be supported by appropriate data and information, including historical information on previous events."</i> 	<p>rainfall severity associated with climate change.</p> <p>The FRA provided is considered to be appropriate to the Proposed Development and demonstrates that it will not lead to any additional flood risk, either within the Site or elsewhere. For these reasons, the Proposed Development is considered to comply with NPS EN-1 with regard to flood risk.</p>
<p>Historic Environment (EN-1, 5.8, EN-3 2.5.34)</p>	<p>Paragraph 5.8.8 of EN-1 states that an applicant should <i>"provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset."</i></p> <p>Further, paragraph 5.8.10 states that <i>"the applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the</i></p>	<p>The Site is located near to a group of Grade II listed buildings at Woodhouse Farm. These buildings fall within the wider IWMF Site, and plans for their restoration have been submitted to the LPA in 2022 and 2023 (as described in Section 2) and July 2021 pursuant to Condition 64 of the IWMF TCPA Permission.</p> <p>The Proposed Development would not lead to any changes to the external appearance of the Consented Scheme as the comprise internal engineering operations only. The Proposed Development does not require breaking ground or underground works, so there would be no disturbance to buried heritage</p>

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Generic Impact	Summary	Assessment
	<p><i>application and supporting documents.”</i></p> <p>EN-1 paragraph 5.8.11 states that the SoS should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development.</p> <p>Should a degree of harm to the historic environment be detected, EN-3 paragraph 2.5.34 requires the SoS to take into account the positive role that large-scale renewable projects play in the mitigation of climate change and the urgency of meeting national targets for renewable energy supply and emissions reductions.</p>	<p>assets compared to the Consented Scheme.</p> <p>It is considered that the Proposed Development would not result in harm to the significance or setting of the nearby heritage assets. For these reasons, it was agreed that an assessment of cultural heritage and archaeology be scoped out of the EIA.</p> <p>Therefore, the Proposed Development is able to contribute to decarbonising the UK’s energy supply whilst avoiding harm to the historic environment and is considered to comply with these sections of the NPSs as a result.</p>
<p>Landscape and Visual (EN-1, 5.9; EN-3 2.5.46-2.5.52)</p>	<p>Paragraph 5.9.5 of EN-1 states that the applicant should carry out a landscape and visual assessment and report it in the ES. Paragraph 5.9.6 says that the assessment should consider effects during both construction and during completion and its operation.</p> <p>Paragraph 5.9.8 of EN-1 states that ‘virtually all nationally significant energy infrastructure projects will have effects on the landscape’, and that projects need to be designed carefully, taking account of the potential impact on the landscape. The aim, the text says, should be to minimise harm, providing reasonable mitigation where possible and appropriate.</p> <p>Paragraphs 5.9.14-17 recognise that areas outside of nationally designated areas may still be highly valued locally and protected by local designation. In reaching a decision, the SoS should consider whether</p>	<p>The Proposed Development would not involve any changes to the external appearance of the Consented Scheme. This includes the siting, layout, scale, materiality etc., as well as the location, size, and proportion of the stack. The Proposed Development does not involve any changes to the throughput of waste or the flue gas treatment systems, and so would not have any effect on the visibility of the plume emitted from the stack. There would be no changes to the landscaping strategy, or the visual screening/landscape impact mitigation provided by the Consented Scheme. Further information is contained in ES Vol. 1, Chapter 3: Proposed Development and Construction (Doc Ref 6.1).</p> <p>For the above reasons, the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix</p>

Generic Impact	Summary	Assessment
	<p>the project has been designed to minimise harm on the landscape, including by reasonable mitigation.</p> <p>Paragraphs 5.9.18-20 of EN-1 addresses visual impact, stating that all proposed energy infrastructure is likely to have a visual effect, however, in determining proposals, a judgement is to be made as to whether the visual effects on sensitive receptors outweigh the benefits of the development.</p> <p>Paragraph 2.5-507.60 of EN-3 notes that good design will some way to mitigate adverse landscape/visual effects.</p> <p>Paragraph 2.5-547.62 of EN-3 states that mitigation is achieved primarily through aesthetic aspects of site layout and building design, including size and external finish and colour of the generating station.</p> <p>Paragraph 2.5-527.95 of EN-3 advises that the SoS should expect applicants to visually enclose waste/biomass combustion at low levels as seen from surrounding external viewpoints.</p>	<p>5.2 (Doc Ref 6.2)) agrees that an assessment of landscape and visual impacts could be scoped out of the EIA.</p> <p>The Proposed Development would extend the generating capacity of the generating station with no associated landscape or visual impacts. It complies with section 5.9 of EN-1 and paragraphs 2.5.46-52 of EN-3, avoiding landscape and visual harm.</p>
Land use including open space, green infrastructure and Green Belt (EN-1, 5.10)	<p>Paragraph 5.10.1 of EN-1 states that <i>“an energy infrastructure project will have direct effects on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development.”</i></p> <p>Paragraph 5.10.3 states that <i>“although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the</i></p>	<p>The existing Site and surrounding land conditions are described in the ES Vol. 1, Chapter 2: Existing Site Conditions and Consented Scheme (Doc Ref. 6.1). A description of the allocations and designations that cover the Site is also provided in Section 4 of this Statement. In summary, the Site is in a Minerals Safeguarding Area, it is not in the Green Belt and is allocated under Policy 3: Strategic Site Allocations of the</p>

Generic Impact	Summary	Assessment
	<p><i>amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure."</i></p> <p>Paragraph 5.10.2 and 5.10.4 address the provision of open space and green infrastructure, and the role of the Green Belt respectively.</p> <p>Paragraph 5.10.5 states that the applicant's ES should identify existing and proposed land uses near the project, and the effect of replacing an existing development or use of the site with the proposed project.</p> <p>Paragraph 5.10.8 encourages applicants to minimise impacts to best and most versatile agricultural land and to minimise effects on soil quality. For development on previously developed land, applicants should ensure that they have considered the risk posed by land contamination.</p> <p>Paragraph 5.10.9 states that <i>"applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place."</i></p> <p>Paragraph 5.10.10 sets out the general presumption against inappropriate development in the Green Belt, and requires applicants to identify whether the proposal, or any part of it, is in an area of established Green Belt.</p> <p>Paragraph 5.10.22 states that where a proposed has an impact upon a</p>	<p>Essex and Southend on Sea Waste Plan (2017) for waste management development. Land to the south of the Site is allocated under Policy LPP5 Allshot's Farm, Rivenhall for employment use with structural landscaping.</p> <p>The Proposed Development would not involve or require any additional land compared to the Consented Scheme. No open space or green infrastructure would be affected by the Proposed Development.</p> <p>The Consented Scheme is under construction following the successful extraction of mineral resources from that part of the Minerals Safeguarding Area. The Proposed Development would not have an effect on ongoing mineral extraction activities in proximity to the Site, and no mitigation is required.</p> <p>There would be no loss of best and most versatile agricultural land as a result of the Proposed Development.</p> <p>The Proposed Development would technically be carried out on previously developed land (given that it involves engineering operations within the envelope of the Consented Scheme building). It does not require the breaking of any ground, as such there are no risks posed by potential land contamination associated with the Proposed Development.</p> <p>For the reasons set out above, the Proposed Development is</p>

Generic Impact	Summary	Assessment
	<p>Mineral Safeguarding Area, the SoS should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	<p>compliant with section 5.10 of EN-1.</p>
<p>Noise and Vibration (EN-1, 5.11; EN-3, 2.5.53-58)</p>	<p>Paragraph 5.11.1 of EN-1 notes the negative impact that excessive noise can have and refers to the Government's policy on noise set out in the Noise Policy Statement for England. Paragraph 5.11.2 also notes that excessive noise can have harmful effects on wildlife and biodiversity.</p> <p>Paragraph 5.11.4 sets out requirements for the- applicant's assessment where noise impacts are likely to arise. These should include:</p> <ul style="list-style-type: none"> ▪ <i>“a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise;</i> ▪ <i>identification of noise sensitive premises and noise sensitive areas that may be affected;</i> ▪ <i>the characteristics of the existing noise environment;</i> ▪ <i>a prediction of how the noise environment will change with the proposed development;</i> ▪ <i>in the shorter term such as during the construction period;</i> 	<p>An assessment of potential noise effects arising from the Proposed Development is provided in ES Vol. 1, Chapter 8: Noise and Vibration (Doc Ref 6.1).</p> <p>The assessment is carried out using the noise limits that are set out in the IWMF TCPA Permission. This allows for the assessment to specifically consider the potential effects of the Proposed Development when compared to the Consented Scheme (which is taken as the 'future baseline' for the purposes of the assessment). The methodology used is as set out in the Applicant's EIA Scoping Report (ES Vol. 2, Appendix 5.12 (Doc Ref 6.2)) and was agreed with by the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)).</p> <p>A detailed noise modelling exercise was carried out using Cadna/A noise modelling software and the calculation algorithms contained in ISO9613-2 has been undertaken. Noise levels from the operational plant were provided by the EPC contractor. A consideration of the existing and future baseline soundscape is provided, which includes road traffic noise from the A120 and aircraft operating from Stansted Airport. A consideration of the existing</p>

Generic Impact	Summary	Assessment
	<ul style="list-style-type: none"> ▪ <i>in the longer term during the operating life of the infrastructure;</i> ▪ <i>at particular times of the day, evening and night as appropriate.</i> ▪ <i>an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; and</i> ▪ <i>measures to be employed in mitigating noise.”</i> <p>Paragraph 5.11.5 says that operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Paragraph 5.11.7 encourages the applicant to consult the EA and Natural England.</p> <p>Paragraph 5.11.8 advises the SoS that the project should demonstrate good design, for example through containing noise within buildings wherever possible, and optimising plant layout to minimise noise emissions.</p> <p>Paragraph 5.11.9 states that the SoS should not grant development consent unless it is satisfied that the proposals will meet the following aims:</p> <ul style="list-style-type: none"> ▪ avoid significant adverse impacts on health and quality of life from noise; ▪ mitigate and minimise other adverse impacts on health and quality of life from noise; and ▪ where possible, contribute to improvements to health 	<p>receptors and their sensitivity is provided in Table 8.9 of the ES Chapter.</p> <p>It concludes that the Proposed Development would have a negligible impact (i.e. not significant in EIA terms) on the operational noise levels of the IWMF. This is the case for all times of day, including daytime, evening and nighttime. No mitigation is required to achieve this.</p> <p>In summary, significant adverse effects on health and quality of life from noise are avoided, without the need for mitigation. The Proposed Development is considered to comply with NPS EN-1 and EN-3 in this regard.</p>

Generic Impact	Summary	Assessment
	<p>and quality of life through the effective management and control of noise.</p> <p>Paragraph 2.5.53 of EN-3 notes the gas and steam turbines that operate continuously during normal operation as a source of potential noise and vibration for EfW generating stations.</p> <p>Paragraph 2.5.54 states that the Applicant's ES should include a noise assessment of the impacts on amenity in case of excessive noise from the project.</p>	
Socio-economic (EN-1, 5.12)	<p>Paragraph 5.12.2. states that "<i>where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES</i>".</p>	<p>The Proposed Development would not change the employees at either the construction or operation stages compared to the Consented Scheme.</p> <p>There are not anticipated to be any socio-economic effects associated with the Proposed Development. For this reason, an assessment of '<i>Social and community issues</i>' was agreed to be scoped out of the EIA. Please refer the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)) for further information.</p>
Traffic and transport (EN-1, 5.13)	<p>Paragraph 5.13.3 states that if a project is likely to have significant transport implications, the applicant's ES should include a transport assessment.</p> <p>Paragraph 5.13.4 states that the applicant should provide details of proposed measures to reduce the need for parking associated with the proposal and to mitigate transport impacts.</p>	<p>The Proposed Development would not give rise to any additional vehicle movements during the construction and operation phases compared to the Consented Scheme.</p> <p>The maximum number of permitted heavy goods vehicle movements during the operational and construction phases of the Consented Scheme is controlled by Conditions 3 and 4 respectively of the IWMF TCPA Permission.</p>

Generic Impact	Summary	Assessment
		<p>Condition 5 of the same permission further requires that a written record of daily HGV movements is maintained by the operator.</p> <p>The Proposed Development does not seek to alter any of these controls. As such, there would be no effect to traffic and transport that is as a result of the Proposed Development.</p> <p>For this reason, the assessment of traffic and transport impacts was agreed to be scoped out of the EIA. Please refer to the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)) for further information.</p>
<p>Waste and residue management (EN-1, 5.14; EN-3, 2.5.64-70, 2.5.71-83)</p>	<p>Paragraph 5.14.1 of EN-1 outlines that Government policy is to help the environment by producing less waste and using it as a resource wherever possible. Paragraph 5.14.2 states that waste should be managed in accordance with the 'waste hierarchy', this being: prevention; preparing for reuse; recycling; other recovery, including energy recovery; and disposal.</p> <p>Paragraph 5.14.6 of EN-1 states <i>"the applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan."</i></p> <p>For decision making, paragraph 5.14.7 states that the SoS should consider whether the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the</p>	<p>The Proposed Development does not involve increasing the amount or type of waste that is processed by the Consented Scheme.</p> <p>Given the nature of the Proposed Development, no Site Waste Management Plan is necessary. Waste arising from the carrying out of the Proposed Development will be negligible. Should Work Option No. 1 be implemented, the primary waste item would be the mechanical stops that would be replaced. In a worst-case scenario, these would be discarded if no alternative (re)use for them can be found. No further measures are necessary to ensure that waste is appropriately managed as a result of carrying out the Proposed Development.</p> <p>Defra's Waste Management Plan for England (2021) welcomes the efficient energy recovery from</p>

Generic Impact	Summary	Assessment
	<p>construction, operation and decommissioning of the project.</p> <p>Paragraph 2.5.647.42 of EN-3 notes that “<i>waste combustion generating stations need not disadvantage reuse or recycling initiatives where the proposed development accords with the waste hierarchy.</i>”</p> <p>Paragraph 2.5.67 of EN-3 states that the application should set out the extent to which the project contributes to the recovery targets set out in the relevant waste plan(s).</p> <p>Paragraphs 2.5.71-83 of EN-3 address residue management from EfW stations. Paragraph 2.2.5.77 states that an assessment should be included in the ES of the production and disposal of residues that arise through the incineration of waste.</p>	<p><u>residual waste which can deliver environmental benefits.</u></p> <p>The Proposed Development seeks to enable a greater amount of electricity to be recovered from the incineration of waste, without the need for additional fuel throughput. Other waste management processes included within the Consented Scheme are not affected by the proposals. The Proposed Development would allow for the more efficient recovery of energy from waste, without prejudicing efforts to manage waste in accordance with the waste hierarchy.</p> <p>The Proposed Development does not alter the amount of waste that would be incinerated, nor any of the processes that would be used to treat the residues compared to the Consented Scheme. The treatment of residues would continue to be subject to a highly robust process, which is described in greater detail in ES Vol. 1, Chapter 2: Existing Site and Consented Scheme (Doc Ref 6.1).</p> <p>The Proposed Development is in accordance with the relevant sections of EN-1 and EN-3 in regard to waste and residue management.</p>
Water quality and resources (EN-1, 5.15; EN-3, 2.5.84-87)	Paragraph 5.15.1 of EN-1 states that infrastructure development can have adverse effects on the water environment. Paragraph 5.15.2 states that where the project is likely to have effects on the water	<p>The Proposed Development would have no effect on water quality and resources.</p> <p>The Proposed Development involves engineering operations</p>

Generic Impact	Summary	Assessment
	<p>environment, the application should undertake an assessment of the existing status of, and impacts on the proposed project on, water quality, water resources and physical characteristics of the water environment as part of the ES.</p> <p>Paragraph 2.5.84 of EN-3 sets out the various ways in which an EfW generating station may impact water quality and resources. Paragraph 2.5.85 reaffirms the requirement to provide an assessment in the ES if the project is likely to have effects on water quality or resources. In particular, the assessment should demonstrate that measures are in place to avoid or minimise effects associated with abstraction and discharge of cooling water.</p> <p>For decision making, EN-3 paragraph 2.5.86 states that the SoS should be satisfied that the applicant has demonstrated measures to minimise adverse impacts on water quality and resources.</p>	<p>that would allow a greater volume of steam to reach the turbine. The overall amount of steam that is generated through the incineration of waste, however, would not change compared to the Consented Scheme.</p> <p>For the reasons above, the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)) agrees that an assessment of effects on water quality and resources could be scoped out of the EIA.</p> <p>The SoS can be satisfied that there would be no adverse impacts on water quality and resources as a result of the Proposed Development.</p>

Technology-specific considerations

6.65 Technology specific considerations that are relevant to the Proposed Development and that are contained in EN-3 are set out in Table 3. The table demonstrates that there is no conflict between the Proposed Development and the technology-specific considerations that are relevant to it.

Table 3 - Assessment against NPS EN-3 Technology Specific Consideration

Technology Specific Consideration	Summary	Assessment
Flexibility in the project details (EN-3,	The SoS should accept that it may not be possible to know the precise details of all elements of the proposed development until	The Proposed Development is for the extension of the electrical generating capacity of the EfW component of the Consented

<p>paragraph 2.5.30)</p>	<p>sometime after the consent has been granted. The applicant should assess the effects the project could have to ensure that the project as it may be constructed has been properly assessed. This should constitute the “<i>maximum adverse case scenario</i>.”</p>	<p>Scheme, which was approved via the IWMF TCPA Permission. Attached to the IWMF TCPA Permission are a series of conditions, some of which require further details to be submitted to and approved by the local authority (ECC).</p> <p>The Proposed Development would be constructed and operated in accordance with the terms of the IWMF TCPA Permission. This allows for ongoing flexibility in the project details, and also allows ECC to retain ‘<i>control</i>’ over the approval of those details when they become available.</p> <p>For each assessment topic set out in the ES, the maximum adverse case scenario has been used to ensure a robust approach. In each case, no significant adverse effects are considered likely.</p>
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National Planning Policy Framework

6.66 The NPPF was introduced in March 2012 and most recently updated in ~~September~~ December 2023. NPPFs provide the decision-making framework for applications for NSIPs, however, the SoS may take into account any other matters that are ‘relevant’, which includes the NPPF.

6.67 The ‘golden thread’ running through the NPPF is a presumption in favour of sustainable development (paragraph 11). It sets out at paragraph 8 that there are three overarching objectives to achieving sustainable development, these being:

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

- **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.68 Paragraph 452157 of the NPPF also sets out the role the planning system should have in helping to meet the challenge of climate change, contributing to a radical reduction in greenhouse gas emissions, in part by supporting renewable and low carbon energy and associated infrastructure.

6.69 Paragraph 458163(a) continues that there is no need for an applicant to demonstrate the overall need for renewable or low carbon energy, and that decision makers should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

6.70 Those sections and policies from the NPPF that are considered relevant are assessed in **Table 4** below. Please note that policies that would be considered relevant to the Consented Scheme but not to the Proposed Development specifically are not assessed, for instance, the principle of developing an IWMF on the Site. Neither are policies that relate to a topic on which the Proposed Development would have no effect, for example, impacts to heritage assets and air quality.

Table 4 - NPPF Compliance Assessment

NPPF Ref.	Summary	Assessment
Chapter 4. – Decision-making	This chapter notes that decision-makers should approve applications for sustainable development where possible. It sets out the importance of pre-application engagement and the benefits this can have in resolving issues at an early stage.	<p>The Proposed Development would allow a greater amount of electricity to be derived from the Consented Scheme without the need for additional fuel throughput. The Proposed Development will contribute towards the NPPF’s environmental objective by helping to displace energy needs that would otherwise be provided for from fossil-fuel sources.</p> <p>The Applicant has engaged thoroughly and meaningfully with the local community and key stakeholders in the preparation of the Application. Further information on the pre-application consultation is set out in the Consultation Report (Doc Ref 5.1).</p>
Chapter 11. – Making	This chapter makes clear the importance of the effective use of land in order to safeguard and	The Proposed Development seeks to make the most effective use of land by allowing a greater amount of

NPPF Ref.	Summary	Assessment
effective use of land	improve the environment. Where multiple benefits can be achieved through a land use, this should be encouraged.	electrical energy to be generated by the Consented Scheme. The Consented Scheme already provides multiple benefits in managing waste in accordance with the waste hierarchy and generating a reliable source of energy in the process. The Proposed Development would increase the benefit of this latter component without the need for additional fuel (i.e. waste).
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change	<p>The planning system should support the transition to a low carbon future and contribute towards a radical reduction in greenhouse gas emission; and support renewable and low carbon energy and associated infrastructure. Suitable sites for renewable and low carbon energy infrastructure should be identified. In determining applications for renewable and low carbon development, the applicant is not required to demonstrate the overall need for such development, and such applications should be approved if its impacts are (or can be made) acceptable. Applications for the repowering and life-extension of existing renewable sites should be given significant positive weight (paragraph 458163(c)).</p> <p>Development should be directed towards areas with the lowest risk of flooding. A site-specific flood risk assessment should be prepared for all applications where the site is in Flood Zone 1 and is of 1ha or more. Local planning authorities should ensure that flood risk is not increased elsewhere by development proposals.</p>	<p>The Proposed Development would allow the Consented Scheme to generate more electricity. Whilst a relatively small increase, this will help contribute to displacing the energy that are derived from fossil-fuels. Whilst not directly applicable as the Proposed Development is not for the repowering or life-extension of an existing renewables site, paragraph 458163(c) is pertinent and indicates that the Proposed Development should be given significant positive weight by the decision-maker.</p> <p>The Site is in Flood Zone 1 and is more than 1ha. A Flood Risk Assessment (Doc Ref 7.2) has been prepared. It makes clear that the Proposed Development would not increase flood risk either within the Site or elsewhere.</p>
Chapter 15 –	Planning decisions should be made with regard to protecting and	The Environmental Statement (Doc Ref 6.1) sets out that the

NPPF Ref.	Summary	Assessment
Conserving and enhancing the natural environment	enhancing the natural environment, including taking into account the effects of potential pollution on health, living conditions and the natural environment. Noise from new development should avoid giving rise to significant adverse impacts on health and quality of life.	Proposed Development would have a negligible impact on the environment or other nearby receptors, including from noise.

Development Plan policy

6.71 The statutory development plan for the Proposed Development comprises the following development plan documents ('DPDs').

- Braintree District Local Plan 2033 (Sections 1 and 2), adopted July 2022;
- Kelvedon Neighbourhood Plan 2017-2033, adopted July 2022;
- Essex and Southend-on-Sea Waste Local Plan, adopted July 2017.

6.72 The Braintree Local Plan 2013-2033 comprises two sections. Section 1 was adopted in February 2021 and Section 2 was adopted in July 2022. Both sections have been published by BDC as a single document (the Braintree Local Plan).

6.73 As with the NPPF, DPDs are prepared to guide decision making on planning applications submitted to Local Planning Authorities, rather than DCO applications for energy NSIPs decided by the SoS. DPDs and other local policies may be important and relevant to the SoS's decisions, particularly where the document contains a policy that identifies an allocated site, a safeguarded land use, or an environmental designation that may affect the assessment of likely impact of the Scheme.

6.74 Table 5 provides a summary of the relevant policies in the DPDs and provides an assessment of the Proposed Development against them. As with the assessment against the NPPF, those sections/policies that are not considered relevant are not included.

Table 5 - Assessment against relevant Local Development Plan policies

Policy Title	Summary of policy	Assessment
Braintree Local Plan 2013-2033		
Policy SP 1 Presumption in Favour of Sustainable Development	The LPA will take a positive approach to determining applications that reflects the presumption in favour of sustainable development contained in the NPPF. This includes working pro-actively with developers to secure development that contributes to the economic, social	The Proposed Development would allow a greater amount of energy to be generated without the need for additional throughput of fuel. This will contribute to the UK's shift away from energy that is derived from fossil fuels and towards the goal of achieving net zero by 2050.

Policy Title	Summary of policy	Assessment
	and environmental objectives of the NPPF.	The Proposed Development makes a small but an important contribution towards the environmental objective without any significant adverse effects and constitutes sustainable development for which the presumption in favour applies.
Policy LPP 70 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards	Proposals should avoid unacceptable impacts from all emissions and other forms of pollution, including noise and odour and not lead to unacceptable impacts on the natural environment, general amenity and tranquillity of the wider rural area.	<p>The Proposed Development does not involve increasing the throughput of fuel (i.e. waste) in order to allow the Consented Scheme to generate more electricity. This is reflected in the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)). This reflects that there would be no change to air quality impacts compared to the Consented Scheme. For the same reason, there would be no change to odour emanating from the IWWMF compared to the Consented Scheme.</p> <p>The EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2)) makes it clear that the Proposed Development would not lead to any increase in water, odour or light pollution compared to the Consented Scheme.</p> <p>An assessment of potential noise impacts from the Proposed Development is provided at ES Vol. 1, Chapter 8: Noise and Vibration (Doc Ref 6.1). It confirms that there would be no change to noise levels at nearby receptors as a result of the Proposed Development compared to the Consented Scheme.</p> <p>The Proposed Development complies with Policy LPP 70 in avoiding unacceptable impacts from all emissions and other forms of pollution and there would be no</p>

Policy Title	Summary of policy	Assessment
		unacceptable impacts upon the natural environment and the absence of noise and other environmental impacts means there would be no unacceptable impacts to the general amenity and tranquillity of the wider rural area.
Policy LPP 71 Climate Change	<i>“The Council intends the District to meet part of its future energy needs through renewable and low carbon energy sources and will therefore encourage and support the provision of these technologies subject to their impacts on landscape and visual amenity, residential amenities including noise, pollution, heritage assets and their settings, biodiversity and designated nature conservation sites, soils, and impact on the highway, being acceptable.”</i>	<p>The Proposed Development would allow a greater amount of low-carbon energy to be generated from the Consented Scheme without needing to increase the throughput of fuel. There are no changes proposed to the flue gas treatment systems, nor the external appearance of the Consented Scheme. As such, there will be no changes to impacts on landscape and visual amenity, residential amenities, heritage assets and their settings, biodiversity and ecology, soils, or highways. Air quality impacts will not change compared to the Consented Scheme as a result of the Proposed Development.</p> <p>An assessment of potential noise impacts from the Proposed Development is provided at ES Vol. 1, Chapter 8: Noise and Vibration (Doc Ref 6.1). It confirms that there would be no change to noise levels at nearby receptors as a result of the Proposed Development compared to the Consented Scheme.</p> <p>The Proposed Development complies with Policy LPP 71.</p>
Policy LPP 73 Renewable Energy Schemes	Renewable energy schemes will be supported where the benefit of low carbon energy generating potential outweighs harms to or loss of Natural landscape or other natural assets; Landscape character; Nature conservation; Best and most versatile agricultural land;	<p>The assessment of the Proposed Development against Policy LPP 71 is equally relevant to Policy LPP 73.</p> <p>The Proposed Development seeks to allow the Consented Scheme to generate more electricity than is</p>

Policy Title	Summary of policy	Assessment
	Heritage assets, including the setting of heritage assets; Public rights of way; Air traffic and safety; Ministry of Defence operations; Watercourse engineering and hydrological impact. The development must be capable of an efficient connection to existing national energy infrastructure (unless it is demonstrated that the energy generation would be for on-site needs only).	currently permitted without the need for additional fuel throughput through the carrying out of engineering works that would only affect the internal plant within the IWMF building. This means that there would be no harm to or loss of any of the topics listed in Policy LPP 73. The Consented Scheme benefits from a grid connection to the local distribution network. The Proposed Development does not require any changes to this connection. The Proposed Development complies with Policy LPP 73.
Policy LPP 74 Flood Risk and Surface Water Drainage	New development should be located in Flood Zone 1 or areas with the lowest probability of flooding. For developments within Flood Zones 2 and 3, and for developments elsewhere involving sites of 1ha or more, development proposals must be accompanied by a site specific Flood Risk Assessment which meet the requirements of the NPPF and the PPG.	The Site is in Flood Zone 1 but exceeds 1ha. In accordance with Policy LPP 74 (and the requirements of the APFP Regs), a Flood Risk Assessment (Doc Ref 7.2) has been prepared. It makes clear that the Proposed Development would not lead to any increased flood risk, either within the Site or elsewhere.
Kelvedon Neighbourhood Plan		
Policy NE 7 Pollution	Development proposals should avoid any significant increase in air, land, water, odour, noise, or light pollution to a level which could detrimentally impact upon the health, quality of life, and residential amenity of existing and future residents.	The EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2) and the ES Vol. 1, Chapter 8: Noise and Vibration (Doc Ref 6.1) make clear that the Proposed Development would not lead to any increase in air, land, water, odour, noise or light pollution compared to the Consented Scheme. The Proposed Development complies with Policy NE 7.
Essex and Southend-on-Sea Waste Local Plan		
Policy 3 – Strategic Site Allocations	The Rivenhall IMWF is allocated for biological waste management and residual non hazardous waste management.	The Proposed Development does not include changes to the amount or type of waste that would be processed at the IWMF. This policy

Policy Title	Summary of policy	Assessment
		is relevant only insofar as it makes clear that the Proposed Development relates to the Consented Scheme, which benefits from an allocation in the Waste Local Plan.
Policy 11 – Mitigating and Adapting to Climate Change	<p>Proposals for waste management development, through their construction and operation, are required to minimise their potential contribution to climate change by reducing greenhouse gas emissions, incorporating energy and water efficient design measures and being adaptable to future climatic conditions.</p> <p>Part 3 of Policy 11 encourages the capturing and production of energy by the most efficient means practicable.</p>	<p>The Proposed Development seeks to allow the Consented Scheme to operate at its maximum efficiency and recover as much electrical energy from the EfW process as is currently technically feasible.</p> <p>In doing so, it would provide a greater amount of low-carbon electricity to the grid, helping displace electrical energy that is derived from fossil fuels. This would in turn help reduce greenhouse gas emissions and tackle the causes of climate change.</p> <p>The Proposed Development does not change the water efficiency or the adaptability of the Consented Scheme.</p> <p>The Proposed Development complies with Policy 11.</p>

Revised National Policy Statements

6.75 ~~Draft revisions~~ Revisions to EN-1 and EN-3 have been published most recently by ~~came into force following the Government as part acceptance of a consultation that ran from 30 March to 23 June 2023. The responses to that consultation are now being considered and, to confirm, the revised versions have not been adopted at application of the time of writing.~~ Proposed Development for examination.

6.76 Nonetheless, ~~the draft~~ these revisions are considered to be a relevant matter that the SoS may take into account when determining this application.

~~Table 6, 7~~ The need for nationally new significant energy infrastructure projects (Revised NPS EN-1)

6.77 Paragraphs 3.2.6-3.2.8 of Revised NPS EN-1 state that the SoS should assess all applications for NSIPs on the basis that the need has been demonstrated by the government, and §

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provide that substantial weight should be given to meeting this need. Consideration does not need to be given to the role of individuals projects in meeting this need.

6.78 Paragraphs 3.3.37-3.3.42 address the role of Energy from Waste in combustion power stations. It states that EfW should not compete with the overall ambition to reduce the amount of waste that is generated, reused or recycled, or result in an over-capacity of EfW waste treatment at a national or local level. It notes that recovering energy from residual waste has a lower GHG impact than sending it to landfill, where it would otherwise go.

Factors influencing site selection and design (Revised NPS EN-3)

6.79 Revised NPS EN-3 sets out the factors that influence site selection in section 2.3.

6.80 Given that the Proposed Development is for the extension of an existing generating station, there is no flexibility in the site selection. The Proposed Development would have no significant adverse effect on any sites with nationally recognised designations. It would also not cause any harm to the historic environment compared to the Consented Scheme. It does so whilst contributing the supply of reliable electricity that is not derived from fossil fuels. Paragraph 2.3.8 of EN-3 states that the SoS should take into account the role that large scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target.

6.81 Paragraph 2.7.7 of the Revised EN-3 states that the proposed plant should not compete with wider efforts to increase waste prevention, re-use, or recycling, or result in an over capacity of residual waste treatment at the national or local level. The Proposed Development does not include changes to the quantity or type of waste that would be delivered to and incinerated at the IWMF compared to the Consented Scheme. It would not lead to a greater 'demand' for residual waste and would not prejudice efforts to reduce the amount of waste produced either locally or nationally. It does so whilst allowing a greater amount of electrical energy to be generated, in line with Defra's policies set out above.

The critical national priority for low carbon infrastructure (Revised NPS EN-1 s.4.2)

6.82 Paragraph 4.2.4 states that Government has concluded that there is a critical national priority ('CNP') for the provision of nationally significant low carbon infrastructure. Low carbon infrastructure for the purposes of this policy is set out in paragraph 4.2.5 and for electricity generation is:

"all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy, including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready."

6.83 The Proposed Development would therefore qualify as CNP as it is for the extension of an onshore generation station that converts residual waste into energy through combustion. This, as paragraph 4.2.7 states, is relevant to the SoS's decision making

and specifically in reference to any residual impacts that have been identified. Where there are non-Habitat Regulations Assessment and non-Marine Conservation Zone residual impacts that remain after the mitigation has been applied, those residual impacts are unlikely to outweigh the urgent need for CNP infrastructure.¹⁶

6.84 There are exceptions to this, which are those residual impacts that represent an unacceptable risk to or unacceptable interference with human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero.

6.85 There are no habitats that qualify as European sites that are proximate to the Site, the closest being Belcher's and Broadfield Woods Site of Special Scientific Interest, which lies circa 6.3 kilometres north of the Site. The **EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2))** makes clear that there would be no significant adverse environmental effects as a result of the Proposed Development, and no significant effects on European sites. The **Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2))** confirms the absence of likely significant effects on ecology by scoping that out of the EIA. Therefore, no Appropriate Assessment is required to be carried out by the SoS.

Health (Revised NPS EN-1, s4.4)

6.86 Paragraph 4.4.1 states that energy production can have negative impacts on some people's health. Paragraph 4.4.2 describes that this could include 'increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests'.

6.87 The **Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2))** agreed with the Applicant's **EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2))** that there would be limited interaction between the Proposed Development and human health during operation. Any minimal impacts generated by the Proposed Development (such as noise) are not anticipated to result in any significant health and well-being effects and that further assessment of can be scoped out of the EIA.

6.88 Any potential causes of effects that could be harmful to human health will already benefit from controls established through the IWMF TCPA permission. For instance, during the construction phases dust will be suppressed in accordance with the details set out under Condition 51 of the IWMF TCPA permission. As the Proposed Development does not involve any increases to the amount of waste delivered to the Site, there would be no changes to the intensity or nature of odours associated with the operation of the Consented Scheme.

6.89 The Proposed Development is considered to comply with section 4.4 of Revised EN-1.

Marine Considerations (Revised NPS EN-1, s4.5)

¹⁶ EN-1, paragraph 4.2.15.

6.90 This section of the Revised NPS is not relevant to the Proposed Development.

Environmental and Biodiversity Net Gain (Revised NPS EN-1, 4.6)

6.91 Paragraph 4.6.1 states that projects should not only avoid, mitigate and compensate for environmental harms but should consider opportunities for enhancements.

6.92 The Environment Act 2021 provides the primary legislative power to introduce a mandatory biodiversity net gain ('BNG') requirement for NSIPs. Transitional arrangements are in place such that a requirement to deliver BNG as part of a NSIP will not become mandatory until November 2025. The requirement will therefore not apply to this Application.

6.93 The Proposed Development does not result in any significant adverse environmental effects. This is as set out in the **Environmental Statement (Doc Ref 6.1)**.

6.94 There will be beneficial effects for the wider environment in providing a greater amount of energy that is from non-fossil fuel sources. This will help tackle the causes of climate change, which causes substantial environmental issues. The **Environmental Statement Vol. 1, Chapter 7: Climate Change and Greenhouse Gases (Doc Ref 6.1)** provides further information on this.

Generic impacts

6.95 Section 5 of the Revised EN-1 sets out a series of 'generic impacts' that are potentially relevant to energy infrastructure development. In some cases, however, the generic impacts may be covered in the technology-specific NPSs.

~~6.776.96~~ Table 6 considers the Proposed Development against the generic impacts set out in Revised NPS EN-1. Where those same impacts are set out in Revised NPS EN-3, these are also considered and referenced. The table demonstrates the Proposed Development will not give rise to any significant adverse generic impacts and is in compliance with those sections of the draft revised versions of EN-1 and EN-3 respectively. Please note that this assessment only considers those sections of the draft NPSs where the revisions are considered to be significant and pertinent to the consideration of the Proposed Development. Revised NPS EN-1 and EN-3 referenced.

Table 6 - Assessment against Draft NPS EN-1 Assessment Principles

Assessment principle	Summary	Assessment
Environmental and Biodiversity	Projects should not only look to mitigate harms but also consider whether there are opportunities for	The Environment Act 2021 provides the primary legislative power to introduce a mandatory

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Assessment principle	Summary	Assessment
Net Gain (Draft EN-1, 4.5)	enhancements to the natural environment by providing net gains for biodiversity, or the wider environment where possible.	<p>biodiversity net gain ('BNG') requirement for NSIPs. Transitional arrangements are in place such that a requirement to deliver BNG as part of a NSIP will not become mandatory until November 2025. The requirement will therefore not apply to this Application.</p> <p>The Proposed Development does not result in any significant adverse environmental effects. This is as set out in the Environmental Statement (Doc Ref 6.1).</p> <p>There will be beneficial effects for the wider environment in providing a greater amount of energy that is from non-fossil fuel sources. This will help tackle the causes of climate change, which causes substantial environmental issues. The Environmental Statement Vol. 1, Chapter 7: Climate Change and Greenhouse Gases (Doc Ref 6.1) provides further information on this.</p>

Table 7—Assessment against Draft NPS-EN 1 and EN-3 [Generic Impacts](#)

Generic Impact	Summary	Assessment
Air Quality and Emissions (Draft NPS)	Two new air quality targets one for annual mean concentrations	The operation of the Consented Scheme will be

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Generic Impact	Summary	Assessment
<p><u>greenhouse gas emissions (EN-1, 5.2 and 5.3; EN-3, 2.7.36-37)</u></p>	<p>of PM2.5 and one further long-term target— have been set under the Environment Act 2024. Proximity to emission sources can have significant impacts on sensitive receptor sites for air quality. The Applicant's ES should describe existing air quality levels and the relative change in air quality from existing levels. This should include a consideration of future projections of air quality.</p> <p><u>Where the project is likely to have adverse effects on air quality, the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (EN-1, para 5.2.6).</u></p> <p>For decision-making, the SoS should is encouraged to give air quality considerations substantial weight where a project would lead to a deterioration of air quality in an area (EN-1, para. 5.2.16). Paragraph 5.2.5 of EN-1 states that operational emissions from combustion plant are controlled through Environmental Permits.</p> <p><u>Regarding greenhouse gas emissions, paragraph 5.3.33 of EN notes the vital role that energy infrastructure plays in decarbonisation. It also accepts that there will be residual emissions from energy infrastructure. Paragraph 5.3.4 requires all proposals for energy infrastructure projects to include a GHG assessment as part of their ES. This should be used to drive down greenhouse gas emissions at every stage of the</u></p>	<p>subject to the Environmental Permit that (inter alia) sets limits on emissions from the incineration of waste. Compliance with the limits set out therein will ensure that there will be no significant pollution effects and no significant risk to human health as a result of the operation of the Consented Scheme. <u>No changes to the Environmental Permit are required as a result of the Proposed Development.</u></p> <p>The Proposed Development does not involve any increases to the type or quantum of waste that is allowed to be incinerated at the IWMF. Nor are any changes to Consented Scheme's systems for flue gas treatment and abatement proposed.</p> <p>The potential for significant effects on air quality was considered through the EIA Scoping Report (ES Vol. 2, Appendix 5.1 (Doc Ref 6.2)) prepared by the Applicant. PINS agreed that an assessment of air quality effects could be scoped out of the EIA for the reasons stated above.</p> <p>The Proposed Development would achieve a greater quantum of electricity being produced without any changes to air quality impacts compared to the Consented Scheme. This</p>

Generic Impact	Summary	Assessment
	<p><u>proposed development and ensure that emissions are minimised as far as possible for the type of technology. Applicants should look for nature-based or technological solutions to mitigate or offset emissions.</u> is proposed near a sensitive receptor site.</p> <p>Paragraph 2.7.36 of EN-3 states that the applicant's ES should include an assessment of the air emissions resulting from the proposed infrastructure and demonstrate compliance with the relevant regulations.</p>	<p>should be attributed positive weight by the SoS in their decision making.</p> <p>An assessment of the greenhouse gas emissions is provided in the ES Vol. 1, Chapter 7: Climate Change and Greenhouse Gases (Doc Ref 6.1) which sets out that the Proposed Development will have a negligible beneficial effect.</p> <p>'Negligible' should be understood in its proper context, which as part of an environmental assessment that considers climate change on the global level. Paragraph 158 of the NPPF (2023) is instructive here, making clear that decision-makers should recognise even small-scale projects can provide a valuable contribution to cutting greenhouse gas emissions.</p> <p>The Proposed Development complies with draft NPS EN-1 and EN-3 in regard to air quality and emissions.</p>
Biodiversity and geological conservation (EN-1, 5.4)	Paragraph 5.4.17 of EN-1 requires that the ES clearly sets out " <i>any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</i> "	The Proposed Development comprises engineering works that would be carried out within the building envelope of the Consented Scheme. The Proposed Development would not lead to any significant adverse environmental effects and would not have any effect on any sites of international, national or local importance at any stage. Nor would it have

Generic Impact	Summary	Assessment
	<p>Paragraph 5.4.18 continues: <i>“The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the Secretary of State consider thoroughly the potential effects of a proposed project.”</i></p> <p>Paragraph 5.4.19 requires applicants to show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.</p>	<p><u>any effect on geological interest or conservation features.</u></p> <p>The Proposed Development comprises only internal works and therefore avoids harm to biodiversity and geological conservation interests and complies with section 5.4 of EN-1 in this regard.</p> <p><u>The requirement to deliver a net gain in biodiversity is not anticipated to apply to NSIPs until November 2025, and therefore does not apply to this Application.</u></p> <p>Given the nature of the Proposed Development – being engineering operations carried out within a consented building - opportunities to incorporate measures to improve biodiversity are very limited. The Consented Scheme has remediated a mineral extraction site and provided a landscaping scheme that will deliver new planting including around 30,000 new trees and shrubs) and enhance existing areas of woodland. A Habitat and Management Plan for the IWMF Site has been agreed with the LPA, pursuant to Condition 54 of the IWMF TCPA Permission.</p>
<p><u>Civil and military aviation and defence interests (EN-1, 5.5)</u></p>	<p>Paragraphs 5.5.37-5.5.39 of EN-1 set out that where there may be an effect on civil or military aviation and/or other defence assets, an assessment of this should be set out in the ES. The</p>	<p>The Proposed Development involves no changes to the external appearance of the Consented Scheme, including its stack. It will not have any implications for</p>

Generic Impact	Summary	Assessment
	Applicant should also consult the relevant body or aerodrome that is likely to be affected by the proposed development.	civil and military aerodromes, aviation technical sites, or other types of defence interests.
Coastal change (EN-1, 5.6)	N/A	The Site is not located in a coastal area.
Dust, odour, artificial light, smoke, steam, infestation (EN-1, 5.7 EN-3, 2.5.59 – 5.2.63)	<p>Paragraphs 5.7.1 and 5.7.3 of EN-1 recognise that energy infrastructure has the potential to release a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. A degree of impact may be unavoidable, but the aim should be to keep the impacts to a minimum and at a level that is acceptable.</p> <p>Paragraph 5.7.5 of EN-1 requires the applicant to assess the potential for insect infestation and emissions in the ES.</p> <p>Paragraph 2.7.41 of EN-3 requires the Applicant to assess the potential for insect infestation and emissions of odour, with particular regard to the handling and storage of waste.</p> <p>EN-3 paragraph 2.7.101 says that the SoS should satisfy themselves that the proposal sets out appropriate measures to minimise impacts on local amenity from odour, insect and vermin infestation.</p>	<p>The Proposed Development would not have any impact on the process of waste entry, handling and egress from the Consented Scheme. As such, there would be no changes to the types of nuisances set out in these sections of the NPSs, and there would be no such nuisances arising from the Proposed Development itself. A Statement of Statutory Nuisance (Doc Ref 7.3) confirms this.</p>
Greenhouse gas emissions (Draft NPS Flood risk (EN-1, 5.38)	A greenhouse gas assessment should be used to drive down greenhouse gas emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology. Paragraph 5.8.13 of EN-1 requires that applications for energy	<p>The Proposed Development's Order Limits are located in Flood Zone 1 and are greater than 1ha.</p> <p>The Proposed Development seeked does not involve any alterations to allow an increase in water discharge or use and it would not result in any additional areas of</p>

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Generic Impact	Summary	Assessment
	<p>developments of 1 hectare or greater in Flood Zone 1 in England and all proposals for energy developments located in Flood Zones 2 and 3 in England should be accompanied by a Flood Risk Assessment ('FRA').</p> <p>Paragraph 5.8.15 sets out the minimum requirements for FRAs, which are that they should:</p> <ul style="list-style-type: none"> ▪ <i>“be proportionate to the risk and appropriate to the scale, nature and location of the project;</i> ▪ <i>consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</i> ▪ <i>take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made;</i> ▪ <i>be undertaken by competent people, as early as possible in the process of preparing the proposal;</i> ▪ <i>consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance;</i> ▪ <i>consider the vulnerability of those using the site, including arrangements for safe access;</i> 	<p>hardstanding compared to the electrical generating capacity of the Consented Scheme, without needing additional fuel throughput and without. The Proposed Development would not result in any significant adverse environmental flood risk effects.</p> <p>An assessment of the greenhouse gas emissions is provided in the ES Vol. 1, Chapter 7: Climate Change and Greenhouse Gases (Doc Ref 6.1) which sets out. Nonetheless, to ensure that the requirements of EN-1 and Regulation 5(2) of the APFP Regs are met, a Flood Risk Assessment (Doc Ref 7.2) has been carried out by SLR Consulting Ltd on behalf of the Applicant.</p> <p>The assessment has been carried out in a manner that is proportionate to the risk and appropriate to the nature of the Proposed Development (as described above). The flood risk arising from a range of sources has been considered. The risk of flooding for all sources will have a negligible beneficial effect be low, and no flood risk reduction measures are necessary to achieve this.</p> <p>'Negligible' should be understood in its proper context, which as part of an environmental assessment that considers climate</p>

Generic Impact	Summary	Assessment
	<ul style="list-style-type: none"> ▪ <u>consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard and duration;</u> ▪ <u>identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;</u> ▪ <u>consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;</u> ▪ <u>include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding;</u> ▪ <u>consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems. Information should include:</u> 	<p><u>change on the global level. Paragraph 158 of the NPPF (2023) is instructive here, making clear that decision-makers should recognise even small-scale projects can provide a valuable contribution to cutting greenhouse gas emissions. The development lifetime over which the assessment is made is confirmed at Section 3.1 of the FRA as 40 years. The impacts of climate change and extreme events are considered in sections 3.5 and 4.2 of the FRA. It confirms that the sustainable drainage systems included as part of the Consented Scheme would remain effective in extreme weather events and long duration storms. The Proposed Development does not include any changes to the Consented Scheme's drainage strategy. The FRA confirms that the Consented Scheme's drainage strategy have been designed to accommodate extreme flows and changes in rainfall severity associated with climate change.</u></p> <p><u>The FRA provided is considered to be appropriate to the Proposed Development and demonstrates that it will not lead to any additional flood risk, either within the Site or elsewhere. For these reasons, the Proposed Development is considered</u></p>

Generic Impact	Summary	Assessment
	<ul style="list-style-type: none"> <li data-bbox="395 474 722 548">i. <u>Describe the existing surface water drainage arrangements for the site.</u> <li data-bbox="395 562 722 750">ii. <u>Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates.</u> <li data-bbox="395 763 722 1144">iii. <u>Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate.</u> <li data-bbox="395 1158 722 1265">iv. <u>Demonstrate how the hierarchy of drainage options has been followed.</u> <li data-bbox="395 1279 722 1444">v. <u>Explain and justify why the types of SuDS and method of discharge have been selected and why they are considered appropriate.</u> <li data-bbox="395 1458 722 1704">vi. <u>Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site.</u> <li data-bbox="395 1718 722 1758">vii. <u>Describe the multifunctional benefits the sustainable</u> 	<p data-bbox="756 474 1043 517">to comply with NPS EN-1 with regard to flood risk.</p>

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Generic Impact	Summary	Assessment
	<p><u>drainage system will provide.</u></p> <p><u>viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system.</u></p> <p><u>ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere.</u></p> <p><u>x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development</u></p> <ul style="list-style-type: none"> ▪ <u>detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;</u> ▪ <u>identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and</u> ▪ <u>be supported by appropriate data and information, including historical information on previous events.</u> Applicants should look for nature based or 	

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<p>Historic Environment (EN-1, 5.9; EN-3, 2.3.8)</p>	<p>technological solutions to mitigate or offset emissions.</p> <p>Paragraph 5.9.10 of EN-1 states that an applicant should <i>“provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance.”</i></p> <p>Further, paragraph 5.9.12 states that <i>“the applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.”</i></p> <p>EN-1 paragraph 5.9.22 states that the SoS should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development.</p> <p>Should a degree of harm to the historic environment be detected, EN-3 paragraph 2.3.8 requires the SoS to take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target.</p>	<p>The Site is located near to a group of Grade II listed buildings at Woodhouse Farm. These buildings fall within the wider IWMF Site, and plans for their restoration have been submitted to the LPA in 2022 and 2023 (as described in Section 2) and July 2021 pursuant to Condition 64 of the IWMF TCPA Permission.</p> <p>The Proposed Development would not lead to any changes to the external appearance of the Consented Scheme as the comprise internal engineering operations only. The Proposed Development does not require breaking ground or underground works, so there would be no disturbance to buried heritage assets compared to the Consented Scheme.</p> <p>It is considered that the Proposed Development would not result in harm to the significance or setting of the nearby heritage assets. For these reasons, it was agreed that an assessment of cultural heritage and archaeology be scoped out of the EIA.</p> <p>Therefore, the Proposed Development is able to contribute to decarbonising the UK’s energy supply whilst avoiding harm to the</p>

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<p>Biodiversity_Landscape and geological conservation (Draft NPS-Visual (EN-1, 5.410; EN-3 2.7.38- and 2.7.60-62)</p>	<p>The government's policies for biodiversity in England aim to halt overall biodiversity loss and improve eco-systems and ecological networks.</p> <p>Where the development is subject to EIA, the applicant's Paragraph 5.10.16 of EN-1 states that the applicant should carry out a landscape and visual assessment should set out any and report it in the ES. Paragraph 5.10.20 says that the assessment should consider effects on internationally, nationally, during both construction and locally designated sites of ecological or geological conservation importance. Energy during completion and its operation.</p> <p>Paragraph 5.10.5-6 of EN-1 states that 'virtually all nationally significant energy infrastructure projects will have effects on the landscape', and that projects need to be designed carefully, taking account of the potential to deliver significant benefits and biodiversity not gain. The scope of potential gains will be dependent on the type, scale and location of each project landscape. The aim, the text says, should be to minimise harm, providing reasonable mitigation where possible and appropriate.</p> <p>The SoS should have regard for the 25 Year Environment Plan and the Environment Act 2021,</p>	<p>historic environment and is considered to comply with these sections of the NPSs as a result.</p> <p>The Proposed Development will help transition to a lower carbon future by allowing a greater amount of electrical energy to be generated without the need for additional fuel throughput. It does so without any significant adverse environmental effects. This includes to ecology and biodiversity. The Proposed Development would not involve any changes to the external appearance of the Consented Scheme. This includes the siting, layout, scale, materiality etc., as well as the location, size, and proportion of the stack. The Proposed Development does not involve any changes to the throughput of waste or the flue gas treatment systems, and so would not have any effect on the visibility of the plume emitted from the stack. There would be no changes to the landscaping strategy, or the visual screening/landscape impact mitigation provided by the Consented Scheme. Further information is contained in ES Vol. 1, Chapter 3: Proposed Development and Construction (Doc Ref 6.1).</p> <p>For the above reasons, the Planning Inspectorate Scoping Opinion (ES Vol.</p>

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	<p>as well as the aims and goals of the government's Environmental Improvement Plan. Paragraph 5.10.12 recognises that areas outside of nationally designated areas may still be highly valued locally and protected by local designation. In reaching a decision, paragraph 5.10.37 states that the SoS should consider whether the project has been designed to minimise harm on the landscape, including by reasonable mitigation.</p> <p>Paragraphs 5.10.13-14 of EN-1 addresses visual impact, stating that all proposed energy infrastructure is likely to have a visual effect, however, in determining proposals, a judgement is to be made as to whether the visual effects on sensitive receptors outweigh the benefits of the development.</p> <p>Paragraph 2.7.60 of EN-3 notes that good design will some way to mitigate adverse landscape/visual effects.</p> <p>Paragraph 2.7.62 of EN-3 states that mitigation is achieved primarily through aesthetic aspects of site layout and building design, including size and external finish and colour of the generating station.</p> <p>Paragraph 2.7.95 of EN-3 advises that the SoS should expect applicants to visually enclose waste/biomass combustion at low levels as seen from surrounding external viewpoints.</p>	<p>2, Appendix 5.2 (Doc Ref 6.2)) agrees that an assessment of landscape and visual impacts could be scoped out of the EIA.</p> <p>The Proposed Development would extend the generating capacity of the generating station with no associated landscape or visual impacts. It complies with section 5.10 of EN-1 and paragraphs 2.7.60-62 of EN-3, avoiding landscape and visual harm.</p> <p>▪</p> <p>The requirement to deliver a net gain in biodiversity is not anticipated to apply to NSIPs until November 2025, and therefore does not apply to this Application.</p>
Land use; including	Applicants are encouraged. Paragraph 5.11.1 of	The existing Site and surrounding land conditions

Generic Impact	Summary	Assessment
<p>open space, green infrastructure and Green Infrastructure, and Green Belt (Draft NPS EN-1, 5.11);</p>	<p>EN-1 states that <i>“an energy infrastructure project will have direct effects on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development.”</i></p> <p>Paragraph 5.11.3 states that <i>“although the re-use of previously developed land for new development can make a major contribution to develop sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure.”</i></p> <p>Paragraph 5.10.2 addresses the role of the Green Belt and 5.10.7 address the provision of open space and green infrastructure.</p> <p>Paragraph 5.11.8 states that the applicant’s ES should identify existing and proposed land uses near the project, and the effect of replacing an existing development or use of the site with the proposed project.</p> <p>Paragraph 5.11.12 encourages applicants to minimise impacts to best and most versatile agricultural land and to minimise effects on soil quality. For development on previously developed land, applicants should ensure that they have considered the risk posed by land contamination.</p> <p>Paragraph 5.11.14 encourages applicants to development and</p>	<p>are described in the ES Vol. 1, Chapter 2: Existing Site Conditions and Consented Scheme (Doc Ref. 6.1). A description of the allocations and designations that cover the Site is also provided in Section 4 of this Statement. In summary, the Site is in a Minerals Safeguarding Area, it is not in the Green Belt and is allocated under Policy 3: Strategic Site</p> <p>Allocations of the Essex and Southend on Sea Waste Plan (2017) for waste management development. Land to the south of the Site is allocated under Policy LPP5 Allshot’s Farm, Rivenhall for employment use with structural landscaping.</p> <p>The Proposed Development would not involve or require any additional land compared to the Consented Scheme. No open space or green infrastructure would be affected by the Proposed Development.</p> <p>The Consented Scheme is under construction following the successful extraction of mineral resources from that part of the Minerals Safeguarding Area. The Proposed Development would not have an effect on ongoing mineral extraction activities in proximity to the Site, and no mitigation is required.</p>

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	<p>implement a Soil Management Plan which could help minimise potential land contamination.</p> <p>Paragraph 5.11.19 states that <i>“applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.”</i></p> <p>Paragraph 5.11.20 sets out the general presumption against inappropriate development in the Green Belt, and requires applicants to identify whether the proposal, or any part of it, is in an area of established Green Belt.</p> <p>Paragraph 5.11.28 states that where a proposed has an impact upon a Mineral Safeguarding Area, the SoS should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	<p>There would be no loss of <u>best and most versatile agricultural land</u> as a result of the Proposed Development. The Proposed Development does not include any breaking of ground or other ground intervention that would require a Soil Management Plan.</p> <p>The Proposed Development would technically be carried out on <u>previously developed land</u> (given that it involves engineering operations within the envelope of the Consented Scheme building). It does not require <u>the breaking of any ground</u>, as such there are no risks posed by potential land contamination associated with the Proposed Development.</p> <p>For the reasons set out above, the Proposed Development is compliant with section 5.11 of EN-1.</p>
<p>Noise and Vibration (EN-1, 5.12; EN-3, 2.7.39-40 and 2.7.63-65)</p>	<p>Paragraph 5.12.1 of EN-1 notes the negative impact that <u>excessive noise can have</u> and paragraph 5.12.2 refers to the Government’s policy on noise set out in the Noise Policy Statement for England. Paragraph 5.12.4 also notes that <u>excessive noise can have harmful effects on wildlife and biodiversity</u>.</p> <p>Paragraph 5.12.6 sets out requirements for the applicant’s</p>	<p>An assessment of potential noise effects arising from the Proposed Development is provided in ES Vol. 1, Chapter 8: Noise and Vibration (Doc Ref 6.1).</p> <p>The assessment is carried out using the noise limits that are set out in the IWMF TCPA Permission. This allows for the assessment to specifically consider the</p>

Generic Impact	Summary	Assessment
	<p>assessment where noise impacts are likely to arise. These should include:</p> <p><i>“a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise;</i></p> <p><i>identification of noise sensitive premises and noise sensitive areas that may be affected;</i></p> <p><i>the characteristics of the existing noise environment;</i></p> <p><i>a prediction of how the noise environment will change with the proposed development;</i></p> <p><i>in the shorter term such as during the construction period;</i></p> <p><i>in the longer term during the operating life of the infrastructure;</i></p> <p><i>at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year.</i></p> <p><i>an assessment of the effect of predicted changes</i></p>	<p>potential effects of the Proposed Development when compared to the Consented Scheme (which is taken as the ‘future baseline’ for the purposes of the assessment). The methodology used is as set out in the Applicant’s EIA Scoping Report (ES Vol. 2, Appendix 5.12 (Doc Ref 6.2)) and was agreed with by the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)).</p> <p>A detailed noise modelling exercise was carried out using Cadna/A noise modelling software and the calculation algorithms contained in ISO9613-2 has been undertaken. Noise levels from the operational plant were provided by the EPC contractor. A consideration of the existing and future baseline soundscape is provided, which includes road traffic noise from the A120 and aircraft operating from Stansted Airport. A consideration of the existing receptors and their sensitivity is provided in Table 8.9 of the ES Chapter.</p> <p>It concludes that the Proposed Development would have a negligible impact (i.e. not significant in EIA terms) on the operational noise levels of the IWMF. This is the case for all times of day,</p>

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	<p><i>in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas</i></p> <p><i>if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise</i></p> <p><i>all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.”</i></p> <p>Paragraph 5.12.7 states that the nature and extent of the noise assessment should be proportionate to the likely noise impact.</p> <p>Paragraph 5.12.9 says that operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Paragraph 5.12.10 encourages the applicant to consult the EA and Natural England.</p> <p>Paragraph 5.12.15 advises the SoS that the project should demonstrate good design, for example through containing</p>	<p>including daytime, evening and nighttime. No mitigation is required to achieve this.</p> <p>In summary, significant adverse effects on health and quality of life from noise are avoided, without the need for mitigation. The Proposed Development is considered to comply with NPS EN-1 and EN-3 in this regard.</p>

Generic Impact	Summary	Assessment
	<p>noise within buildings wherever possible, and optimising plant layout to minimise noise emissions.</p> <p>Paragraph 5.12.17 states that the SoS should not grant development consent unless it is satisfied that the proposals will meet the following aims:</p> <ul style="list-style-type: none"> <u>avoid significant adverse impacts on health and quality of life from noise;</u> <u>mitigate and minimise other adverse impacts on health and quality of life from noise; and</u> <u>where possible, contribute to improvements to health and quality of life through the effective management and control of noise.</u> <p>Paragraph 2.7.40 states that the Applicant's ES should include a noise assessment of the impacts on amenity in case of excessive noise from the project.</p>	
Socio-economic (EN-1, 5.13)	<p>Paragraph 5.13.2. states that <i>"where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES"</i>.</p>	<p>The Proposed Development would not change the employees at either the construction of operation stages compared to the Consented Scheme.</p> <p>There are not anticipated to be any socio-economic effects associated with the Proposed Development. For this reason, an assessment of 'Social and community issues' was agreed to be scoped out of the EIA. Please refer the Planning Inspectorate Scoping</p>

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<p><u>Traffic and transport (EN-1, 5.14)</u></p>	<p>Paragraph 5.14.5 states that if a project is likely to have significant transport implications, the applicant's ES should include a transport assessment.</p> <p>Paragraph 5.14.7 states that the applicant should provide details of proposed measures to reduce the need for parking associated with the proposal and to mitigate transport impacts.</p>	<p><u>Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)) for further information.</u></p> <p>The Proposed Development would not give rise to any additional vehicle movements during the construction and operation phases compared to the Consented Scheme.</p> <p>The maximum number of permitted heavy goods vehicle movements during the operational and construction phases of the Consented Scheme is controlled by Conditions 3 and 4 respectively of the IWMF TCPA Permission. Condition 5 of the same permission further requires that a written record of daily HGV movements is maintained by the operator.</p> <p>The Proposed Development does not seek to alter any of these controls. As such, there would be no effect to traffic and transport that is as a result of the Proposed Development.</p> <p>For this reason, the assessment of traffic and transport impacts was agreed to be scoped out of the EIA. Please refer to the <u>Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)) for further information.</u></p>
<p><u>ResourceWaste and wasteresidue management (Draft NPS-EN-1, 5.15; EN-</u></p>	<p>Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating municipal waste. The</p>	<p>The Proposed Development does not involve increasing the amount or type of waste that is processed by the Consented Scheme.</p>

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Generic Impact	Summary	Assessment
<p>3, 2.7.42-54, 2.7.68-70, and 2.7.102-109)</p>	<p>SoS should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan. This is to aid the move toward a more circular economy. Paragraph 5.15.1 of EN-1 outlines that Government policy is to help the environment by producing less waste and using it as a resource wherever possible. Paragraph 5.15.2 states that waste should be managed in accordance with the 'waste hierarchy', this being: prevention; preparing for reuse; recycling; other recovery, including energy recovery; and disposal.</p> <p>Paragraph 5.15.8 of EN-1 states "<i>the applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.</i>"</p> <p>For decision making, paragraph 5.15.14 states that the SoS should consider whether the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the project.</p> <p>Paragraph 2.7.42 of EN-3 notes that "<i>waste combustion generating stations need not disadvantage reuse or recycling</i></p>	<p>Given the nature of the Proposed Development, no Site Waste Management Plan is necessary. Waste arising from the carrying out of the Proposed Development will be negligible. Should Work Option No. 1 be implemented, the primary waste item would be the mechanical stops that would be replaced. In a worst-case scenario, these would be discarded if no alternative (re)use for them can be found. No further measures are necessary to ensure that waste is appropriately managed as a result of carrying out the Proposed Development.</p> <p>Defra's Waste Management Plan for England (2021) welcomes the efficient energy recovery from residual waste which can deliver environmental benefits.</p> <p>The Proposed Development seeks to enable a greater amount of electricity to be recovered from the incineration of waste, without the need for additional fuel throughput. Other waste management processes included within the Consented Scheme are not affected by the proposals. The Proposed Development would allow for the more efficient recovery of energy from waste, without prejudicing</p>

Generic Impact	Summary	Assessment
	<p><i>initiatives where the proposed development accords with the waste hierarchy.”</i></p> <p>Paragraph 2.7.43 of EN-3 states that the application should set out the extent to which the project contributes to the recovery targets set out in the relevant waste plan(s).</p> <p>Paragraphs 2.7.47-54 of EN-3 address residue management from EfW stations. Paragraph 2.7.52 states that an assessment should be included in the ES of the production and disposal or residues that arise through the incineration of waste.</p>	<p>efforts to manage waste in accordance with the waste hierarchy.</p> <p>The Proposed Development does not include changes to alter the quantity or type amount of waste that would be delivered to and incinerated at the IWMF, nor any of the processes that would be used to treat the residues compared to the Consented Scheme. It would not lead to a greater ‘demand’ for residual waste and would not prejudice efforts to reduce the amount of waste produced either locally or nationally. It does so whilst allowing a greater amount of electrical energy. The treatment of residues would continue to be generated, in line with Defra’s policies set out above. Finally, the Proposed Development will not affect the way that the Consented Scheme harnesses or utilises heat generated by the EfW subject to a highly robust process, which is described in greater detail in <u>ES Vol. 1, Chapter 2: Existing Site and Consented Scheme (Doc Ref 6.1).</u></p> <p>The Proposed Development is in accordance with the relevant sections of EN-1 and EN-3 in regard to waste and residue management.</p>

Generic Impact	Summary	Assessment
<p><u>Water quality and resources (EN-1, 5.16; EN-3, 2.7.55-58, 2.7.71, and, 2.7.110)</u></p>	<p>Paragraph 5.16.1 of EN-1 states that infrastructure development can have adverse effects on the water environment. Paragraph 5.16.3 states that where the project is likely to have effects on the water environment, the application should undertake an assessment of the existing status of, and impacts on the proposed project on, water quality, water resources and physical characteristics of the water environment as part of the ES.</p> <p>Paragraph 2.7.55 of EN-3 sets out the various ways in which an EfW generating station may impact water quality and resources. Paragraph 2.7.56 reaffirms the requirement to provide an assessment in the ES if the project is likely to have effects on water quality or resources. In particular, the assessment should demonstrate that measures are in place to avoid or minimise effects associated with abstraction and discharge of cooling water.</p> <p>For decision making, EN-3 paragraph 2.7.110 states that the SoS should be satisfied that the applicant has demonstrated measures to minimise adverse impacts on water quality and resources.</p>	<p><u>The Proposed Development would have no effect on water quality and resources.</u></p> <p><u>The Proposed Development involves engineering operations that would allow a greater volume of steam to reach the turbine. The overall amount of steam that is generated through the incineration of waste, however, would not change compared to the Consented Scheme.</u></p> <p><u>For the reasons above, the Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2)) agrees that an assessment of effects on water quality and resources could be scoped out of the EIA.</u></p> <p><u>The SoS can be satisfied that there would be no adverse impacts on water quality and resources as a result of the Proposed Development.</u></p>

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Technology-specific considerations

6.97 Technology specific considerations that are relevant to the Proposed Development and that are contained in Revised EN-3 are set out in Table 7. The table demonstrates that there is no conflict between the Proposed Development and the technology-specific considerations that are relevant to it.

Table 7 - Assessment against Draft Revised NPS EN-3 Technology Specific Consideration

Topic Technology Specific Consideration	Summary	Assessment
National Designations (Draft NPS EN-3, 3.3.6-8) Combined heat and power (CHP) (EN-3 2.7.13 and 2.7.83-84)	<p>In sites with nationally recognised designations, consent for renewable energy projects should only be granted where the benefits of the proposals clearly outweigh any significant adverse effects to the designated area.</p> <p>This applies to the historic environment, for which the SoS should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target. EN-3 requires that consideration be given to CHP in the manner described in section 4.8 of EN-1. Paragraph 2.7.84 of EN-3 outlines the importance that government attaches to CHP and requires applicants to satisfy the SoS that appropriate evidence has been provided that CHP is included or that opportunities for CHP have been explored.</p>	<p>As per the assessment against EN-1, 6.47 The Proposed Development would have no significant adverse effect on any sites with nationally recognised designations.</p> <p>It would also not cause any harm seeks only to the historic environment compared allow a greater volume of steam to reach the turbine, which in turn will allow the generating station to generate more low-carbon electrical energy. The Proposed Development will not affect the way that heat is harnessed or utilised by the Consented Scheme.</p> <p>It does so whilst contributing the supply of reliable electricity that is not derived from fossil fuels.</p>
Carbon capture readiness (EN-3 2.7.14-17)	Carbon capture readiness is relevant to proposed biomass plant at or over 300MW of generating capacity, but not to EfW plants.	This does not apply to the Proposed Development.
Fuels (EN-3 2.7.18-23)	This section applies primarily to biomass plant.	This does not apply to the Proposed Development, which would not change the amount or type of waste that would be

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		processed by the Consented Scheme.
Nature of applications (EN-3 2.7.24-26)	Applicants should include information on the makeup of the proposed waste/biomass combustion plant.	This does not apply to the Proposed Development, which would not change the amount or type of waste that would be processed by the Consented Scheme.
Waste treatment capacity (Draft NPS EN-3, 3.7.6-7) Commercial aspects of waste combustion plants (EN-3 2.7.27-29)	Proposals should ensure that EfW plants are fit for the future and do not compete with greater wider efforts to reduce waste prevention and increase re-use, recycling and do not result in an over capacity of EfW waste treatment provision at the local or national or local level. Regard should be had to Defra's policy position on the role of energy recovery from waste.	<p>Defra's Waste Management Plan for England (2021) welcomes the efficient energy recovery from residual waste which can deliver environmental benefits.</p> <p>The Proposed Development does would not include changes to alter the quantity amount or type of waste that would be delivered to and incinerated at the IWMF compared to the the Consented Scheme. It would process annually. It is therefore not lead to a greater 'demand' for residual waste and would not prejudice at odds with wider efforts to reduce the amount of waste produced either locally or nationally. It does so whilst allowing a greater amount of electrical energy to be generated, but it is in line with Defra's policies set out above accordance with the Resources and Waste Strategy which aims to promote resource efficiency.</p>
Network connection (2.7.30-31)	In accordance with Section 4.11 in EN-1, any application to the Secretary of State must include information on how the generating station is to be connected and whether any environmental issues are likely to arise from that connection.	A Grid Connection Statement (Doc Ref 7.5) has been provided with the Application.
Commercial aspects of waste combustion plants (Draft NPS Flexibility)	Applicants must ensure EfW plants are fit for the future, do not compete with greater waste prevention, re-use, or recycling and do not result in an over-capacity of EfW waste treatment	As above. The Proposed Development is for the extension of the electrical generating capacity of the EfW component of the Consented Scheme, which was approved via the IWMF TCPA

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<p>(EN-3, paragraph 2.7.2932-33)</p>	<p>provision at a local or national level. The SoS should accept that it may not be possible to know the precise details of all elements of the proposed development until sometime after the consent has been granted. The applicant should assess the likely worst case effects the project could have to ensure that the project as it may be constructed has been properly assessed.</p>	<p>Permission. Attached to the IWMF TCPA Permission are a series of conditions, some of which require further details to be submitted to and approved by the local authority (ECC).</p> <p>The Proposed Development would be constructed and operated in accordance with the terms of the IWMF TCPA Permission. This allows for ongoing flexibility in the project details, and also allows ECC to retain 'control' over the approval of those details when they become available.</p> <p>For each assessment topic set out in the ES, the maximum adverse case scenario has been used to ensure a robust approach. In each case, no significant adverse effects are considered likely.</p>
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Decision other than in accordance with the NPSs

6.786.98 Sections 104(4) – (8) set out circumstances in which the SoS may make a decision other than in accordance with the relevant NPSs. None of these circumstances apply, as per the following:

- Section 104(4) – The Proposed Development would not lead to the UK being in breach of any of its international obligations;
- Section- 104(5) – The SoS would not be in breach of any duty imposed on the SoS by or under any enactment should they decide to grant the DCO;
- Section 104(6) – Deciding the Application in accordance with the relevant NPSs would not be unlawful by virtue of any enactment;
- Section 104(7) – The adverse impact of the Proposed Development would not outweigh its benefits; and
- Section 104(8) – There are no other conditions prescribed for deciding the Application other than in accordance with the relevant NPSs.

Summary

~~6-796.99~~ The above assessment demonstrates that the Proposed Development complies with the relevant energy NPSs, being EN-1 and EN-3.

~~6-806.100~~ Compliance with key matters that are also considered relevant to the consideration of the application – namely the NPPF, and DPDs, and the ~~draft~~revised NPSs – has also been assessed.

~~6-816.101~~ It is considered that the Proposed Development complies with all relevant policies contained therein and will help contribute to the vital and urgent need for additional low-carbon energy to reduce greenhouse gas emissions and tackle the causes of climate change, by delivering infrastructure that qualifies as a Critical National Priority. The **ES (Doc Ref 6.1)** demonstrates that the Proposed Development would achieve this with no significant adverse environmental effects.

~~6-826.102~~ In view of the above, development consent for the Proposed Development should be granted without delay.

7 Conclusions

- 7.1 The Rivenhall IWMF is currently under construction pursuant to the planning permission granted by ECC. The ongoing and future construction and operation of the Rivenhall IWMF in accordance with this permission has been referred to in this Statement as the 'Consented Scheme'.
- 7.2 The Proposed Development involves the carrying out of engineering works that would have the effect of allowing the energy from waste component of the Consented Scheme to generate a greater amount of electricity. This would be achieved by either replacing or installing unrestricted steam turbine inlet control valves and allowing a greater amount of the overall volume of steam to reach the turbine.
- 7.3 The engineering operations qualify as development for the purposes of section 31 of the PA 2008. They would have the effect of extending a generating station with a capacity of over 50MW. The extension therefore constitutes a NSIP pursuant to sections 14(1)(a) and 15(1) of the PA 2008 and requires development consent pursuant to section 31 of the same.
- 7.4 The engineering operations would be carried out within and would only affect the interior of the IWMF building. As a result of the Proposed Development, there would be no change to:
- the external appearance of the IWMF, including the stack;
 - the amount or type of waste that is delivered to the IWMF;
 - the amount or type of waste that is combusted at the IWMF;
 - the systems for the treatment and/or use of flue gases and other residues from the incineration of waste;
 - the number of permitted heavy goods vehicle movements associated with the construction and operation of the Consented Scheme; or
 - the number of employees working at the IWMF whilst operational. The number of workers employed to carry out the Proposed Development would be nominal and short-term.
- 7.5 An EIA of the Proposed Development has been carried out in accordance with the **Planning Inspectorate Scoping Opinion (ES Vol. 2, Appendix 5.2 (Doc Ref 6.2))** adopted by PINS. The findings of the EIA, set out in the **ES (Doc Ref 6.1)**, makes clear that there are not expected to be any significant adverse environmental effects.
- 7.6 The Consented Scheme (as amended by the Proposed Development) will continue to be operated in accordance with the terms of the planning permission pursuant to which it is being constructed. The local planning authority for the Consented Scheme – ECC – will continue to retain 'control' of the Consented Scheme (as amended by the Proposed Development). This is as set out in the **Draft Development Consent Order (Doc Ref 3.1)**, and further explained in the **Explanatory Memorandum to the Draft Development Consent Order (Doc Ref 3.2)**.

- 7.7 The relevant NPSs and the relevant matters highlighted in this Statement collectively set out the urgent and vital need for increased low-carbon energy supplies to help transition away from fossil fuels and address the causes of climate change. Whilst a small contribution to this, the Proposed Development is nonetheless part of this vital transition. It will do so without any significant adverse environmental effects.
- 7.8 An assessment has been provided of the Proposed Development that demonstrates compliance with relevant policies from NPS EN-1 and EN-3. Other matters that are relevant to the SoS's determination of this application have also been assessed, and the Proposed Development found to be in compliance with those as well.
- 7.9 In carrying out the balancing exercise, the Proposed Development is able to deliver benefits in providing an increased amount of low-carbon, reliable electricity that can be called upon when the wind is not blowing, and the sun is not shining and that will help displace energy derived from fossil fuels. This should be given significant weight in favour of the Application. There are no significant adverse effects of the Proposed Development. As such, the balance is weighted heavily in its favour.
- 7.10 As such, it is considered that a DCO should be granted for the Proposed Development.

References

A Green Future: Our 25 Year Plan to Improve the Environment, HM Government (2018).

Braintree District Local Plan 2033 (adopted July 2022)

British Energy Security Strategy, HM Government (April 2022).

Climate Change Act ('CCA') 2008 (as amended)

Energy White Paper: Powering our net zero future (December 2020)

Essex and Southend-on-Sea Waste Local Plan, July 2017

Industrial decarbonisation strategy, HM Government (March 2021).

Kelvedon Neighbourhood Plan (July 2022)

Mission Zero: Independent Review of Net Zero, Rt Hon Christ Skidmore MP, (January 2023)

National Planning Policy Framework, Department for Levelling Up, Housing and Communities (~~September~~ December 2023).

~~(draft)~~ Revised National Policy Statement for Renewable Energy Infrastructure (EN-3), Department for Energy Security and Net Zero (~~March~~ November 2023)

National Policy Statement for Renewable Energy Infrastructure (EN-3), Department of Energy and Climate Change (July 2011).

Net Zero Strategy: Build Back Greener, HM Government, (October 2021)

~~(draft)~~ Revised Overarching National Policy Statement for Energy (EN-1), Department for Energy Security and Net Zero (~~March~~ November 2023).

Overarching National Policy Statement for Energy (EN-1), Department of Energy and Climate Change (July 2011).

Planning Act 2008

Powering Up Britain: Energy Security Plan, HM Government (March 2023).

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

The Ten Point Plan for a Green Industrial Revolution, HM Government (November 2020).

The Waste (England and Wales) Regulations 2011

Town and Country Planning Act 1990

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Appendix 1: The IWMF TCPA Permission (ESS/39/23/BTE)

ESSEX COUNTY COUNCIL

**Town and Country Planning Act 1990 (as amended)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
ORDER 2015**

In pursuance of the powers exercised by it as County Planning Authority, Essex County Council has considered an application to carry out the following development:

Continuation of development of the Integrated Waste Management Facility (IWMF) with deletion of condition 66, approved details thereunder and associated conditions (Plan of Action if development not taken forward within 5 years) of planning permission ESS/34/15/BTE. ESS/34/15/BTE was amended planning permission for "The Integrated Waste Management Facility comprising: Anaerobic Digestion Plant treating mixed organic waste, producing biogas converted to electricity through biogas generators; Materials Recovery Facility for mixed dry recyclable waste to recover materials e.g. paper, plastic, metals; Mechanical Biological Treatment facility for the treatment of residual municipal and residual commercial and industrial wastes to produce a solid recovered fuel; De-inking and Pulping Paper Recycling Facility to reclaim paper; Combined Heat and Power Plant (CHP) utilising solid recovered fuel to produce electricity, heat and steam; extraction of minerals to enable buildings to be partially sunken below ground level within the resulting void; visitor/education centre; extension to existing access road; provision of offices and vehicle parking; and associated engineering works and storage tanks."

At Land at Rivenhall Airfield Coggeshall Road, Braintree, CO5 9DF

and in accordance with the said application and the plan(s) accompanying it, hereby gives notice of its decision to GRANT PERMISSION FOR the said development subject to compliance with the following conditions and reasons:

1. The development hereby permitted shall be begun before the expiry of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

The development permitted under planning permission ESS/34/15/BTE was notified as commenced on 1 March 2016 by letters dated 1 March 2016 and 3 March 2016 from Holmes and Hills Solicitors. The commencement was acknowledged by the Waste Planning Authority under reference ESS/34/15/BTE/1/1 on 14 March 2016.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall only be carried out in accordance with planning application ECC ref ESS/37/08/BTE (PINS Ref. APP/Z1585/V/09/2104804) dated 26 August 2008 (as amended) and

As amended by Non-Material Amendment application reference ESS/37/08/BTE/NMA2 dated 4 September 2012, accompanied by letter from Berwin Leighton Paisner dated 29 August 2012 and email dated 18 September 2012 as approved by the Waste Planning Authority on 25 October 2012.
and

As amended by planning application reference ESS/44/14/BTE dated 5 August 2014, accompanied by letter from Holmes & Hills dated 5 August 2014, report entitled "Business development since obtaining planning permission" dated August 2014, report "Changes in the Case for Need since September 2009" dated August 2014 and letters from Honace dated 5 August 2014 and Golder Associates dated 4 August 2014 and granted by the Waste Planning Authority on 4 December 2014.

and

As amended by planning application reference ESS/55/14/BTE dated 12 December 2014, accompanied by letter from Holmes & Hills LLP dated 12 December 2014, SLR report "Justification for Removal of Fuel Sourcing Conditions" Rev 4" dated December 2014 and letter from Honace dated 5 August 2014 and Golder Associates dated 4 August 2014.

And

As amended by planning application reference ESS/34/15/BTE dated 4 August 2015 and drawing numbers:

Drawing Ref	Title	Dated
1-1A	Land Ownership & Proposed Site Plan	21/12/15
1-2B	Proposed Planning Application Area and Site Plan	21/05/15
1-5B	Typical Arrangement and Architectural Features	21/05/15
1-8	Schematic Arrangement of Woodhouse Farm	21/05/15
1-9A	Simplified Process Flow	21/05/15
1-10A	Integrated Process Flow	21/05/15
3-3B	Site Plan Layout	21/05/15
3-8E	Building and Process Cross Sections	Dec 2015
3-12E	Building and Process Layout and Cross Sections	Dec 2015
3-14B	Upper Lagoon & Wetland Shelf	18/12/14
3-16	Services Plan	21/05/15
3-19D	General Arrangement & Front Elevation	Dec 2015
8-6A	Landscape Mitigation Measures	21/05/15
IT569/SK/06 A	Proposed Improvements to Site Access Road Junction with Church Road	05/08/08
IT569/SK/07 A	Proposed Improvements to Site Access Road Junction with Ash Lane	05/08/08

19-2C	Tree Survey	21/05/15
19-3C	The Constraints and Protection Plan	21/05/15
19-5A	Base Plan Woodhouse Farm	21/05/15
IWMF RP 01	IWMF Roof Layout Plan	24/12/15

And

As amended by Non-Material Amendment application reference ESS/34/15/BTE/NMA1 dated 10 August 2021, accompanied by letter from RPS dated 9 August 2021 as approved by the Waste Planning Authority on 30 September 2021.

And

As amended by Non-Material Amendment application Reference ESS/34/15/BTE/NMA2 dated 10 December 2021 accompanied by letter from RPS dated 16 December 2021 as approved by Waste Planning Authority on 31 January 2022.

And

As amended by Non-Material Amendment application reference ESS/34/15/BTE/NMA4 dated 10 December 2021 accompanied by covering letter dated 16 December 2021 as approved by the Waste Planning Authority on 13 January 2022.

And

As amended by Non-Material Amendment application reference ESS/34/15/BTE/NMA5 dated 25 April 2023 accompanied by covering letter dated 20 April 2023 as approved by Waste Planning Authority on 31 May 2023.

And

As amended by Non Material Amendment application reference ESS/34/15/BTE/NMA6 dated 5 May 2023 accompanied by covering letter dated 3 May 2023 as approved by the Waste Planning Authority on 7 June 2023.

And

As amended by planning application ESS/39/23/BTE dated 27 April 2023 and covering letter from RPS dated 24 April 2023.

And

As amended by Non Material Amendment application reference ESS/34/15/BTE/NMA9 dated 6 November 2023 accompanied by covering letter dated 6 November 2023 as approved by the Waste Planning Authority on 19 December 2023.

And

As amended by Non Material Amendment application reference ESS/34/15/BTE/NMA8 dated 13 October 2023 accompanied by covering letter dated 9 November 2023 and supporting email from RPS dated 12 January 2024 (12:53) as approved by the Waste Planning Authority on 19 January 2024.

And in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Waste Planning Authority and except as varied by the following conditions:

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application drawings, details (except as varied by other conditions), to ensure that the development is carried out with the minimum harm to the local environment and in accordance with Essex and Southend Waste Local Plan 2017 (WLP) policies 1, 3, 10, 11 and 12 and Braintree District Local Plan 2022 (BDLP) policies SP1, SP7, LPP1, LPP47, LPP52, LPP57, LPP63, LPP64, LPP65, LPP66, LPP67, LPP70, LPP71, LPP72, and LPP77.

3. The total number of Heavy Goods Vehicle (HGV¹) movements associated with the excavation of materials (i.e. overburden, sand, gravel, and boulder clay) and import and/or export of materials associated with the operation of the completed Integrated Waste Management Facility (IWMF²) hereby permitted shall not exceed the following limits:

404 movements 202 in and 202 out per day (Monday to Friday);
202 movements 101 in and 101 out per day (Saturdays);

and shall not take place on Sundays, Public or Bank Holidays, except for clearances from Household Waste Recycling Centres between 10:00 and 16:00 hours as required by the Waste Disposal Authority and previously approved in writing by the Waste Planning Authority. No HGV movements shall take place outside the hours of operation authorised in Conditions 34 & 36 of this permission.

¹ An HGV shall be defined as having a gross vehicle weight of 7.5 tonnes or more.

² IWMF shall be defined as the buildings, structures and associated plant and equipment for the treatment of waste at the site.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with, WLP policies 10 and 12 and BDLP policies LPP52 and LPP66.

4. The total number of HGV vehicle movements associated with the construction of the IWMF (including deliveries of building materials) when combined with the maximum permitted vehicle movements under Condition 3 shall not exceed the following limits 404 movements 202 in and 202 out per day (Monday to Sunday). No HGV movements shall take place outside the hours of operation authorised in Condition 35 of this permission.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with, WLP policies 10 and 12 BDLP policies LPP52 and LPP66.

5. A written record of daily HGV movements into and out of the site shall be maintained by the operator from commencement of the development and kept for the previous 2 years and shall be supplied to the Waste Planning Authority within 14 days of a written request. The details for each vehicle shall include the identity of the vehicle operator, the type and size of the vehicle, the vehicle registration number, and an indication of whether the vehicle is empty or loaded.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with, WLP policies 10 and 12 and BDLP policies LPP52 and LPP66.

6. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the extended access road and crossing points with Public Right of Way. The approved details include the application for approval of details reserved by condition dated 4 August 2015 and include the following drawings:

Drawing Ref	Title	Date
IT569/PAA/01A	Horizontal & vertical alignment of extended access road Sheet 1	18/11/15
IT569/PAA/02C	Horizontal & vertical alignment of extended access road Sheet 2	18/11/15
IT569/PAA/03	Extended access road cross sections, Sheet 1	14/05/15
IT569/PAA/04	Extended access road cross sections, Sheet 2	14/05/15
IT569/PAA/05	Extended access road cross sections, Sheet 3	14/05/15
IT569/PAA/06	Extended access road cross sections, Sheet 4	14/05/15
IT569/PAA/07A	Extended access road cross sections, Sheet 5	14/07/15
IT569/PAA/08	Typical drainage details	May 2015
IT569/PAA/09	Typical access road detailed cross sections	May 2015
IT569/PAA/10	Drainage long section detail, Sheet 1	May 2015
IT569/PAA/11	Drainage long section detail, Sheet 2	May 2015
142064-DC-GA-C-116 C	Access road longitudinal section	17/12/15
142064-DC-GA-C-117	Access road cross sections	Jun 2015
IT569_WR_01_Rev A	Widening details for access road between Church Road and Ash lane	15/05/2015

IT569/S278_01G	Footpath crossing typical detail	12/11/15
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Reason: In the interests of highway safety, safeguarding local amenity and to comply with WLP policies 10 and 12 and BDLP policies LPP42, LPP52 and LPP66.

7. No works on the construction of the IWMF shall commence until the access road extension and widening and all footpath cross-over points have been constructed.

Reason: In the interests of highway and pedestrian safety, safeguarding local amenity and to comply with, WLP policies 10 and 12 and BDLP policies LPP42, LPP52 and LPP66.

8. No vehicles shall access or egress the site except via the access onto the Coggeshall Road (A120 Trunk Road) junction as shown on application drawing Figure 1-2, except for the movement of the abnormal indivisible loads associated with the mobile cranes in connection with the construction the IWMF, as detailed in non material amendment application (ref ESS/34/15/BTE/NMA9) 6 November 2023, Cover Letter from RPS dated 6 November 2023 and Technical Note prepared by RPS (Referenced JNY11225-03, dated 31 October 2023). The Waste Planning Authority shall be informed at least 14 days before any abnormal indivisible loads are brought to site.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with WLP policies 10 and 12 and BDLP policies LPP42, LPP52 and LPP66.

9. No vehicles shall park on the access road between the A120 and Ash Lane.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with WLP policies 10 and 12 BDLP policies LPP42, LPP52 and LPP66.

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NB Condition fully discharged see application reference ESS/55/14/BTE/10/01

11. Intentionally blank
NB Condition fully discharged see application reference ESS/55/14/BTE/11/1

12. The development hereby permitted shall be implemented in accordance with the ecological works and works to the Woodhouse Farm moat approved on 17 August 2022 under condition 12 of planning permission ESS/34/15/BTE. The approved details are set out in the application for approval of details reserved by condition dated 12 November 2021, email from Indaver/RPS dated 27 Jul 2022 and document "Rivenhall IWMF – Moat Plan of Action.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and to protect the setting of the Woodhouse Farm Listed Buildings and in accordance with, WLP policy 10 and BDLP policies LPP47, LPP57, LPP63, LPP64, LPP65, LPP66 and LPP67.

13. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the signage, telecommunications equipment and lighting within the Woodhouse Farm complex (comprising Woodhouse Farmhouse, the Bakehouse, and the listed pump together with the adjoining land outlined in green on Plan 1 [which can be found in the S106 legal agreement dated 30 October 2009 associated with ESS/37/08/BTE]). The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings & documents:

Drawing Ref.	Title	Dated
135	Site plan & signage proposals	Jul 2015
	APC Communications solutions – Internet & voice solutions V2	14/07/15
	Pell Frischmann – Exterior lighting design	23/07/15
DW40019H001/P1	Proposed lighting layout	22/07/2015
CW40019H001	Proposed lighting to car parking and pedestrian areas	23/07/2015
	The Pharos LED bollard – Urbis Schreder	
	The Axia (the Green light) - Schreder	

The signage, telecommunications equipment and lighting shall be implemented in accordance with the details approved.

Reason: To protect the setting of the Listed Buildings and in the interest of visual amenity and to comply with WLP policy 10 and BDLP policies SP1, SP7, LPP52, LPP57, LPP70 and LPP77 .

14. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the design and maintenance of the stack. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and specifications:

Drawing Ref.	Title	Dated
LA01A	Chimney stack top cladding details plan & elevations	23/07/15
LA02A	Chimney stack top cladding details fixing details	23/07/15
	Alucobond reflect- technical data sheet	
	Alucobond – cleaning & maintenance of stove-lacquered surfaces	
	Genie – Self-propelled telescopic booms - specifications	
	Genie – Self-propelled telescopic booms - features	

The stack shall be constructed and maintained in accordance with the approved details throughout the life of the IWMF.

Reason: In the interest of visual amenity and to protect the countryside and to comply with WLP policy 10 and BDLP policies LPP1, LPP47, LPP52, LPP57 and LPP67.

15. Prior to construction of the IWMF buildings or the structures to the rear of the main building details of the IWMF buildings and structures including the design and samples of the external construction materials, colours and finishes of the external cladding of the, and design and operation of the vehicle entry and exit doors, shall be submitted to and approved in writing by the Waste Planning Authority. The development shall be implemented in accordance with the details and samples approved.

Reason: For the avoidance of doubt, in the interests of visual and landscape amenity and to comply with WLP policy 10 and BDLP policies SP7, LPP1 and LPP52.

16. Intentionally blank
NB Condition not used by Secretary of State in 2010.
17. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the management plan for the CHP plant to ensure there is no visible plume from the stack. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and documents referenced:
 - S1552-0700-0008RSF entitled “CHP Management Plan for Plume Abatement” Issue no. 5 dated 16/02/16 by Fichtner; and
 - S1552-0700-0013RSF entitled “Plume Visibility Analysis” both by Fichtner.

The development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity, to protect the countryside and to comply with WLP policy 10 and BDLP policies SP7, LPP47, LPP52, LPP67 and LPP70.

18. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the green roof for the main IWMF building. The approved details include the application for approval of details reserved by condition dated 4 August 2015, statement by Honace “Condition 18 Green Roof” and document entitled “Bauder extensive biodiverse vegetation (XF301)”. The green roof shall be implemented in accordance with the details approved.

Reason: In the interests of visual and landscape amenity and enhancement of ecological biodiversity and to comply with WLP policy 10 and BDLP policies SP7, LPP47, LPP52, LPP63 and LPP66.

19. No works to install process equipment or plant within the IWMF shall commence until details of the IWMF process layout and configuration have been submitted to

and approved in writing by the Waste Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure the layout and configuration of the process equipment and plant would not give rise to impacts not assessed as part of the application and Environmental Statement and to protect local amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

20. The development hereby permitted shall be implemented in accordance with the details submitted with respect to construction compounds and parking of all vehicles and plant and equipment associated with the extraction of materials and the construction of the IWMF. The approved details include the application for approval of details reserved by condition dated 4 August 2015 and as set out on drawing CCE-HZI-50043049 Rev 0.3 dated 17/12/15.

Reason: In the interest of visual amenity, to protect biodiversity and the countryside and to comply with WLP policy 10 and BDLP policies SP7, LPP47, LPP52, LPP57, LPP63, LPP67, LPP70 and LPP77.

21. No beneficial operation of the IWMF shall commence until details of the provision to be made for and the marking out of parking spaces for cars, HGVs and any other vehicles that may use the IWMF have been submitted to and approved in writing by the Waste Planning Authority. The parking provision and marking out shall be implemented in accordance with the approved details. The parking areas shall be retained and maintained permanently for manoeuvring and parking. No HGVs shall park in the parking area adjacent to Woodhouse Farm complex except in relation to deliveries for the uses at Woodhouse Farm complex.

Reason: In the interest of visual amenity, to protect biodiversity and the countryside and to comply with WLP policy 10 and BDLP policies SP7, LPP47, LPP52, LPP57, LPP63, LPP67, LPP70 and LPP77

22. The development hereby permitted shall be implemented in accordance with the details submitted with respect to foul water management. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and documents:

Drawing Ref	Title	Dated
142064-DC-GA-C-108G	Proposed drainage layout Sheet 1 of 2	16/10/15
142064-DC-GA-C-109G	Proposed drainage layout Sheet 2 of 2	16/10/15
142064-DC-GA-C-111A	Drainage Construction details	30/06/15

And email from Honace with enclosures dated 22/01/16 (17:13).

The foul water management scheme shall be implemented in accordance with the details.

Reason: To minimise the risk of pollution on ground and surface water, to minimise the risk of flooding and to comply with WLP policy 10 and BDLP policies LPP70 and LPP77

23. The development hereby permitted shall be implemented in accordance with the details submitted with respect to surface water drainage and ground water management. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and documents:

Drawing Ref	Title	Dated
142064-DC-GA-C-108G	Proposed drainage layout Sheet 1 of 2	16/10/15
142064-DC-GA-C-109G	Proposed drainage layout Sheet 2 of 2	16/10/15
142064-DC-GA-C-111A	Drainage Construction details	30/06/15

And email from Honace with enclosures dated 22/01/16 (17:13).

The surface water drainage and ground water management scheme shall be implemented in accordance with the approved details.

Reason: To minimise the risk of pollution on ground and surface water, to minimise the risk of flooding and to comply with WLP policy 10 and BDLP policies LPP70 and LPP74.

24. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the scheme of ground water monitoring. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and documents:

Drawing ref	Title	Dated
SOD-24 Rev A	Ground water borehole monitoring points	29/07/15
6-4	Groundwater Monitoring points	12/05/11
13 Rev A	Ground water Monitoring points	20/03/14
213033-150	As-built borehole locations	17/09/14
142064-DC-GA-C-111A	Drainage Construction details	30/06/15

- Appendix A – Bradwell Quarry Groundwater Monitoring plots Jan 2008 to Jul 2015
- CC Ground Investigations Ltd – Key to exploratory hole logs
- CC Ground Investigations Ltd – Rotary borehole log for borehole nos. BH10 (sheets 1 to 4) dated 2014, BH11 (sheets 1 to 6) dated 2014, BH19 (sheets 1 to 4) dated 2014,
- Email from Honace dated 11/02/16 (09:19)
- Email from Honace dated 11/02/16 (13:59)

Reason: To minimise the risk of pollution to ground and surface water and to comply with WLP policy 10 and BDLP policy LPP70.

25. The development hereby permitted shall be implemented in accordance with the details submitted with respect to land contamination and land remediation and mitigation measures where contamination is identified approved on 16 February 2016 under condition 25 of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:

- Condition 25 – Contaminated Land by Honace
- Rivenhall – Record Site Plan & Schedule of buildings
- Analytical Report Number : 14-59380 dated September 2014 by i2 Analytical Ltd
- Drawing no. 213033-150 As-Built Borehole Locations dated 14 July 2014

Reason: To minimise the risk of pollution to ground and surface water, to minimise the risk of flooding and to comply with WLP policy 10 and BDLP policy LPP70.

26. The market de-inked paper pulp plant shall only source its heat steam and energy from the IWMF with the exception of periods of start-up and maintenance and repair of the IWMF.

Reason: To ensure the market de-inked paper pulp plant only remains at the site as a direct consequence of its co-location with the IWMF and to protect the countryside from inappropriate development and to comply with WLP policies 10 and 11 and BDLP LPP71 and LPP72.

27. No waste, except pre-sorted waste paper and card and Solid Recovered Fuel, shall be brought on to the site other than that arising from within the administrative area of Essex and Southend-on-Sea. Records indicating the origin of all waste consignments and tonnages brought to the site shall be kept and made available for inspection by the Waste Planning Authority for at least 2 years after receipt of the waste. The records shall be made available to the Waste Planning Authority within 14 days of a written request.

Reason: In the interests of the environment by assisting the Essex and Southend-on-Sea waste planning authorities to become self-sufficient for managing the equivalent of the waste arising in their administrative areas, ensuring that the waste is transported in accordance with the proximity principle, minimising pollution and minimising the impact upon the local environment and amenity and to comply with WLP policies 10 and 11.

28. Intentionally blank
NB condition removed following planning permission reference ESS/55/14/BTE.

29. No waste other than those waste materials defined in the application shall enter the site for processing or treatment in the IWMF plant. No more than 853,000tpa

of Municipal Solid Waste and/or Commercial and Industrial Waste shall be imported to the site.

Reason: To ensure the scale of the facility would not give rise to impacts not assessed as part of the planning application and Environmental Statement and to protect local amenity and to comply with WLP policy 10 and BDLP SP1, SP7, LPP52 and LPP70.

30. Intentionally blank
NB condition removed following planning permission reference ESS/55/14/BTE.
31. No waste brought onto the site shall be deposited, handled, stored, composted or otherwise processed outside the IWMF buildings and structures.
- Reason: To ensure minimum disturbance from operations, to avoid nuisance to local amenity and to comply with WLP policy 10 and BDLP SP1, SP7, LPP52 and LPP70.*
32. All waste materials shall be imported and exported from the site in enclosed, containerised or sheeted vehicles.
- Reason: To ensure minimum nuisance from operations on local amenity, particularly litter and odour and to comply with WLP policy 10 and BDLP SP1, SP7, LPP52 and LPP70.*
33. No vehicle shall leave the IWMF site without first having been cleansed of all loose residual mineral or waste materials from the vehicle's body and chassis.
- Reason: In the interests of highway safety, safeguarding local amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.*
34. No removal of soils or excavation of overburden, boulder clay, sand and gravel shall be carried out other than between the following hours:
- 07:00-18:30 hours Monday to Friday; and,
07:00 -13:00 hours Saturdays;
- and shall not take place on Sundays, Bank and Public Holidays except for water pumping, environmental monitoring and occasional maintenance of machinery, unless temporary changes are otherwise approved in writing by the Waste Planning Authority.
- Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.*
35. The construction works (including deliveries of building materials) for the development hereby permitted shall only be carried out between 07:00-19:00 hours Monday to Sunday, and not on Bank and Public Holidays except for:

- a) the pouring and finishing works to concrete (and associated concrete deliveries) between 1 May 2023 and 31 December 2023 and 15 January 2024 and 30 June 2024;
- b) heavy lifting operations, where required to ensure the safety and integrity of the site and construction personnel, between 15 January 2024 and 30 June 2024;
- c) works to ensure the safety and integrity of the site and construction personnel, including emergency works to scaffolding and temporary power systems between 15 January 2024 and 30 June 2024;
- d) works undertaken by statutory undertakers between 15 January 2024 and 30 June 2024;
- e) abnormal load deliveries between 15 January 2024 and 30 June 2024 where required to be carried out outside the above hours by the relevant highways authority or the police; and
- f) the occasional maintenance of machinery,

Out of hours working shall be in accordance with details set out in the letter from RPS dated 9 November 2023, in particular the "Noise Abatement Measures" described in the letter.

Notification of any out of hours work shall be sent to the Waste Planning Authority within 3 days of such work being undertaken. This notification (which may be made by email to mineralsandwastedm@essex.gov.uk) shall include: (a) the nature and reason for the out of hours work and (b) the date and finish time of the out of hours work.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

36. No waste or processed materials shall be imported or exported from any part of the IWMF other than between the following hours:

07:00 and 18:30 hours Monday to Friday; and,
07:00 and 13:00 hours on Saturdays,

and not on Sundays, Public or Bank Holidays except for clearances from Household Waste Recycling Centres on Sundays and Bank and Public Holidays between 10:00 and 16:00 hours as required by the Waste Disposal Authority and previously approved in writing by the Waste Planning Authority.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

37. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the signage for Public Rights of Way where they

cross the access road. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawing no. IT569/S278_01G entitled "Footpath crossing typical detail" dated 12/11/15. The signage for Public Rights of Way implemented in accordance with the approved details and shall be maintained throughout the life of the IWMF.

Reason: In the interest of the safety of all users of both the Right of Way and the haul road and to comply with WLP policy 10 and BDLP policies LPP42 and LPP52.

38. During the commissioning and beneficial operation of the IWMF, except for temporary operations, as defined in Condition 42, between the hours of 07:00 and 19:00 the free field Equivalent Continuous Noise Level (LAeq 1 hour) at noise sensitive properties adjoining the Site, due to operations in the Site, shall not exceed the LAeq 1 hour levels set out in the following table:

Noise Sensitive Properties Location:	LAeq 1 hour levels
Herring's Farm	45
Deeks Cottage	45
Haywards	45
Allshot's Farm	47
The Lodge	49
Sheepcotes Farm	45
Greenpastures Bungalow	45
Goslings Cottage	47
Goslings Farm	47
Goslings Barn	47
Bumby Hall	45
Parkgate Farm Cottages	45

Measurements shall be made no closer than 3.5m to the façade of properties or any other reflective surface facing the site and shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

Reason: In the interests of residential and local amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

39. The free field Equivalent Continuous Noise Level (LAeq 1 hour) shall not exceed 42 dB(A) LAeq 1hour between the hours of 19:00 and 23:00, as measured or predicted at noise sensitive properties, listed in Condition 38, adjoining the site. Measurements shall be made no closer than 3.5m to the façade of properties or any other reflective surface facing the site and shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

Reason: In the interests of residential and local amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

40. The free field Equivalent Continuous Noise Level (LAeq 1 hour) shall not exceed 40 dB(A) LAeq 5min between the hours of 23:00 and 07:00, as measured and/or

predicted at 1 metre from the façade facing the site at noise sensitive properties, listed in Condition 38, adjoining the site.

Reason: In the interests of residential and local amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

41. Noise levels shall be monitored at three monthly intervals at up to five of the locations, listed in Condition 38, the five locations shall be agreed with the Waste Planning Authority. Monitoring shall begin upon commencement of the commissioning phase of any element of the IWMF. The results of the monitoring shall include the LA90 and LAeq noise levels, the prevailing weather conditions, details of the measurement equipment used and its calibration and comments on the sources of noise which control the noise climate. The survey shall be for four separate 15 minute periods, two during the working day 0700 and 1830, and two during the evening/night time 18:30 to 07:00 hours, the results shall be kept by the operating company during the life of the permitted operations and a copy shall be supplied to the Waste Planning Authority. After the first year of operation of the IWMF, the frequency of the monitoring may be modified by agreement with the Waste Planning Authority.

Reason: In the interests of residential and local amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

42. For temporary operations at the site in relation to the excavation of materials, the free field noise level at sensitive properties, listed in Condition 38, adjoining the site shall not exceed 70dB LAeq 1 hour, due to operations on the site. Temporary operations shall not exceed a total of eight weeks in any continuous 12 month period for work affecting any noise sensitive property. Not less than 5 days written notice shall be given to the Waste Planning Authority in advance of the commencement of any temporary operation. Temporary operations shall include site preparation, bund formation and removal, site stripping and restoration, and other temporary activity as may be agreed, in advance of works taking place, with the Waste Planning Authority.

Reason: In the interests of amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

43. The development hereby permitted shall be implemented in accordance with the details submitted with respect to lighting. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following documents:
- Condition 43 Construction lighting By Honace; and
 - Hilcare Ltd – Project P118536R2a – Reschemed scheme as a flat open area using 6m columns and the specified number of flood lights dated 03/08/2015 including with data sheets, light locations and light level calculations.

The lighting shall be erected, installed and operated in accordance with the approved details throughout the life of the IWMF. The lighting details with respect

to excavation of materials shall not be illuminated outside the hours of 0700 and 1830 Monday to Friday and 0700 and 1300 Saturday and at no time on Sundays, Bank or Public Holidays except for security and safety lighting activated by sensors. No lighting for construction of the IWMF shall be illuminated outside the hours of 0700 and 1900 Monday to Sunday and at no time on, Bank or Public Holidays except for security and safety lighting activated by sensors. The lighting shall be maintained such that no lighting shall exceed 5 lux maintained average luminance.

Reason: In the interests of residential and local amenity and protection of the environment and in the interest of protecting biodiversity and in the interests of highway safety and to comply with WLP policy 10 and BDLP policies LPP52 and LPP77.

44. No lighting for use during operation of the IWMF within the site shall be erected or installed until details of the location, height, design, sensors, times and luminance have been submitted to and approved in writing by the Waste Planning Authority. The lighting details shall be such that no lighting shall exceed 5 lux maintained average luminance. The lighting details shall be such that the lighting shall not be illuminated outside the hours of 0700 and 1830 Monday to Friday and 0700 and 1300 Saturday and at no time on Sundays, Bank or Public Holidays except for security and safety lighting activated by sensors. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage from the boundaries of the site. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: In the interests of residential and local amenity and protection of the environment and in the interest of protecting biodiversity, in the interests of highway safety and to comply with WLP policy 10 and BDLP policies LPP52 and LPP77.

45. The development hereby permitted shall be implemented in accordance with the details submitted with respect to phasing of the construction of the access road, creation of the retaining structures around the site of the IWMF and extraction of the minerals. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 as amended by Non Material Amendment applications ref. ESS/34/15/BTE/NMA2 application dated 10 December 2022 and ESS/34/15/BTE/NMA5 dated 25 April 2023 and the following drawings:

Drawing Ref	Title	Dated
IT569_PAA_12	Access Road construction phasing	Jul 2015
11780-0022-04	Proposed earthworks sequencing	Aug 2022

Reason: In the interests of residential and local amenity and protection of the environment and in the interest of protecting biodiversity, in the interests of highway safety and to comply with WLP policy 10 and BDLP policies SP7, LPP52 and LPP42, LPP63, LPP70.

46. The development hereby permitted shall be implemented in accordance with the details submitted with respect to soil handling, soil storage and machine movements and the end use of soils as approved on 16 February 2016 under condition 46 of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:

- Condition 46 – Soil Handling by Honace
- Figure 5-1 Agricultural land classification – Rivenhall Airfield RCF dated 10 July 2006
- Figure 5-2 Soil types – Rivenhall Airfield RCF dated 10 July 2006
- Drawing no. 5-4 Agricultural Land Classification – Site A2 Bradwell Quarry dated 11 May 2011
- Drawing 5-5 Soil types – Site A2 Bradwell Quarry dated 11 May 2011

Reason: To minimise structural damage and compaction of the soil and ensure sustainable use of surplus soils and to aid in the restoration and planting of the site and to comply with WLP policy 10.

47. Unless otherwise agreed in writing by the Waste Planning Authority, no topsoil, subsoil and/or soil making material shall be stripped or handled unless it is in a dry and friable condition³ and no movement of soils shall take place: During the months November to March (inclusive);

(a) When the upper 50 mm of soil has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS1377:1977, 'British Standards Methods Test for Soils for Civil Engineering Purposes'; or

(b) When there are pools of water on the soil surface.

³ The criteria for determining whether soils are dry and friable involves an assessment based on the soil's wetness and lower plastic limit. This assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean glazed tile using light pressure from the flat of the hand. If a thread of 15cm in length and less than 3mm in diameter can be formed, soil moving should not take place until the soil has dried out. If the soil crumbles before a thread of the aforementioned dimensions can be made, then the soil is dry enough to be moved.

Reason: To minimise structural damage and compaction of the soil and to aid in the restoration and planting of the site and to comply with WLP policies 10.

48. No minerals processing other than dry screening of excavated sand and gravel or in the reformation of levels using Boulder or London Clays shall take place within the site.

Reason: To ensure that there are no adverse impacts on local amenity from the development not previously assessed in the planning application and Environmental Statement and to comply with, WLP policy 10 and BDLP LPP52 and LPP70.

49. Any fuel, lubricant or/and chemical storage vessel whether temporary or not shall be placed or installed within an impermeable container with a sealed sump and capable of holding at least 110% of the vessel's capacity. All fill, draw and overflow pipes shall be properly housed within the bunded area to avoid spillage. The storage vessel, impermeable container and pipes shall be maintained for the duration of the development.

Reason: To minimise the risk of pollution to water courses and aquifers and to comply WLP policy 10 and BDLP policy LPP70.

50. The development hereby permitted shall be implemented in accordance with the details submitted with respect to temporary and permanent site perimeter fencing. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and as by Non Material Amendment application ref. ESS/34/15/BTE/NMA4 dated 3 January 2023 and the following documents and drawings:

Drawing Ref	Title	Dated
CCE-HZI-500430049 Rev 0.3	Construction site layout	17/12/2015
732.1/08A HDA D1	Rabbit proof fence detail	Jun 2015
732.1/10A HDA D3	Tree protection fencing – BS 5837:2012	Jul 2015
222009-DC-XX-XX-GA-C-1602 P03	Site Wide – Fencing Details	Sept 2022
SHA 1359	Arboricultural Method Statement Report by Sharon Hosegood Associates	Jan 2023

The fencing and gates shall be erected in accordance with the details approved and maintained throughout the life of the IWMF.

Reason: In the interest of visual amenity, to protect the countryside and to comply with WLP policy 10 and BDLP SP7, LPP52, LPP63, LPP65, LPP67.

51. (a) The development hereby permitted shall be implemented in accordance with the details submitted with respect to a scheme and programme of measures for the suppression of dust as approved on 16 February 2016 under condition 51a of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:
- Condition 51a – Dust minimisation scheme by Honace; and
 - Construction dust – HSE Information Sheet no. 36 (revision 2).
- (b) No beneficial operation of the IWMF shall commence until a scheme and programme of measures for the suppression of dust, have been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include:

- (i) The suppression of dust caused by handling, storage and processing of waste; and
- (ii) Dust suppression on haul roads, including speed limits.

In relation to each scheme provision for monitoring and review.

The development shall be implemented in accordance with the approved schemes and programme for the duration of the development hereby permitted.

Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with WLP policy 10 and BDLP policies LPP66 and LPP70.

52. (a) The development hereby permitted shall be implemented in accordance with the details submitted with respect to measures to control fugitive odour from the excavation of materials and construction of the IWMF as approved on 16 February 2016 under condition 52a of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following document "Condition 52a – Odour minimisation scheme by Honace"
- (b) No beneficial operation of the IWMF shall commence until details of equipment required to control any fugitive odour from the handling/storage/processing of waste have been submitted to and approved in writing by the Waste Planning Authority. The details shall be implemented as approved.

Reason: In the interests of local amenity and to comply with WLP policy 10 and BDLP policies LPP52 and LPP70.

53. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the ecological information and mitigation. The approved ecological information and mitigation includes the following:

Ecological information approved on 27 July 2011 in accordance with condition 53 of planning permission Ref. APP/Z1585/V/09/2104804 (ECC ref ESS/37/08/BTE). The details approved included letter dated 19 May 2011 from Golder Associates with accompanying application form and Ecology report dated October 2010.

The application for approval of details reserved by condition dated 4 August 2015 and the information contained within the Ecological report by Green Environmental Consultants dated July 2015 and Appendix 7-1 Baseline ecology report August 2008.

Ecological mitigation shall be carried out in accordance with the approved details throughout the life of the IWMF.

Reason: To make appropriate provision for conserving and enhancing the natural environment, in the interests of biodiversity and in accordance, WLP policy 10 and BDLP policies LPP64, LPP63, LPP65, LPP66 and LPP67.

54. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the habitat management plan. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the “Habitat Management Plan – revised July 2015 – report number 499/10” by Green Environmental Consultants and appendices A to E. The development shall be implemented in accordance with the approved habitat management plan throughout the life of the IW MF.

Reason: To make appropriate provision for conserving and enhancing the natural environment, in the interests of biodiversity and in accordance with, WLP policy 10 and BDLP policies LPP63, LPP64 , LPP65 and LPP66 and LPP67.

55. No demolition, excavation works or removal of hedgerows or trees shall be undertaken on the site during the bird nesting season [1 March to 30 September inclusive] except where a suitably qualified ecological consultant has confirmed that such construction etc. should not affect any nesting birds. Details of such written confirmations shall be sent to the Waste Planning Authority 14 days prior to commencement of the works.

Reason: To make appropriate provision for conserving and enhancing the natural environment, in the interests of biodiversity and in accordance with WLP policy 10 and BDLP policies LPP63, LPP64 , LPP65 and LPP66 and LPP67.

56. Only one stack shall be erected on the site to service all elements of the IW MF. The height of the stack shall not exceed 85m Above Ordnance Datum.

Reason: In the interest of visual amenity, to protect the countryside and to comply with WLP policy 10 and BDLP policies SP7, LPP47, LPP52, and LPP66 and LPP67.

57. The development hereby permitted shall be implemented in accordance with the details submitted with respect to bunding and planting. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 as amended by Non-Material Amendment applications ref. ESS/34/15/BTE/NMA2 application dated 10 December 2022 and ESS/34/15/BTE/NMA5 application dated 25 April 2023 and the following drawings:

Drawing Ref	Title	Dated
732.1_07B HDA SA1	Soft landscape proposals site access	Jun 2015
732.1_02G HDA SL1	Soft landscape proposals sheet 1 of 5	18/12/15
732.1_03G HDA SL2	Soft landscape proposals sheet 2 of 5	18/12/15

903.2/04E HDA SL3	Soft landscape proposals sheet 3 of 5	April 2023
903.2/05E HDA SL4	Soft landscape proposals sheet 4 of 5	April 2023
903.2/06D HDA SL5	Soft landscape proposals sheet 5 of 5	April 2023
732.1_09 HDA D2	Standard tree pit detail	Jun 2015
In respect of area W2-A only		
4321/PO2	Outline Planting W2-A	01/11/21
	IWMF W2-A Outline Landscape specification	02/11/21

Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), to improve the appearance of the site in the interest of visual amenity, to protect the countryside and to comply with WLP policy 10 and BDLP policies SP7, LPP47, LPP52, LPP63, LPP66 and LPP67.

58. Any tree or shrub forming part of the retained existing vegetation or the planting scheme approved in connection with the development that dies, is damaged, diseased or removed within the duration of 5 years during and after the completion of construction of the IWMF, shall be replaced during the next available planting season (October-March inclusive) with a tree or shrub to be agreed in advance in writing by the Waste Planning Authority.

Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), to improve the appearance of the site in the interest of visual amenity, to protect the countryside and to comply with WLP policy 10 and BDLP policies SP7, LPP52, LPP63 and LPP66 and LPP67.

59. The development hereby permitted shall be implemented in accordance with the details submitted with respect to tree retention and protection measures. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and as amended by Non Material Amendment application ref. ESS/34/15/BTE/NMA5 application dated 25 April 2023 and the following drawings:

Drawing Ref	Title	Dated
732.1_07B HDA SA1	Soft landscape proposals site access	Jun 2015
732.1_02G HDA SL1	Soft landscape proposals sheet 1 of 5	18/12/15
732.1_03G HDA SL2	Soft landscape proposals sheet 2 of 5	18/12/15
903.2/04E HDA SL3	Soft landscape proposals sheet 3 of 5	April 2023
903.2/05E HDA SL4	Soft landscape proposals sheet 4 of 5	April 2023

903.2/06D HDA SL5	Soft landscape proposals sheet 5 of 5	April 2023
732.1_10A HDA D3	Tree protection fencing	Jul 2015
732.1_08A HDA D3	Rabbit proof fence detail	Jun 2015

The tree protection measures shall be implemented at the time of planting and maintained throughout the life of the IWMF.

Reason: In the interest of visual amenity, to ensure protection for the existing natural environment, including adjacent TPO woodland and to comply with WLP policy 10 and BDLP policies SP7, LPP52, LPP63, LPP64, LPP65, LPP66 and LPP67.

60. The development hereby permitted shall be implemented in accordance with the details submitted with respect to management and watering of trees adjacent to the retaining wall surrounding the IWMF. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the statement by HDA entitled "Rivenhall Integrated Waste Management Facility – Condition 60" dated 8 June 2015. The management and watering shall be carried out in accordance with the approved details throughout the life of the IWMF.

Reason: In the interest of visual amenity, to ensure protection for the existing natural environment, including adjacent TPO woodland and to comply with, WLP policy 10 and BDLP policies SP7, LPP52, LPP63, LPP64, LPP65 and LPP66 and LPP67.

61. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the layout of parking area including hard and soft landscaping and lighting adjacent to Woodhouse Farm. The approved details include: the application for approval of details reserved by condition dated 4 August 2015, the Statement by Honace entitled "Condition 61 Woodhouse Farm Parking & Lighting" and the followings drawings:

Drawing ref	Title	Dated
IT569/CP/01 Rev B	Woodhouse car park layout and typical details	21/07/15
732.1_05G HDA SL4	Soft landscape proposals sheet 4 of 5	18/12/15
DW40019H001 Rev p1	Proposed lighting layout	22/07/15

The parking, lighting and landscaping shall be maintained in accordance with the details approved throughout the life of the IWMF.

Reason: To protect the setting of the Listed Buildings and in the interest of visual amenity and to comply with WLP policy 10 and BDLP policies SP7, LPP52 and LPP77.

62. The development hereby permitted shall be implemented in accordance with the details submitted with respect to traffic calming measures designed to reduce the

speed of traffic using the access road in the vicinity of the River Blackwater. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings:

Drawing Ref	Title	Dated
IT569_S278_01G	Footpath crossing typical detail	12/11/15
IT569_S278_02C	Vole and otter crossing	24/07/2015
SignPlot v3.10	"Vole and otter crossing" sign	

The traffic calming measures shall be maintained throughout the life of the IWMF in accordance with the approved details.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and in accordance with WLP policy 10 and BDLP policies LPP63 and LPP66.

63. The development hereby permitted shall be implemented in accordance with the details submitted with respect to the lining and signing of the crossing points of the access road with Church Road and Ash Lane. . The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings:

Drawing ref	Title	Dated
IT569/S278/03 C	Proposed improvements to site access road junction with Church Road	June 2015
IT569/S278/04 C	Proposed improvements to site access road junction with Ash Lane	June 2015
SignPlot v3.10	"Heavy Plant crossing" sign	
SignPlot v3.10	"Stop" sign	
SignPlot v3.10	Priority sign	

The lining and signing shall be maintained in accordance with the approved details throughout the life of the IWMF.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with WLP policy 10 and BDLP policies LPP52, LPP42, LPP70.

64. Intentionally blank
NB Condition fully discharged see application ESS/55/14/BTE/64/1 as amended by ESS/34/15/BTE/NMA1.
65. There shall be no use of the access road from the A120 to the IWMF except by traffic associated with the IWMF, Bradwell Quarry or to access agricultural land for agricultural purposes.

Reason: In the interests of highway safety, as traffic movements above those associated with the IWMF, Bradwell Quarry and existing agricultural movements would need to be considered afresh and to comply with , WLP policy 10 and BDLP polices SP7, LPP42 and LPP52.

66.. Intentionally blank
NB condition removed following planning permission reference ESS/39/23/BTE.

67. Intentionally blank
NB Condition fully discharged see application reference ESS/34/15/BTE/67/01.

68. Woodhouse Farm and buildings shall be refurbished to a visitor and education centre no later than 1 March 2022.

Reason: To ensure the timely refurbishment of the Listed Buildings and their being brought into beneficial in order to protect these heritage assets and to comply with WLP policy 10 and BDLP policy SP7 and LPP57 and the NPPF.

69. Following the approval of details required by condition 19 and prior to the installation of process equipment and plant, an updated noise assessment shall be undertaken and submitted to the Waste Planning Authority for approval to demonstrate that the maximum noise levels set out in condition 38 would not be exceeded. Installation of process equipment and plant for the IWMF shall not commence until the updated noise assessment has been approved by the Waste Planning Authority.

Reason: In the interests of residential and local amenity and to comply with WLP policy 10 and BDLP policies LL52 and LPP70.

Informatives

1. Upon commencement this planning permission shall supersede planning permission reference ESS/34/15/BTE
2. This planning permission shall be read and construed in conjunction with the Legal Agreement dated 20 October 2009, as amended by deeds of variation dated 1 December 2014, 26 March 2015, 26 February 2016 and 25 January 2024.

Reason for Approval

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against the following policies of the development plan:

ESSEX AND SOUTHEND WASTE LOCAL PLAN (WLP) adopted 2017

Policy 1 - Need for Waste Management Facilities

Policy 2 - Safeguarding Waste Management Sites & Infrastructure

Policy 3 - Strategic Site Allocations

Policy 10 - Development Management Criteria

Policy 11 - Mitigating and Adapting to Climate Change

BRAINTREE DISTRICT LOCAL PLAN (BDLP) adopted July 2022

LPP1	Development boundaries
LPP42	Sustainable Transport
LPP52	Layout and Design of Development
LPP57	Heritage Assets and their Settings
LPP59	Archaeological Evaluation, Excavation and Recording
LPP63	Natural Environment and Green Infrastructure
LPP64	Protected Sites
LPP65	Tree Protection
LPP67	Landscape Character and Features
LPP70	Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
LPP74	Flood and surface water drainage
LPP77	External Lighting

Statement of Reasons

The deletion of Condition 66, the details approved thereunder and the associated conditions would remove a specific condition requiring all elements of the IWMF to be built before the EfW plant could be operated and also remove the requirement to complete all construction by 2026.

Recent caselaw has clarified that partial implementation of a development is not unlawful and thus the requirements approved under condition 66 are considered to be unenforceable. This position is also supported by planning guidance.

However, it should be emphasised that it is the opinion of the Waste Planning Authority that the removal of condition 66 does not give the developer the right to build anything other than that which has been approved. The development would still be required to comply with all the conditions of the planning permission, including, layout, access, vehicle numbers, waste throughput, lighting noise, ecology etc, unless planning applications are made either to the Waste Planning Authority or Secretary of State for changes and these applications subsequently approved.

It remains the view of the Waste Planning Authority that the IWMF was permitted as an integrated facility and that, without the integration of all the elements of the IWMF, it would not deliver the full benefits of integration. And as a result it would deliver less environmentally sustainable development.

There are no other policies or other material considerations which are overriding or warrant the withholding of permissions.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

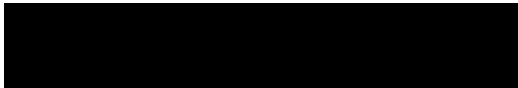
The proposed development would not be located adjacent or within a European site.

Therefore, it is considered that an Appropriate Assessment under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) is not required.

STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER: In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with respondents and the applicant/agent. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Dated: 26/01/2024
COUNTY HALL
CHELMSFORD

Signed

A black rectangular redaction box covering the signature of Graham Thomas.

Graham Thomas - Head of Planning Service

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES ON THE NEXT PAGE

NOTES

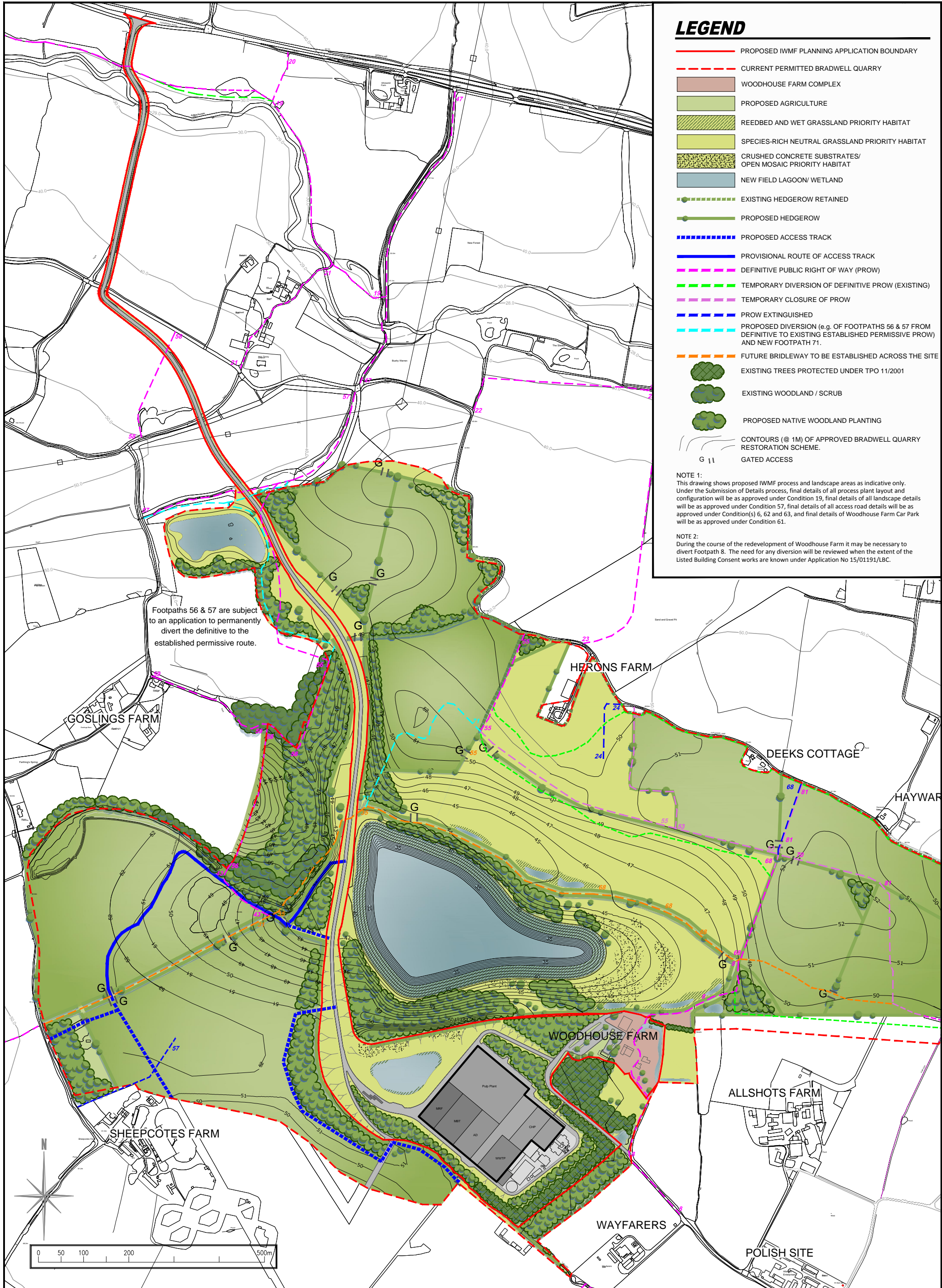
TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision that relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- Alternatively, if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> .If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Appendix 2: Planning Application Area and General Arrangement Plan (ref: Figure 1-2B)



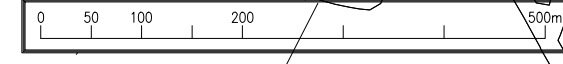
LEGEND

- PROPOSED IWMF PLANNING APPLICATION BOUNDARY
- - - CURRENT PERMITTED BRADWELL QUARRY
- WOODHOUSE FARM COMPLEX
- PROPOSED AGRICULTURE
- REEBED AND WET GRASSLAND PRIORITY HABITAT
- SPECIES-RICH NEUTRAL GRASSLAND PRIORITY HABITAT
- CRUSHED CONCRETE SUBSTRATES/ OPEN MOSAIC PRIORITY HABITAT
- NEW FIELD LAGOON/ WETLAND
- - - EXISTING HEDGEROW RETAINED
- PROPOSED HEDGEROW
- - - PROPOSED ACCESS TRACK
- PROVISIONAL ROUTE OF ACCESS TRACK
- - - DEFINITIVE PUBLIC RIGHT OF WAY (PROW)
- - - TEMPORARY DIVERSION OF DEFINITIVE PROW (EXISTING)
- - - TEMPORARY CLOSURE OF PROW
- - - PROW EXTINGUISHED
- - - PROPOSED DIVERSION (e.g. OF FOOTPATHS 56 & 57 FROM DEFINITIVE TO EXISTING ESTABLISHED PERMISSIVE ROUTE AND NEW FOOTPATH 71.
- - - FUTURE BRIDLEWAY TO BE ESTABLISHED ACROSS THE SITE
- EXISTING TREES PROTECTED UNDER TPO 11/2001
- EXISTING WOODLAND / SCRUB
- PROPOSED NATIVE WOODLAND PLANTING
- CONTOURS (@ 1M) OF APPROVED BRADWELL QUARRY RESTORATION SCHEME.
- GATED ACCESS

NOTE 1:
 This drawing shows proposed IWMF process and landscape areas as indicative only. Under the Submission of Details process, final details of all process plant layout and configuration will be as approved under Condition 19, final details of all landscape details will be as approved under Condition 57, final details of all access road details will be as approved under Condition(s) 6, 62 and 63, and final details of Woodhouse Farm Car Park will be as approved under Condition 61.

NOTE 2:
 During the course of the redevelopment of Woodhouse Farm it may be necessary to divert Footpath 8. The need for any diversion will be reviewed when the extent of the Listed Building Consent works are known under Application No 15/01191/LBC.

Footpaths 56 & 57 are subject to an application to permanently divert the definitive to the established permissive route.



SCALE 1:7500 @ A3

Rev	Revision	Int	Chk	Date
B	Updated PROW routes and status	CM	CM	Nov 2015
A	Updated planning details	ROS	ABM	May 2016

Melia Smith & Jones
 Consulting Civil & Structural Engineers
 Vinery Court, 58 Cardigan Lane, LEEDS LS4 2LD.
 Tel: 0113 2306080 Website: www.msj.co.uk

Date	21/05/15
Project No.	213033
Created by	CL
Sheet Size	A3

Title
**Proposed Planning Application Area and Site Plan
 Gent Fairhead & Co. Limited, Rivenhall Airfield
 Proposed Integrated Waste Management Facility**

Figure
1-2B

Appendix 3: Schedule of Conditions Discharged pursuant to the IWMF TCPA Permission¹⁷

Application Reference	Description	Status
ESS/39/23/BTE/01/01	Details pursuant to condition 1 (Notification of commencement) of ESS/39/23/BTE. ESS/39/23/BTE was for "Continuation of development of the Integrated Waste Management Facility (IWMF) with deletion of condition 66, approved details thereunder and associated conditions (Plan of Action if development not taken forward within 5 years) of planning permission ESS/34/15/BTE.	Granted 20/02/2024
ESS/34/15/BTE/12/02	Details pursuant to condition 12 (Archaeological Watching Brief for Woodhouse Farm Moat in line with agreed Action Plan for Management of the Moat) of ESS/34/15/BTE. ESS/34/15/BTE was for an Integrated Waste Management Facility.	Pending determination. Granted 15/12/2023
ESS/34/15/BTE/54/02	Details pursuant to condition 54 (Habitat Management Plan Monitoring Report 2015 to 2023) of ESS/34/15/BTE. ESS/34/15/BTE is a variation planning permission for the Integrated Waste Management Facility.	Pending determination. Granted 15/12/2023
ESS/34/15/BTE/54/01	Details pursuant to condition 54 (Habitat Management Plan Annual Review 2022) of ESS/34/15/BTE. ESS/34/15/BTE is a variation planning permission for the Integrated Waste Management Facility.	Withdrawn.
ESS/34/15/BTE/66/01	Details pursuant to condition 66 (plan of action for use or scheme of rehabilitation) of ESS/34/15/BTE	Part granted / part refused – Appeal lodged.

¹⁷ Correct as of 07/11/202329/04/2024.

ESS/34/15/BTE/08/07	Notification of planned abnormal load on 12 July 2023 leaving the IWMF site. Notification as required by condition 8 of ESS/34/15/BTE.	Granted 26/06/2023
ESS/34/15/BTE/08/06	Notification of planned abnormal load on 24 th April 2023 and 28 th April 2023 leaving the IWMF site. Notification as required by condition 8.	Granted 12/04/2023
ESS/34/15/BTE/08/05	Notification of planned abnormal load on 21 February 2023 arriving at the IWMF site. Notification as required by condition 8	Granted 13/02/2023
ESS/34/15/BTE/08/04	Notification of planned abnormal loads on 6 th February 2023 leaving the IWMF site. Notification as required by condition 8	Granted 27/01/2023
ESS/34/15/BTE/08/03	Notification of planned abnormal invisible loads on the 24 th October 2022, 1 st November 2022 and 21 st November 2022. Notification as required by condition 8 of ESS/34/15/BTE	Granted 12/10/2022
ESS/34/15/BTE/08/02	Notification of planned abnormal invisible loads on 23 rd September 2022 as required by condition 8 of ESS/34/15/BTE	Granted 12/09/2022
ESS/34/15/BTE/08/01	Notification of planned abnormal invisible loads on 16 th September 2022 as required by condition 8 of ESS/34/15/BTE.	Granted 12/09/2022
ESS/34/15/BTE/12/01	Discharge of condition 12 (management works near Woodhouse Farm Moat) of ESS/34/15/BTE	Granted 15/08/2022
ESS/34/15/BTE/55/02	Notification in accordance with condition 55 (works in bird nesting season) of ESS/34/15/BTE	Granted 08/07/2022
ESS/34/15/BTE/67/01	Discharge of condition 67 (protected species licenses) of ESS/34/15/BTE	Granted 30/06/2022
ESS/34/15/BTE/55/01	Notification in accordance with condition 55 (works in bird nesting season) of ESS/34/15/BTE	Granted 24/06/2022
ESS/34/15/BTE/10/1	Details pursuant to condition 10 (archaeological recording)	Granted 22/06/2022
ESS/34/15/BTE/64/01	Discharge of condition 64 (historic building record) of ESS/34/15/BTE	Granted 22/11/2021
ESS/34/15/BTE/25/1	Discharge of condition 25 (clearance of contaminated materials) of ESS/34/15/BTE.	Granted 19/05/2017

ESS/34/15/BTE/1/1	Discharge of condition 1 (notification of commencement) of ESS/34/15/BTE	Granted 14/03/2016
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