

Indaver Rivenhall IWMF DCO

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009

**OTHER DOCUMENTS [PINS Ref:
EN0101038]**

LIST OF OTHER CONSENTS AND LICENSES

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18 June 2024

Indaver Rivenhall Ltd

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Contents

1	Introduction	1
2	Other consents and licences	3
	Table 1 - Other Consents and Licences	3

VERSION HISTORY

Version no.	Date	Submission	Status	Doc Ref	PINS Ref
1	November 2023	Application	Superseded	7.4	APP-050
2	18 June 2024	Deadline 3	Latest	7.4	

Glossary

Abbreviation	Definition
The APFP Regulations	Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
The Applicant	Indaver Rivenhall Ltd
DCO	Development Consent Order
DESNZ	Department for Energy Security and Net Zero
ECC	Essex County Council
IWMF	Integrated Waste Management Facility
NSIP	Nationally Significant Infrastructure Project
PA 2008	Planning Act 2008
The SoS	Secretary of State for Energy Security and Net Zero

1 Introduction

Overview

- 1.1 This List of Other Consents and Licences (**Doc Ref 7.4**) has been prepared on behalf of Indaver Rivenhall Ltd ('the Applicant'). It forms part of the application ('the Application') for a Development Consent Order ('DCO') that has been submitted to the Secretary of State for Energy Security and Net Zero ('the SoS') under section 37 of the Planning Act 2008 ('PA 2008').
- 1.2 The Application is for the extension of the electrical generating capacity of the EfW forming part of the Rivenhall Integrated Waste Management Facility ('IWMF') to more than 50MW ('the Proposed Development').
- 1.3 The Rivenhall IWMF is currently under construction pursuant to planning permission (ECC Ref: ESS/39/23/BTE) issued by Essex County Council ('ECC') ('the Consented Scheme'). The greater capacity would be achieved by carrying out engineering operations which would optimise the design and operation of the boiler, steam turbine and generator to provide a greater rate of energy recovery. It would not require an increase in waste throughput or physical changes to the consented building envelope or external layout. The Proposed Development involves the carrying out of engineering operations to either: i) remove and replace the steam turbine inlet control valves; or ii) install unrestricted turbine inlet control valves. Development consent is sought for both options. Further details on the Proposed Development are set out in the **Environmental Statement Volume 1, Chapter 3: Proposed Development (Doc Ref 6.2)**.
- 1.4 As the generating capacity of the EfW within the Proposed Development would exceed 50 MW, it is considered a Nationally Significant Infrastructure Project ('NSIP') under Sections 14(1)(a) and 15(1)(2)(a) to (c) of the Planning Act 2008. Therefore, development consent in the form of a DCO is required under Section 31 of the Planning Act 2008.

Purpose of this document

- 1.5 The principal consent for the Proposed Development will be the DCO itself. The DCO needs to be supplemented by other consents, permits and licences. This document identifies the additional consents, permits and licences that are or may be required to construct and operate the Consented Scheme once the Proposed Development has been carried out.
- 1.6 Section 37 of the PA 2008 governs the specifics of a DCO application, including the requirements for the necessary accompanying documents specified in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the APFP Regulations').

1.7 Regulations 5 and 6 of the APFP Regulations provide the statutory requirements for what must accompany a DCO application. In preparing this document, the Applicant has had regard to the former Department for Communities and Local Government's 'Planning Act 2008: Application Form Guidance' (June 2013) and this document supplements the response to Box 24 of the Application Form which relates to *'details of other consents/ licences required under other legislation'*.

1.8 Paragraphs 45 and 46 of the former Department for Communities and Local Government's 'Planning Act 2008: Application Form Guidance' (June 2013) require that:

"Where the proposed development will also require other consents, licences, permits, etc, to enable it to be constructed and/or operational, and for which the Secretary of State is not the authorising body under the Planning Act, then the applicant must list and briefly describe these in Box 24. Reference should be made to any that have already been applied for, and a copy enclosed of any that the applicant may already be in the possession of.

The applicant should also, either in Box 24 or elsewhere in one of their application documents, set out whether there are, in principle, any reasons why such consents etc. might not be granted. In providing this information the applicant should reference responses received from the relevant authorising bodies regarding the likelihood of such consents etc. being granted."

1.9 This document provides an indicative list of other consents and licences which may be required, as set out in Section 2 of this Statement.

2 Other consents and licences

2.1 Table 1 sets out the other consents required for the Proposed Development and the status of these and any action required.

Table 1: Other Consents and Licences

Consent	Relevant Body	Status	Action required
<p>Electricity Generation Licence – Class C ‘Generators not exceeding 100 megawatts’ Licence Exemption</p> <p>The Electricity (Class Exemption from the Requirement for a Licence Order 2001)</p>	Department for Energy Security and Net Zero (‘DESNZ’)	<p>The Applicant will fall within a Class C Exemption</p> <p>DESNZ has issued guidance confirming that Class Exemptions are “automatically applicable” and that there is no need to make an application or notification to DESNZ.</p>	No action required.
<p>Environmental Permit – Transfer of Permit</p> <p>The Environmental Permitting (England and Wales) Regulations 2016</p>	Environment Agency	<p>The operation of the Consented Scheme is subject to an existing Environmental Permit (no.: EPR/FP3335YU, as varied by no. EPR/FP3335/YU/V002, date 03 June 2020)).</p> <p>No changes are required to the Environmental Permit as a result of the Proposed Development.</p>	No action required.

Other consents and licences not required for the Proposed Development

2.2 The Applicant is building out the Consented Scheme in a phased manner, meaning that certain elements of the Consented Scheme may become operational before others. The existing Environmental Permit (as referenced in Table 1) for the operation of the Consented Scheme allows for harvesting of rainwater and process effluents from the different waste treatment processes for re-use within the paper pulp plant. On this basis the IWMF would have zero discharges to water, with surface water run-off being collected in Upper Lagoon to enable it to be harvested for re-use within the Rivenhall IWMF.

- 2.3 With the phased construction of the Rivenhall IWMF, until the paper pulp plant and associated water treatment plant are commissioned, there will not be a significant demand for water from the IWMF. Therefore, it will be necessary to discharge uncontaminated surface water run-off from building roofs and areas of hardstanding collected in Upper Lagoon to the River Blackwater. The Environmental Permit does not currently include a discharge point for surface water, so it needs to be varied to add one to account for operations that would occur in a scenario in which the IWMF becomes operational before the paper pulp plant is delivered.
- 2.4 There is not considered to be an impediment to the granting of the variation by the Environment Agency. The effect of the variation would simply be to allow the discharge of uncontaminated water – of which there is a scarcity – to the River Blackwater.
- 2.5 For clarity, the need for this variation is unrelated to the operation of the Proposed Development, hence it is described above rather than included in Table 1.

