



Department for
Energy Security
& Net Zero

Department for Energy Security & Net
Zero
3-8 Whitehall Place
London
SW1A 2AW

BY EMAIL ONLY:

Essex County Council
Braintree District Council
Babergh District Council
Cambridgeshire County Council
Chelmsford City Council
Colchester City Council
London Borough of Redbridge
Maldon District Council
Suffolk County Council

energyinfrastructureplanning@energys

ecurify.gov.uk

www.gov.uk/desnz

05 February 2025

Dear Consultee,

THE RIVENHALL GENERATING STATION EXTENSION ORDER 2024 - REQUEST TO MAKE AN ORDER CORRECTING ERRORS UNDER SCHEDULE 4 TO THE PLANNING ACT 2008

I refer to the Rivenhall Generating Station Extension Order 2024 [2024 No. 1391]) ("the Order") which was made by the Secretary of State for Energy Security and Net Zero ("the Secretary of State") on 19 December 2024.

The Secretary of State received a request dated 30 January 2025 from Herbert Smith Freehills LLP on behalf of Indaver Rivenhall Limited ("the Applicant") to correct errors in the Order pursuant to paragraph 1(5)(a) of Schedule 4 to the Planning Act 2008 ("the 2008 Act").

The purpose of this letter is to notify you, in accordance with paragraph 1(7) of Schedule 4 to the Planning Act 2008, that this request was received on 30 January 2025.

I attach a copy of the letter and draft correction order as proposed by the Applicant. If you have any comments on the letter or the attached documents, please let me know by 23:59 on 6 March 2025.

Please note that the Secretary of State intends to make a decision under paragraphs 1(4) and 1(8) of Schedule 4 to the 2008 Act on the request to correct errors in the Order as soon as practicable after the deadline for response.

Yours sincerely,

Esther Mngola
Planning Case Manager
Energy Infrastructure Planning
Department for Energy Security and Net Zero

202X No. 0000

INFRASTRUCTURE PLANNING

**The Rivenhall Generating Station Extension (Correction) Order
202[]**

Made - - - - 202[]

Coming into force 202[]

The Rivenhall Generating Station Extension Order 2024 ("the Order")**(a)**, which granted development consent within the meaning of the Planning Act 2008 (the "2008 Act"**(b)**), contained correctable errors as defined in section 119, paragraph 1(3) of the 2008 Act.

Before the end of the relevant period, as defined in paragraph 1(6)(a) of Schedule 4 to the 2008 Act, the Secretary of State received written requests for the correction of errors in the Order.

The Secretary of State has informed Essex County Council and Braintree District Council, the local planning authorities for the area in which the land to which the Order relates is situated, that the requests have been received.

The Secretary of State in exercise of the powers conferred by section 119 of, and Schedule 4 to, the 2008 Act, makes the following Order:

Citation and commencement

1. This Order may be cited as the Rivenhall Generating Station Extension (Correction) Order 202[] and comes into force on [] 202[].

Corrections

2.—(1) In relation to each of the provisions of the Rivenhall Generating Station Extension Order 2024 specified in the first column of the table in the Schedule, the erroneous text identified in the second column of each table is corrected in accordance with instructions in the third column.

Signed by the authority of the Secretary of State for Energy Security and Net Zero

Name

Department for Energy Security and Net Zero

Date

(a) S.I. 2024/1391

(b) 2008 c. 29. Parts 1 to 7 were amended by Chapter 6 of Part 6 of, and Schedule 13 to, the Localism Act 2011 (c. 20). There are other amendments which are not relevant to this Order.

SCHEDULE 1

Article 2

Table 1

Corrections to articles

<i>Provision</i>	<i>Erroeous text</i>	<i>Correction</i>
Article 2(1) definition of "the 2006 Act"	Existing wording	Omit
Article 2(1) definition of "approved variation"	Existing wording	Substitute- “approved variation” means any variation to the TCPA permission granted before or after the date of this Order by the relevant planning authority pursuant to section 73 or section 96A of the 1990 Act, provided that: (i) the development permitted by such variation when carried out in conjunction with the authorised development does not give rise to any materially new or materially different environmental effects to those identified in the environmental information; or (ii) in the event that it does give rise to such environmental effects, an environmental impact assessment has been carried out in respect of those effects prior to the grant of the variation;
Article 2(1) definition of "holding company"	Existing wording	Omit
Article 2(1) definition of "subsidiary"	Existing wording	Omit

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects errors identified in the Rivenhall Generating Station Extension Order 2024, a development consent order under the Planning Act 2008, following requests under paragraph 1(6)(a) of Schedule 4 to that Act.