

Our ref: Q220592
Your ref: EN010138
Email: [REDACTED]@quod.com
Date: 24 October 2025



Head of Energy Infrastructure Planning
Energy Infrastructure Planning
Department for Energy Security and Net Zero
3-8 Whitehall Place
London
SW1A 2AW

For the attention of [REDACTED]

Dear Madam/Sir

**The Rivenhall Generating Station Extension Order 2024 (as amended) – Application for a Non-Material Change in relation to the Rivenhall IWMF site
Regulation 7A of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the ‘2011 Regulations’) – Consultation and Publicity Statement**

- 1.1 I write on behalf of the applicant, Indaver Rivenhall Ltd, in regards to the abovementioned application for a non-material change to The Rivenhall Generating Station Extension Order 2024 (as amended), which was submitted on 11th September 2025.
- 1.2 This letter and its annexes constitute the consultation and publicity statement, as required by Regulation 7A of the 2011 Regulations. This statement demonstrates compliance with Regulations 6 and 7, as amended by the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders)(Amendment) Regulations 2015.

2 Compliance with Regulation 6

- 2.1 In accordance with Regulation 6 of the 2011 Regulations, I can confirm that the Notice of the Non-Material Change application has been publicised for two consecutive weeks within local newspapers circulating in the vicinity of the land.
- 2.2 The Notice (provided at **Appendix 1**) was published in the **Halstead Gazette** and the **Braintree & Witham Times**. These are newspapers circulating in the vicinity of the land. They are the same newspapers which the Section 47 and Section 48 notices were issued in as part of the Development Consent Order application. The Notice was published in these newspapers on the following dates:
- 18th September 2025; and
 - 25th September 2025.
- 2.3 Relevant extracts of the two local newspapers from those dates are provided at **Appendix 2**.





3 Compliance with Regulation 7

- 3.1 In accordance with Regulation 7(1) of the 2011 Regulations, letters enclosing the Notice were sent to consultees on 11th September 2025. An example letter is provided at **Appendix 3**.
- 3.2 This list of consultees was agreed with the Department for Energy Security and Net Zero in a letter from them dated 03 September 2025, a copy of which is provided at **Appendix 4**.
- 3.3 A copy of the schedule of consultees is provided at **Appendix 5**.

4 Availability of documents

- 4.1 The application documents have been made available to view on the Planning Inspectorate's website (<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010138/documents>) and the Applicant's website at <https://www.rivenhall-iwmf.co.uk/dco-process>. The Notice invited recipients unable to access either website to request hard copies of the documents by contacting the project team via email or phone, the details of which were included in the Notice.


5 Conclusion

- 5.1 The deadline for the close of the consultation is 24th October 2025 at 23:59:59. The application documents will be kept available on the applicant's website (link here), throughout the consultation period.
- 5.2 If you have any queries, please do not hesitate to contact me using the email address in the header of this letter.

Yours sincerely


Senior Director

enc. Appendix 1 – Regulation 6 Notice
 Appendix 2 – Local newspaper extracts
 Appendix 3 – Regulation 7 Letter sample
 Appendix 4 – Regulation 7(3) Letter from DESNZ
 Appendix 5 – Schedule of consultees

cc.  eary (Indaver Rivenhall Ltd)



Appendix 1

Regulation 6 Notice

SECTION 153 OF THE PLANNING ACT 2008

PARAGRAPH 2 OF REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011



NOTICE OF APPLICATION TO MAKE A NON- MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER

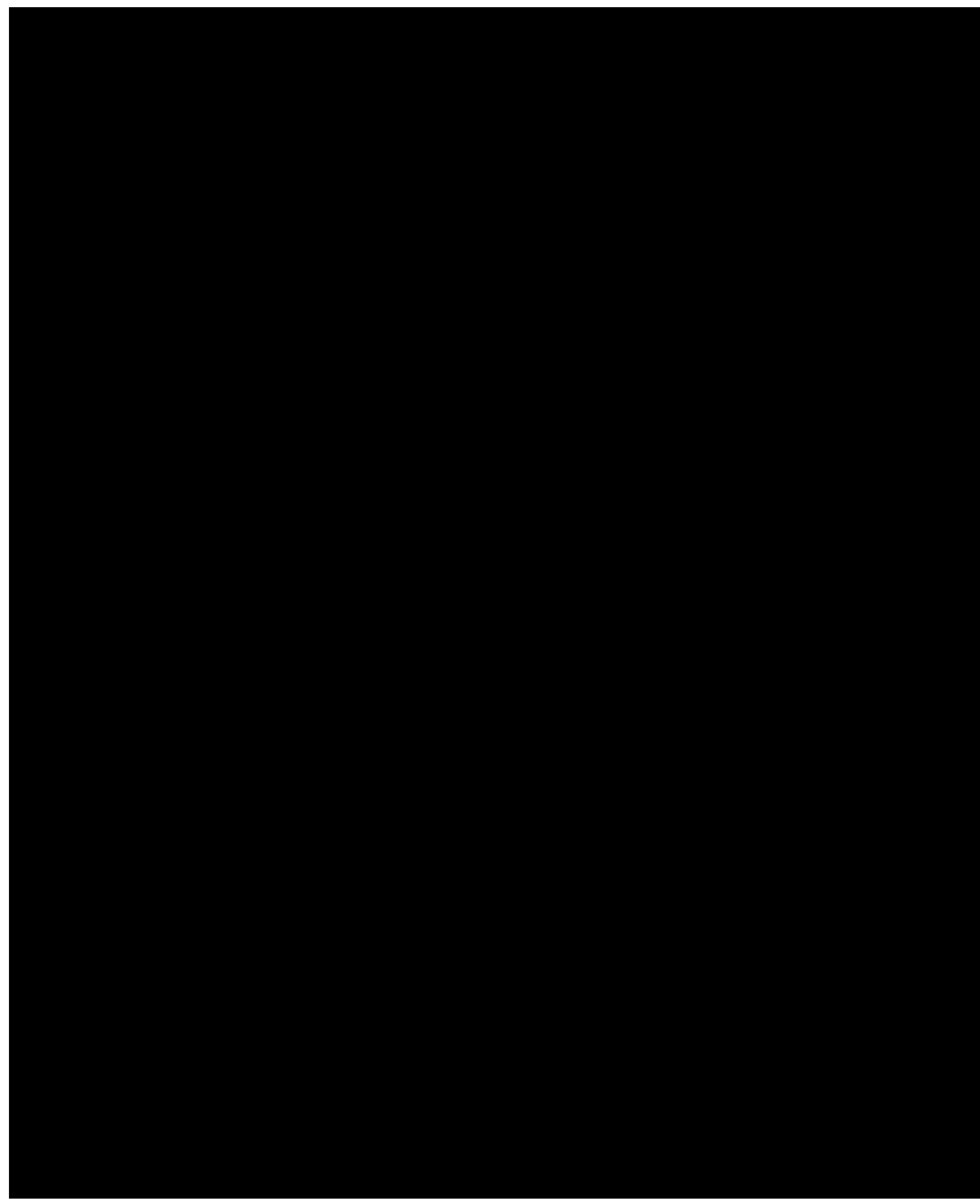
The Rivenhall Generation Station Extension Order 2024 (as amended)

1. The applicant is Indaver Rivenhall Ltd ('Indaver') of Kao Hockham Building, Edinburgh Way, Harlow, Essex, CM20 2NQ.
2. Indaver is seeking, by way of an application to the Secretary of State for Energy Security and Net Zero, a change to The Rivenhall Generation Station Extension Order 2024 (as amended) ('the Order') that is not material.
3. The application ('the Application') seeks to omit the definition of "approved variation" and amend the definition of "TCPA permission" contained in Article 2(1) of the Order. The definition of "approved variation" which this Application is seeking to omit from the Order was introduced into the made Order at the decision stage by the Secretary of State without any discussion with Indaver or any other party to the examination. It did not form part of the draft Order recommended by the Examining Authority. Similarly, the definition of "TCPA permission" that Indaver requests in this Application be included in the Order formed part of the draft Order recommended by the Examining Authority. As set out in further detail in the Application, Indaver considers that these amendments to the definitions in the Order are required to reflect the context of the authorised development and to prevent an unnecessary duplication of assessment and consenting.
4. The Application documents are available for inspection, free of charge, on the Planning Inspectorate's website (which is maintained on behalf of the Secretary of State) at:
<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010138>
Also on Indaver's website at: <https://www.rivenhall-iwmf.co.uk/dco-process/>
5. Any enquiries in relation to the documents and plans should be made via telephone by calling 01279 311 440 or emailing info@rivenhall-iwmf.co.uk.
6. A free digital copy of the Application documents can be viewed and downloaded by visiting Indaver's or the Planning Inspectorate's website using the links provided above. Alternatively, a paper copy can be obtained from Indaver for £50 upon request by calling 01279 311 440 or emailing info@rivenhall-iwmf.co.uk.
7. The latest date on which the documents and plans will be available for inspection will be 23:59:59 on 24th October 2025.
8. Please send any representations about the Application by email to rivenhalliwmf@planninginspectorate.gov.uk or in writing to: Infrastructure Decisions and Applications Service, The Planning Inspectorate, Temple Quay House, 2 The Square Temple Quay, Bristol, BS1 6PN. Please quote 'EN010138 - Rivenhall IWMF Project – Non Material Change 1' on any correspondence.
9. Consultation responses will be published on the relevant page of the National Infrastructure Planning website linked above.
10. The deadline for receipt of representations is 23:59:59 on 24th October 2025.

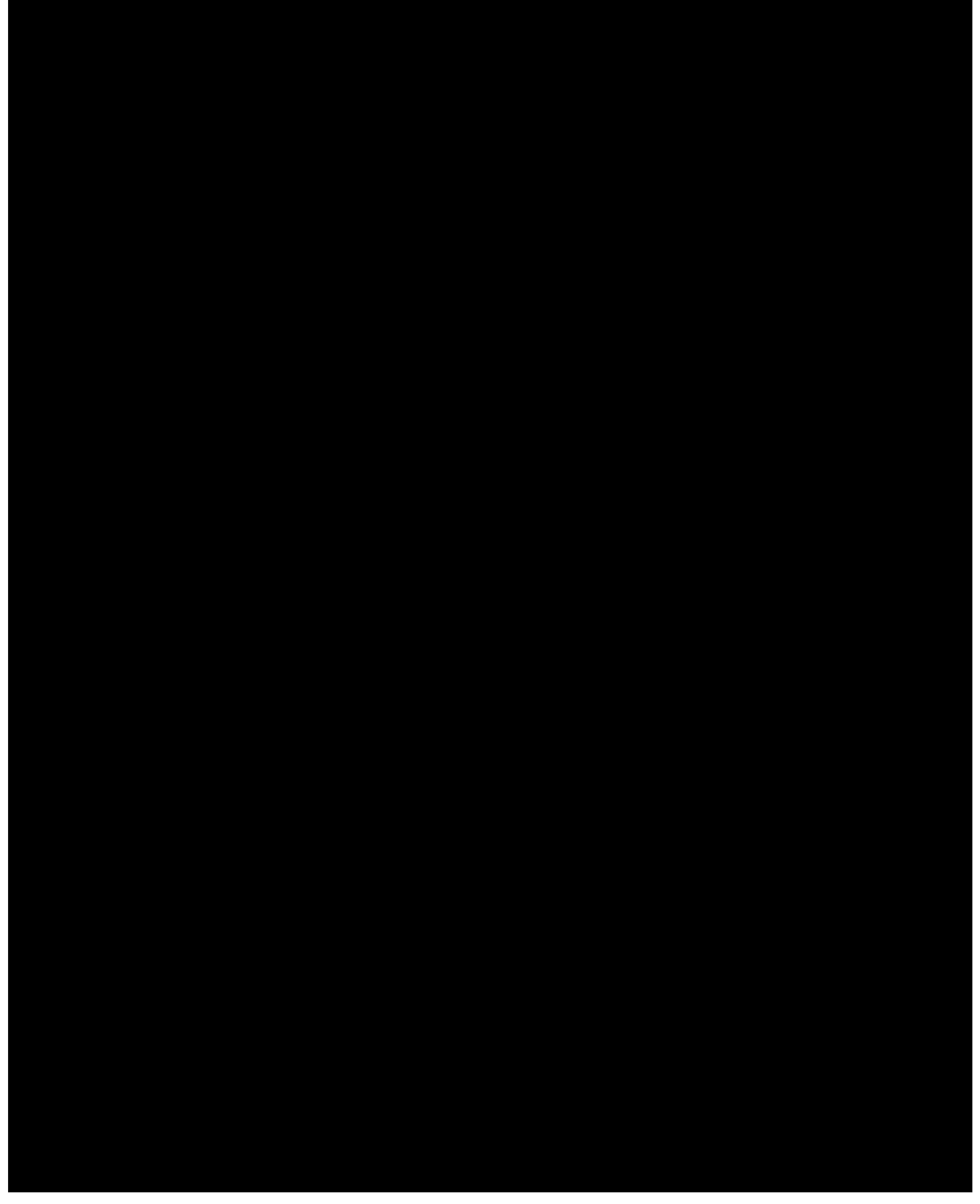


Appendix 2

Local newspaper extracts









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SECTION 153 OF THE PLANNING ACT 2008

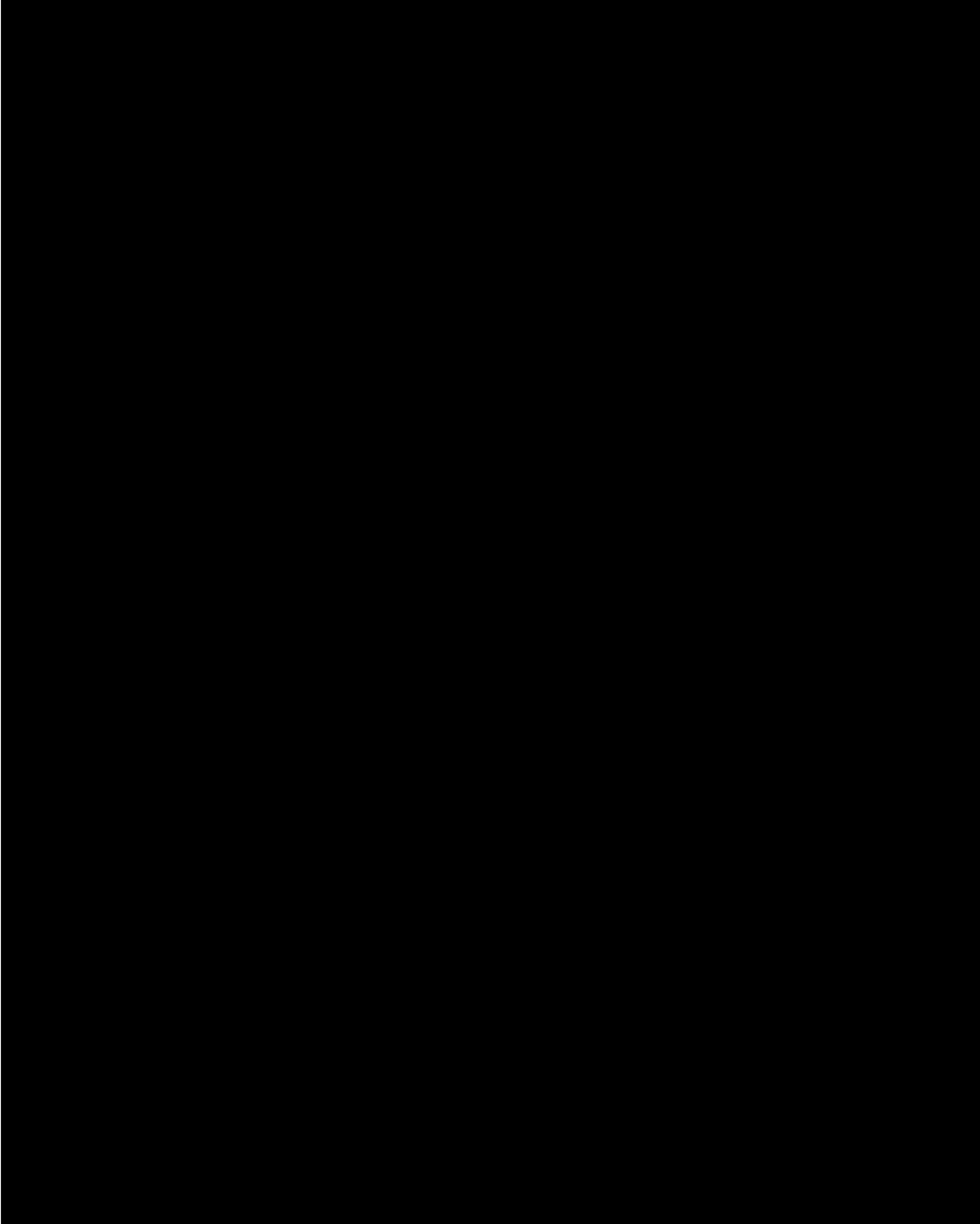
PARAGRAPH 2 OF REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER

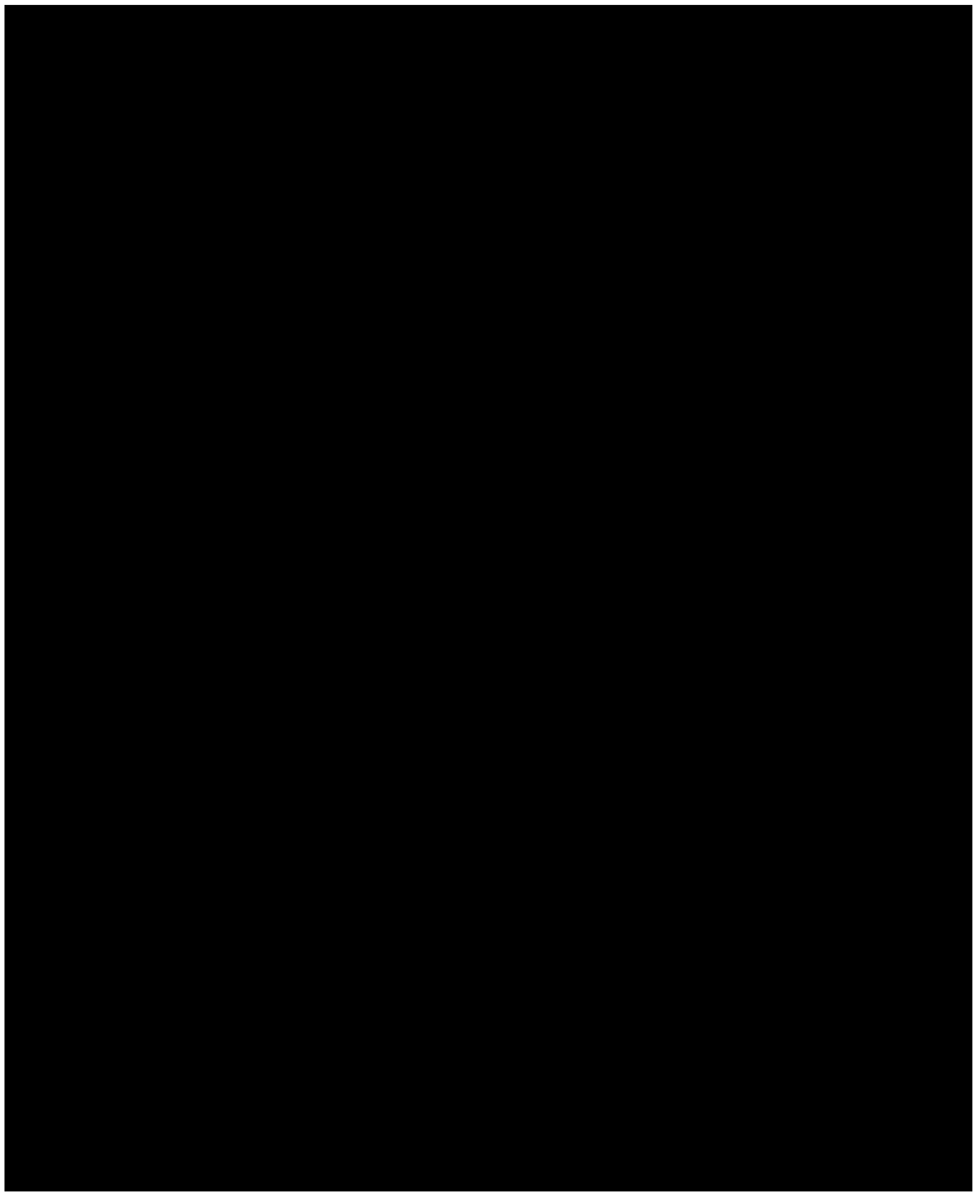
The Rivenhall Generation Station Extension Order 2024 (as amended)

1. The applicant is Indaver Rivenhall Ltd ('Indaver') of Kao Hockham Building, Edinburgh Way, Harlow, Essex, CM20 2NQ.
2. Indaver is seeking, by way of an application to the Secretary of State for Energy Security and Net Zero, a change to The Rivenhall Generation Station Extension Order 2024 (as amended) ('the Order') that is not material.
3. The application ('the Application') seeks to omit the definition of "approved variation" and amend the definition of "TCPA permission" contained in Article 2(1) of the Order. The definition of "approved variation" which this Application is seeking to omit from the Order was introduced into the made Order at the decision stage by the Secretary of State without any discussion with Indaver or any other party to the examination. It did not form part of the draft Order recommended by the Examining Authority. Similarly, the definition of "TCPA permission" that Indaver requests in this Application be included in the Order formed part of the draft Order recommended by the Examining Authority. As set out in further detail in the Application, Indaver considers that these amendments to the definitions in the Order are required to reflect the context of the authorised development and to prevent an unnecessary duplication of assessment and consenting.
4. The Application documents are available for inspection, free of charge, on the Planning Inspectorate's website (which is maintained on behalf of the Secretary of State) at: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010138> Also on Indaver's website at: <https://www.rivenhall-iwmf.co.uk/dco-process/>
5. Any enquiries in relation to the documents and plans should be made via telephone by calling 01279 311 440 or emailing info@rivenhall-iwmf.co.uk.
6. A free digital copy of the Application documents can be viewed and downloaded by visiting Indaver's or the Planning Inspectorate's website using the links provided above. Alternatively, a paper copy can be obtained from Indaver for £50 upon request by calling 01279 311 440 or emailing info@rivenhall-iwmf.co.uk.
7. The latest date on which the documents and plans will be available for inspection will be 23:59:59 on 24th October 2025.
8. Please send any representations about the Application by email to rivenhalliwmf@planninginspectorate.gov.uk or in writing to: Infrastructure Decisions and Applications Service, The Planning Inspectorate, Temple Quay House, 2 The Square Temple Quay, Bristol, BS1 6PN. Please quote 'EN010138 - Rivenhall IWMF Project - Non Material Change 1' on any correspondence.
9. Consultation responses will be published on the relevant page of the National Infrastructure Planning website linked above.
10. The deadline for receipt of representations is 23:59:59 on 24th October 2025.

The Indaver logo, consisting of the word "INDAVER" in a bold, sans-serif font, with a stylized graphic of green and grey squares to its right.









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PLANNING

SECTION 153 OF THE PLANNING ACT 2008

PARAGRAPH 2 OF REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER

The Rivenhall Generation Station Extension Order 2024 (as amended)

- The applicant is Indaver Rivenhall Ltd ('Indaver') of Kao Hockham Building, Edinburgh Way, Harlow, Essex, CM20 2NQ.
- Indaver is seeking, by way of an application to the Secretary of State for Energy Security and Net Zero, a change to The Rivenhall Generation Station Extension Order 2024 (as amended) ('the Order') that is not material.
- The application ('the Application') seeks to omit the definition of "approved variation" and amend the definition of "TCPA permission" contained in Article 2(1) of the Order. The definition of "approved variation" which this Application is seeking to omit from the Order was introduced into the made Order at the decision stage by the Secretary of State without any discussion with Indaver or any other party to the examination. It did not form part of the draft Order recommended by the Examining Authority. Similarly, the definition of "TCPA permission" that Indaver requests in this Application be included in the Order formed part of the draft Order recommended by the Examining Authority. As set out in further detail in the Application, Indaver considers that these amendments to the definitions in the Order are required to reflect the context of the authorised development and to prevent an unnecessary duplication of assessment and consenting.
- The Application documents are available for inspection, free of charge, on the Planning Inspectorate's website (which is maintained on behalf of the Secretary of State) at: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010138> Also on Indaver's website at: <https://www.rivenhall-iwmf.co.uk/dco-process/>
- Any enquiries in relation to the documents and plans should be made via telephone by calling 01279 311 440 or emailing info@rivenhall-iwmf.co.uk.
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- The latest date on which the documents and plans will be available for inspection will be 23:59:59 on 24th October 2025.
- Please send any representations about the Application by email to rivenhalliwmf@planninginspectorate.gov.uk or in writing to: Infrastructure Decisions and Applications Service, The Planning Inspectorate, Temple Quay House, 2 The Square Temple Quay, Bristol, BS1 6PN. Please quote 'EN010138 - Rivenhall IWMF Project - Non Material Change 1' on any correspondence.
- Consultation responses will be published on the relevant page of the National Infrastructure Planning website linked above.
- The deadline for receipt of representations is 23:59:59 on 24th October 2025.



Appendix 3

Regulation 7 Letter sample

Our ref: Q220592
Your ref: EN010138
Email: [REDACTED]@quod.com
Date: XXXX



XXXX

For the attention of XXXX

Dear XXX

**The Rivenhall Generating Station Extension Order 2024 (EN010138) – Application for a Non-Material Change
Consultation under Regulation 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011**

I write as the agent for Indaver Rivenhall Limited ('Indaver' or 'the Applicant') regarding The Rivenhall Generating Station Extension Order 2024 ('the Order') that was made on 19 December 2024, as corrected by The Rivenhall Generating Station Extension (Correction) Order 2025 made on 8 April 2025.

Indaver are proposing a non-material change to the Order, made under section 153 and paragraph 2 of Schedule 6 of the Planning Act 2008 (as amended) ('the 2008 Act').

The following changes are proposed to the definitions set out in Article 2(1) of the Order:

- a) omission of the definition of "approved variation"; and
- b) amendment of the definition of "TPCA permission" to the following:

"TCPA permission" means—

- (a) the planning permission granted by Essex County Council with reference ESS/39/23/BTE dated 26 January 2024; or*
- (b) any planning permission granted by the relevant planning authority pursuant to planning application ESS/02/22/BTE,*

and any other variations thereto whether granted before or after the date of this Order (which shall include for the avoidance of doubt any variations pursuant to Section 73 of the 1990 Act and any non-material amendments under Section 96A of the 1990 Act).

No other changes are proposed to the Order. A full track changes copy of the Order is provided with the application. The intention of the proposed non-material change is to avoid a duplication of planning



control between the local planning authority (being Essex County Council) and the Secretary of State for Energy Security and Net Zero.

Indaver is carrying out a consultation on this application and invites your comments. Please send comments about the application by email to rivenhalliwmf@planninginspectorate.gov.uk, or in writing to Major Applications & Plans, The Planning Inspectorate, Temple Quay House, 2 The Square Temple Quay, Bristol, BS1 6PN. Please quote Rivenhall IWMF Project – Non Material Change 1 on any correspondence.

The deadline for receipt of representations is 23:59:59 on Friday 24th October 2025.

The application documents can be viewed on the Planning Inspectorate's website at: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010138>

They can also be viewed on Indaver's website at: <https://www.rivenhall-iwmf.co.uk/dco-process/>

A free digital copy of the application documents can be viewed and downloaded, free of charge, by visiting Indaver's website using the link provided above. Alternatively, a paper copy can be obtained from Indaver for £50 upon request by calling 01279 311 440 or emailing info@rivenhall-iwmf.co.uk.

Yours sincerely


Senior Director

enc. Notice pursuant to Regulation 6 of the 2011 Regulations
cc.  (Indaver Rivenhall Ltd)



Appendix 4

Regulation 7(3) Letter From DESNZ



Department for
Energy Security
& Net Zero

3-8 Whitehall Place
London
SW1A 2AW
energyinfrastructureplanning@energysecurity.gov.uk
www.gov.uk/desnz

BY EMAIL ONLY to: [REDACTED]@quod.com

Quod Limited
21 Soho Square
London
W1D 3QP

03 September 2025

Dear Mr [REDACTED],

THE RIVENHALL GENERATING STATION EXTENSION ORDER 2024 – S.I. 1391 AND THE RIVENHALL GENERATING STATION EXTENSION (CORRECTION) ORDER 2025 – S.I. 533 – PROPOSED NON-MATERIAL CHANGE APPLICATION

REGULATION 7(3) OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011 - WRITTEN CONSENT FROM THE SECRETARY OF STATE FOR NOT CONSULTING A PERSON OR AUTHORITY

1. Thank you for your email and letter of 12 August 2025 on behalf of Indaver Rivenhall Limited (“the Applicant”) regarding the proposed non-material change to the Order. This letter provided a description of the proposed changes, the reasons for the proposed changes, the proposed reduced consultee list, and a list of the parties consulted on the original application in respect to the Rivenhall Generating Station Extension Order 2024 and as corrected by The Rivenhall Generating Station Extension (Correction) Order 2025. The letter requested the Secretary of State’s consent under Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”) to a reduced list of consultees.
2. The letter provides the following description of the changes sought:

The proposed changes seek to make amends to Article 2(1) of the Order as follows:

- a. omission of the definition of “approved variation”; and
- b. amendment of the definition of “TPCA permission” to the following:

“TCPA permission” means—

- a. the planning permission granted by Essex County Council with reference ESS/39/23/BTE dated 26 January 2024; or

b. any planning permission granted by the relevant planning authority pursuant to planning application ESS/02/22/BTE,

and any other ~~approved variation~~ variations thereto whether granted before or after the date of this Order (which shall include for the avoidance of doubt any variations pursuant to Section 73 of the 1990 Act and any non-material amendments under Section 96A of the 1990 Act).

3. The Applicant proposes to consult two parties: Essex County Council and Braintree District Council as it considers these are “the only parties that would in reality be affected by the changes.”
4. The Secretary of State is satisfied that the consultees proposed by the Applicant for consultation as listed at paragraph 3 should be consulted, noting the nature of the proposed changes as set out at paragraph 2 above.
5. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the 2011 Regulations.
6. In taking this decision, the Secretary of State acknowledges that the Applicant will provide notice of the Application in line with the requirements in Regulation 6 of the 2011 Regulations.
7. The Secretary of State’s written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order, which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



Head of Planning

On behalf of the Secretary of State for Energy Security and Net Zero



Appendix 5

Schedule of Consultees

Consultee	Address	Post or email
Essex County Council	Planning Service, Place and Public Health Essex County Council Chelmsford Essex CM1 1QH	Post
Braintree District Council	Causeway House Bocking End Braintree Essex CM7 9HB	Post