

Mr K Toogood  
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Adelaide House, London Bridge  
London EC4R 9HA

Our ref: DM/ESS/37/08/BTE/NMA2  
Your ref:  
Date: 25 October 2012

**PLEASE QUOTE REFERENCE ON ALL CORRESPONDENCE**

Dear Mr Toogood

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)**

**Non-Material Amendment Following a Grant of Planning Permission**

**Proposal:** Non Material Amendment of planning permission Ref. ESS/37/08/BTE (PINS Ref: APP/Z1585/V/09/2104804) to allow amended wording of condition 2 (applications details)

**Original Planning permission:** Development of an 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 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;
- Associated engineering works and storage tanks

**Location:** Rivenhall Airfield, Coggeshall Road (A120T), Braintree

**Planning Permission Ref:** ESS/37/08/BTE/NMA2

Thank you for your Non Material Amendment application dated 4 September 2012 which was received by this Authority on 6 September 2012 and validated on 18 September 2012.

Your application requested a non material amendment to condition no. 2 of planning permission ESS/37/08/BTE to add the following sentence to the end of the condition

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

The amendment has been justified on the basis that condition 2 (as currently worded) could be construed in certain circumstances so as to cause inadvertently a potential conflict with details submitted under other conditions, for example condition 19 and that the end wording used in the ECC specimen condition COM3 if added to Condition 2 would resolve this potential conflict.

Braintree District Council, Bradwell, Kelvedon, Coggeshall, Silver End, Rivenhall and Feering Parish Councils and The Community Group (as appeared at the Public Inquiry in 2009) have been consulted and objections were received. The objections were on the basis that the change was material and unnecessary, however the MPA does not consider this to be the case.

I have considered the submitted details and can confirm that the amendment to Condition 2 detailed in the application dated 4 September 2012, covering letter dated 29 August 2012 and email dated 18 September 2012 is accepted as a non material amendment to planning permission reference ESS/37/08/BTE.

Condition 2 of ESS/37/08/BTE therefore now reads as follows

*The development hereby permitted shall only be carried out in accordance with drawing numbers:*

*1-1: Land Ownership & Proposed Site Plan*

*1-2: Proposed Planning Application Area*

*1-4: Access Road Details*

*1-5A: Typical Arrangement and Architectural Features of the eRCF*

*1-8: Schematic Arrangement of Woodhouse Farm*

*1-9: eRCF Simplified Process Flow*

*1-10: eRCF Integrated Process Flow*

*3-3: Site Plan Layout*

*3-8C: eRCF General Arrangement*

*3-12C: eRCF Detailed Cross-Sections*

*3-14A: eRCF Upper Lagoon & Wetland Shelf*

*3-16: Services Plan*

*3-19B: eRCF General Arrangement*

*8-6: Landscape Mitigation Measures*

*IT569/SK/06: Proposed Improvements to Site Access Road Junction with Church Road*

*IT569/SK/07: Proposed Improvements to Site Access Road Junction with Ash Lane*

*19-2B: Tree Survey*

*19-3B: The Constraints and Protection Plan*

*19-5: eRCF Base Plan Woodhouse Farm*

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

Yours faithfully

Head of Environmental Planning

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