

ESS/39/23/BTE/NMA20 - Non-Material Amendment to the Description of Development of planning permission ESS/39/23/BTE to remove reference to materials processed within the IWMF, together with the re-wording of Condition 29 to include reference to materials processed within the IWMF. ESS/39/23/BTE is an amended planning permission for the Rivenhall Integrated Waste Management Facility (IWMF)

9th February 2026

1. General Position

The Parish Council notes the submission of a Section 96A application by Indaver Rivenhall Ltd seeking a non-material amendment to planning permission ESS/39/23/BTE. The Council understands that the amendment proposes to remove references to waste types from the Description of Development and consolidate them within Condition 29.

The Parish Council does not object in principle provided the planning authority is satisfied that:

- No operational or environmental changes arise from the amendment.
- Public transparency is not reduced.
- The amendment does not weaken planning control or expand the facility's permitted activities.

The Council requests that these assurances be clearly recorded in the officer report and decision notice.

Observations on the Nature of the Amendment

While the applicant asserts that the change is administrative, the Parish Council wishes to highlight:

- The Description of Development is a key public-facing statement of what has been approved.
- Removing detail from this section may reduce clarity and transparency for residents and future decision-makers.
- Waste types are central to community concerns about traffic, odour, emissions, and environmental impact. Any change affecting how these are described warrants careful scrutiny.

Concerns and Considerations

a) Transparency

The Parish Council is concerned that relocating waste-type information from the Description of Development to a condition may make the permission less accessible to the public, who often rely on the description to understand what is permitted.

b) Precedent

The Council seeks reassurance that:

- This amendment does not set a precedent for incremental changes that could weaken oversight of the facility's operations.
- Future applicants cannot use this change to argue for broader waste acceptance or operational flexibility.

c) Interpretation Risk

The Council requests confirmation that:

- The revised wording of Condition 29 does not expand the range of waste types permitted.
- The Environment Agency's regulatory role does not diminish the planning authority's responsibility to ensure land-use impacts remain acceptable.

Request for Clarification

The Parish Council asks Essex County Council to confirm:

- That the amendment is genuinely non-material, with no change to the facility's operational scope.
- That the revised Condition 29 is legally robust, enforceable, and unambiguous.
- That the removal of waste-type references from the Description of Development does not alter how future applications or compliance matters will be interpreted.

Bradwell with Pattiswick Parish Council