



## Progress Power Project

**Application for a Non-Material Change to the Progress Power (Gas Fired Power Station) Order 2015 (as amended)**

Project Ref: 40750 | Rev: 0 | Date: May 2020

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# 1 Introduction

## 1.1 Background

- 1.1.1 Progress Power Limited ("PPL") (company number 08421833) of registered address: Drax Power Station, Drax, Selby, YO8 8PH is the undertaker with the benefit of the Progress Power (Gas Fired Power Station) Order 2015, which was granted by the Secretary of State for the Department of Energy & Climate Change<sup>1</sup> on 23 July 2015 (Statutory Instrument 2015 No. 1570) (the "Order") as corrected by the Progress Power (Gas Fired Power Station) (Correction) Order 2016 following an application made by PPL (Planning Inspectorate reference EN 010060).
- 1.1.2 The Order was made pursuant to Sections 114, 115 and 120 of the Planning Act 2008 (the "2008 Act"), with the reasons for making the Order contained in the Secretary of State's letter dated 23 July 2015. The Order was amended by the Progress Power (Gas Fired Power Station) (Amendment) Order 2016 (the "Amendment Order"), which was made on 11 November 2016 by the Secretary of State for Business, Energy & Industrial Strategy. The Amendment Order authorised non-material changes to the design parameters for the generating station to accommodate changes to the design and consequent amendments to the requirements in Schedule 2 to the Order.
- 1.1.3 The Order grants development consent for the construction, operation and maintenance of a generating station with a gross rated electrical output of up to 299 MWe comprising up to five gas turbine generators ("GTG"), up to five exhaust gas emission flue stacks and other development that is part of the generating station (referred to in the Order as the "authorised development"). Such authorised development includes gas and electrical cable connections and associated development comprising an electrical connection compound, made up of a substation and sealing end compound, an access road and a new road junction off the A140. The authorised development is described in Schedule 1 to the Order, split out into numbered works.
- 1.1.4 The Order also authorises the compulsory acquisition of land required for the authorised development, as well as land that is required to facilitate or is incidental to the authorised development.
- 1.1.5 The authorised development would be located on land at the former Eye Airfield located in Eye, Mid-Suffolk. The entire project lies within the administrative boundary of Mid-Suffolk District Council and within the parishes of Eye and Yaxley. The location of the authorised development is shown on the Land Plans (Revision 0, dated December 2014) and the various components that comprise the authorised development are shown on the Works Plans (Revision 0, dated December 2014, as modified under Requirement 22(1) within drawings 66-10865-E017 Rev B and 6-10865-E019 Rev C, discharged under Mid-Suffolk District Council reference DC/18/05641 on 3<sup>rd</sup> July 2019). The Works Plans and amendments are included in Appendix A.
- 1.1.6 Requirement 1 of the Order prohibits the commencement of the authorised development after the expiry of 5 years from the date the Order came into force. That period is due to expire on 13 August 2020. PPL is making every effort to commence the authorised development before the expiry of the deadline but has serious concerns that the exceptional and unprecedented circumstances arising from the ongoing COVID-19 pandemic, including the restrictions imposed by the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (as amended), will frustrate its ability to commence the authorised development before the expiry of that deadline.

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<sup>1</sup> The Department of Energy & Climate Change became part of the Department for Business, Energy & Industrial Strategy in July 2016.

- 1.1.7 PPL therefore seeks to change the Order so as to extend the deadline for the commencement of the authorised development to 13 August 2021, an extension of 12 months.
- 1.1.8 PPL hereby applies to the Secretary of State pursuant to section 153 and paragraph 2 of Schedule 6 of the 2008 Act to make changes to the Order that are not material (referred to hereafter as a “Non-Material Change (NMC) Application”). The NMC Application is subject to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, as amended (the “Changes Regulations”). This NMC Application has been prepared with reference to the Department of Communities and Local Government document ‘Guidance on Changes to Development Consent Orders’ (December 2015).
- 1.1.9 This document sets out the proposed non-material amendment to the Order sought by PPL and the rationale for doing so and explains why the changes will result in no new or different likely significant environmental effects.

## 2 Consultation Process

### 2.1 Overview

2.1.1 Regulations 6 and 7 of the Changes Regulations set out the process for publicising and consulting respectively on the NMC Application. Pursuant to Regulation 7A of the Changes Regulations, PPL will submit a separate Consultation and Publicity Statement confirming its compliance with Regulations 6 and 7a of the Changes Regulations.

2.1.2 In summary, the following has, or is being, undertaken by PPL to comply with Regulations 6 and 7:

- PPL notified the Planning Inspectorate ("PINS") and BEIS of the intention to submit an NMC Application;
- PPL is publicising the NMC Application by publishing a notice in the East Anglian Daily Times (being a newspaper local to the site of the authorised development) for two successive weeks. The notice will be published for the first time when the NMC Application is made to the Secretary of State. A copy of the notice will be included in the Consultation and Publicity Statement;
- the project email address ([ProgressPower@planninginspectorate.gov.uk](mailto:ProgressPower@planninginspectorate.gov.uk)) has been included in the notice publicising the NMC Application so that members of the public can make a formal response to PINS in relation to the NMC Application;
- Under Regulations 7(1) and (2) of the Changes Regulations, the list of consultees contacted regarding the NMC Application will include all those who were notified (in accordance with section 56 of the 2008 Act) when the application for the original Development Consent Order was accepted by the Secretary of State and any other persons who may be directly affected by the changes proposed in the NMC Application.

2.1.3 If the restrictions imposed by the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (as amended) are lifted before 10 July 2020, hard copies of the NMC Application will be made available for public inspection as soon as practicable at the location listed below. Before the coming into force of the COVID-19 lockdown restrictions, the viewing times for this venue were as listed below. They may be subject to change upon re-opening:

| <b>Eye Library<br/>6 Cross Street<br/>Eye<br/>IP23 7AB</b> |   |
|--|---|
| <b>Monday</b>  | CLOSED  |
| <b>Tuesday</b>   | 9 am – 1 pm                                       |
| <b>Wednesday</b>   | 9 am – 1 pm and 2 pm – 6 pm                       |
| <b>Thursday</b>  | 2 pm – 5 pm                                       |
| <b>Friday</b>  | 9 am – 1 pm and 2 pm – 5 pm                       |
| <b>Saturday</b>  | 9 am – 1 pm                                       |
| <b>Sunday, Public Holidays</b>                             | 10 am – 3 pm (Sunday)<br>CLOSED (Public Holidays) |

2.1.4 The NMC Application will be available to view on the project website at:

<https://www.drax.com/about-us/our-projects/progress-power/>

and also on the Planning Inspectorate's website at:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/progress-power-station>.

- 2.1.5 Hard copies of the NMC Application documents can be requested free of charge.
- 2.1.6 Consultees are invited to provide comments on the NMC Application until the closing date for consultation.
- 2.1.7 Additionally, PPL has engaged in other additional pre-application communications prior to submitting this NMC Application. This included:
  - Discussion with the relevant planning authority (Mid Suffolk District Council) on the proposed NMC, including in respect of publication and consultation proposals;
  - Discussion with SCC regarding the forthcoming NMC;
  - Advance communications to key other statutory bodies:
    - Environment Agency; and
    - Natural England.
  - Advance communications to local elected members.
- 2.1.8 The discussions with MSDC did not identify any additional groups or means of communication to consultees beyond those already proposed by PPL.



### 3 Proposed Non-Material Change to the Order

#### 3.1 The Progress Power (Gas Fired Power Station) Order 2015 (as amended)

- 3.1.1 The Order consists of 40 operative provisions, each referred to as articles, together with 11 Schedules.
- 3.1.2 Schedule 1 describes the authorised development. It consists of numbered works 1 to 7. These numbered works correlate with the works plans (as defined in article 2 of the Order) which show the areas of development for the authorised development.
- 3.1.3 Schedule 2 contains the Requirements. Requirement 1 imposes a 5 year time limit, running from the date the Order came into force, after which the authorised development may no longer be commenced. As the Order came into force on 14 August 2015, Requirement 1 would prohibit the commencement of the authorised development after 13 August 2020.

#### 3.2 Proposed non-material change to the Order

- 3.2.1 PPL proposes only a single change to the Order, to substitute the period of 5 years specified in Requirement 1 with a new deadline of 13 August 2021. The proposed change also includes the substitution of the word "shall" with "must" to reflect current drafting practise. The amended Requirement 1 would be amended as shown in Table 1.

Table 1 – Change proposed in the NMC Application

| Provision   | Drafting in the Order  | Proposed Change  |
|---|--|--|
| <p><b>Paragraph 1</b></p> <p><b>of</b></p> <p><b>Schedule 2</b></p> | <p><b>Time limits</b></p> <p>1. The authorised development shall commence no later than the expiration of 5 years from the date this Order comes into force.</p> | <p><b>Time limits</b></p> <p>1. The authorised development must commence no later than 13 August 2021.</p> |

#### 3.3 Justification for non-material changes

##### Steps to implement the development consent

- 3.3.1 Since its acquisition by Drax Group Plc on 5 December 2016, PPL has taken diligent steps to discharge pre-commencement requirements, develop the detail design and procure a main contractor with a view to commencing development before the expiry of the deadline in Requirement 1. At the time of submission of this application, with a single exception, all pre-commencement requirements have been approved by the relevant planning authorities. The single exception relates to part of a landscaping requirement relating to bund and ground levels for which approval has been sought and is due to be determined by 24 June 2020.
- 3.3.2 A non-material change was sought to enable the development to proceed with an improved design (the 2016 NMC Application), which was granted by the Progress Power (Gas Fired Power Station) (Amendment) Order 2016 (SI 2016/1086), which was made on 11 November 2016.

- 3.3.3 Following the grant of the first non-material change, in late 2016 PPL commenced the process of obtaining approvals required under pre-commencement requirements in the Order through the initiation of regular meetings with the relevant local planning authorities (Mid Suffolk District Council and Suffolk County Council), including preparations for a design consultation process, as required under Requirement 3(4) of the Order and as set out in the certified Design Principles Statement which includes local consultation and independent review by a competent design body.
- 3.3.4 Design is a key issue which needed to be progressed before efforts to discharge other pre-commencement requirements could begin. PPL invited the Design Council to act as the independent competent design review body and Taylor Keough were appointed as design principles workshop facilitators. The following events were held as part of the process set out in the Design Principles Statement:
- a. Pre-meeting - 15 January 2018;
  - b. First Design Workshop on the electrical connection compound - 29 January 2018;
  - c. Independent Design Review site visit – 30 January 2018;
  - d. First Design Workshop on the power plant and above ground installation – 19 March 2018;
  - e. Independent Design Review session with the Design Council – 23 March 2018;
  - f. Second Design Workshop on all relevant works – 9 April 2018.
- 3.3.5 Following the Second Design Workshop in April 2018, PPL progressed in earnest with seeking approval of pre-commencement requirements through the development of further design information, discussions with relevant stakeholders and site investigations and visits. Overall, these approvals were undertaken over the period 2017-2020, as follows:

| Requirement   | Details submitted for approval | Approval granted   |
|---|--------------------------------|--|
| Requirement 3 Detailed Design and design amendments under Requirement 22<br><br>(LPA reference DC/18/05641) | 20 December 2018               | 3 July 2019  |
| Requirement 4 (a),(b),(d)-(f), (h)-(i)<br>Landscape Plan<br><br>(LPA reference DC/18/05638)                 | 20 December 2018               | 17 May 2019<br><br>(updated implementation timetable under 4(h) due for determination by 24 <sup>th</sup> June 2020) |
| Requirement 4(c) Landscape Plan (Ground and bund levels)<br><br>(LPA reference DC/20/01690)                 | 28 April 2020                  | Awaiting determination<br><br>(due by 24 June 2020)  |

| Requirement   | Details submitted for approval   | Approval granted   |
|---|--|--|
| Requirement 4(g) Landscape Plan (Ecological Management Plan)<br><br>(LPA reference DC/18/05639) | 20 December 2018   | 1 May 2019   |
| Requirement 6 Permanent and temporary means of access<br><br>(LPA reference DC/17/06256)        | 19 December 2017   | 6 February 2018  |
| Requirement 7 Fencing<br><br>(LPA reference DC/18/02639)  | 8 June 2018  | 2 August 2018  |
| Requirement 8 Surface and Foul Water drainage<br><br>(LPA reference DC/18/01515)                | 4 April 2018   | 10 May 2018  |
| Requirement 9(1) Archaeology<br><br>(LPA reference DC/17/05674)                                 | The first submission in respect of archaeological matters following an extensive campaign of archaeological evaluation in May 2017. Formally submitted on 13 November 2017 | 6 December 2017  |
| Requirement 9(2) Archaeology – In respect of Works 5-7 only.<br><br>(LPA reference DC/17/06261) | 20 December 2017   | 16 January 2018  |
| Requirement 9(2) Archaeology – In respect of Works 1-4 only<br><br>(LPA reference DC/18/00016)  | 29 December 2017   | 15 February 2018   |
| Requirement 10 Ecological Management Plan<br><br>(LPA reference DC/18/05639)                    | 20 December 2018   | 1 May 2019<br>(updated implementation timetable due for determination by 27 <sup>th</sup> June 2020) |
| Requirement 11 Construction Environmental Management Plan<br><br>(LPA reference DC/18/02693)    | 13 June 2018   | 14 September 2018  |

| Requirement  | Details submitted for approval                           | Approval granted |
|--|--|------------------|
| Requirement 12 Land Contamination<br>(LPA reference DC/17/05338)   | 16 October 2017<br>following site<br>investigation works | 12 December 2017 |
| Requirements 13 and 14 Construction<br>Traffic and Construction Travel Plan<br>(LPA reference DC/18/02574) | 5 June 2018  | 28 December 2018 |
| Requirement 18 Control of artificial light<br>(LPA reference DC/18/02041)                                  | 2 May 2018   | 24 July 2018     |
| Requirement 19 European Protected<br>Species<br>(LPA reference DC/17/06019)                                | 30 November 2017   | 24 January 2018  |
| Requirement 19(2) European Protected<br>Species<br>(LPA reference DC/18/05639)                             | 20 December 2018   | 1 May 2019       |

3.3.6 During the design process, which commenced in 2017 following its acquisition of PPL, Drax identified the potential for constructability issues to arise relating to two aspects of the existing Works described in the Order, namely temporary access for construction of the electrical connection and the routing of the electrical connection in the vicinity of the main power plant. PPL therefore progressed two separate Town and Country Planning Act applications to secure alternative, practical solutions for works that comprised ‘associated development’ to the consented authorised development. These were progressed, following a period of discussion and application development, as follows:

- a. Realignment of high voltage cable and new water pipeline (LPA reference DC/19/02268). Submitted 2 May 2019, approved 6 December 2019.
- b. Temporary access road (LPA reference DC/19/02267). Submitted 2 May 2019, approved 6 December 2019.

3.3.7 Appendix B contains a chronology of these key preparatory activities. As is shown, PPL has diligently taken steps to meet the deadline for the commencement of the authorised development contained in Requirement 1. Furthermore, PPL has discussed its proposals for commencement works with MSDC, which would comprise laying and constructing a length of access road at the main power plant site and construction of 3 sides of the permanent outer fence to the main power plant.

3.3.8 Between December 2016 and March 2020, PPL entered four Capacity Market Auctions with the intention of securing a contract, which would also have allowed immediate commencement of design by the main EPC contractor to inform final site levels (to allow discharge of the remaining Requirement 4(c) such that works could commence).

3.3.9 Following an unsuccessful auction in March 2020, PPL appointed an independent designer to complete the remaining pre-commencement design activities. Details in respect of Requirement 4(c) were submitted to Mid Suffolk District Council on 28 April 2020 and are due for discharge in late June 2020, which would have allowed for timely commencement of the authorised development in the absence of the current COVID-19 restrictions and uncertainties. Amendments to the Implementation timetables for ecology (Requirement 10) and landscape (Requirement 4(h)) have also been submitted and are awaiting discharge in late June. These timetable changes are required regardless of this non-material change application.

#### **Impact of Coronavirus**

3.3.10 The onset of the COVID-19 pandemic and the exceptional and extraordinary measures enacted by the Government to control and limit the spread of the virus has created a considerable degree of uncertainty as to whether PPL will now be able to commence the authorised development within the time limit currently specified in Requirement 1 of the Order. The virus constitutes a serious and imminent threat to public health which has justified the enforced closure of many businesses and the imposition of a requirement for persons to remain at home unless there is a reasonable excuse for leaving. The gravity of the exceptional circumstances is made clear in the Health Protection (Coronavirus) (England) Regulations 2020 ("Coronavirus Regulations") which came into force on 26 March 2020 ("lockdown measures"). The lockdown measures resulted in the cessation of a considerable amount of economic activity affecting contractors and supply chains.

3.3.11 On 11 May 2020 the UK Government published its COVID-19 Recovery Strategy<sup>2</sup> ("Recovery Strategy") which sets out a road map for the easing of the unprecedented restrictions on economic and social activity in England in place to combat the virus. The first easing of restrictions was made through the Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No.2) Regulations 2020 which came into force on 13 May 2020.

3.3.12 The Recovery Strategy makes it plain that easing of restrictions is conditional upon the Government's five tests being met and confirms that:

*"If data suggests the virus is spreading again, the Government will have to tighten restrictions, possibly at short notice. The aim is to avoid this by moving gradually and by monitoring carefully the effect of each step the Government takes.*

*The scientific advice is clear that there is scope to go backwards; as restrictions are relaxed, if people do not stay alert and diligently apply those still in place, transmissions could increase, R would quickly tip above one, and restrictions would need to be re-imposed."*

3.3.13 Many contractors are now taking steps to re-open sites that were closed during the initial lockdown measures. However, the recommencement of construction work is subject to the contractors being able to implement government advice on reducing the risk of transmission of the virus in the work place and adequately protect the health and safety of its employees. It is clear that the initial lockdown has caused severe disruption, jobs that would have been completed have been delayed and the resumption of work taking into account physical distancing and other measures will have caused further delays. Even were restrictions to be lifted, the backlog of work makes it increasingly uncertain that PPL will be in a position to procure the commencement of the authorised development prior to the expiry of the deadline in Requirement 1. As is made plain in the Recovery Strategy, if the easing of restrictions leads to an increase in transmission of the virus, the Government is clear that restrictions would be re-imposed, potentially at short notice.

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<sup>2</sup> HM Government, *Our Plan to Rebuild: The UK Government's COVID-19 recovery strategy*, ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/884760/Our\\_plan\\_to\\_rebuild\\_The\\_UK\\_Government\\_s\\_COVID-19\\_recovery\\_strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/884760/Our_plan_to_rebuild_The_UK_Government_s_COVID-19_recovery_strategy.pdf))

- 3.3.14 While the depth of the economic effects of the lockdown measures are uncertain; the confirmation by the Office for National Statistics on 13 May that GDP in the first quarter of 2020 fell by 2.0%<sup>3</sup>, despite those figures including only 1 week of the lockdown measures, it is clear that the effect of COVID-19 will be profound across all industries. Despite the unprecedented financial support measures, there remains considerable uncertainty as to ability of the supply chain to be able to deliver the commencement of the authorised development before the expiry of the deadline in Requirement 1.
- 3.3.15 The coronavirus is a global pandemic and the virus, and the international responses by governments to it, has created an unprecedented degree of economic disruption and uncertainty, the magnitude of which is only beginning to emerge. The uncertainty, domestically and abroad, creates a significant risk of disruption across the supply chain for the materials and expertise required to the implement the authorised development. The potential for disruption can not be overstated.
- 3.3.16 It remains PPL's intention to commence the authorised development before the expiry of the current deadline in Requirement 1 and every effort is being made towards this objective. However, as outlined above, the unprecedented and exceptional circumstances arising from the COVID-19 pandemic has created a considerable risk of the commencement of the authorised development being frustrated. Should that occur, the Order would cease to have effect. Consequently, the public benefits of the project, including meeting the urgent need for new nationally significant electricity generating infrastructure would be lost.
- 3.3.17 In view of these extraordinary and unprecedented circumstances PPL has carefully considered its plans for commencing the authorised development and considers that the extension of the Requirement 1 deadline by 12 months would provide sufficient flexibility to enable it to implement the Order. A shorter period, for example, 6 months, would not allow sufficient time to commence the authorised development in the event of the re-imposition of lockdown measures. It would also leave the requirement 1 deadline to fall in the winter (February 2021) which would be an undesirable time of year to commence certain construction works.

#### **Materiality of the proposed change**

- 3.3.18 As indicated above, this NMC Application has been prepared with reference to the Department of Communities and Local Government document 'Guidance on Changes to Development Consent Orders' (December 2015). The guidance clearly states that neither the 2008 Act nor the Infrastructure Planning (Changes to, and revocation of, Development Consent Orders) Regulations 2011 provide any definition of a material or non-material change. The guidance does, however, provide four basic areas under which a proposed change should be considered. These are:
- Environmental Statement;
  - Habitats and Protected Species;
  - Compulsory Acquisition; and
  - Impacts on businesses and residents.
- 3.3.19 The proposed change does not entail any alteration of the physical development granted consent by the Order nor to any of the controls regulating its effect.

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<sup>3</sup> Office for National Statistics, GDP Monthly estimate, UK: March 2020  
(<https://www.ons.gov.uk/economy/grossdomesticproductgdp/bulletins/gdpmonthlyestimateuk/march2020>)

- 3.3.20 There are no proposed changes to the powers of acquisition listed in Part 5 (Powers of Acquisition) of the Order, as granted.
- 3.3.21 From a Habitat Regulations perspective, the quantum and location of development remains the same as the authorised development. It is unlikely that the NMC Application would result in any new or different effects on habitats and protected species, nor on any sites of European importance. Therefore, it is not considered that a Habitats Regulation Assessment would be required.
- 3.3.22 Chapter Three of the Environmental Report confirms that, due to there being no change to construction, operational and decommissioning processes as a result of the NMC Application, impacts on businesses and residents will remain the same. Given that the Order was made in 2015, subsequent planning permission for any new sensitive residential receptors should have taken account of the potential effects of the construction, operation and decommissioning of the authorised development
- 3.3.23 Chapter 4 of the Environmental Report considers whether extending the timeframe for commencing the authorised development in the Order by 12 months would be *likely* to give rise to any new or different likely significant environmental effects for each environmental topic in the certified ES, when compared to previous assessments presented in both the certified ES and subsequent 2016 NMC Application.
  - 3.3.1 The Environmental Report concludes that no changes were identified that would give rise to any new or different likely significant effects compared to findings presented in the certified ES or the 2016 NMC Application, or that would not ordinarily have been addressed in subsequent planning consents in the locality.
  - 3.3.2 The NMC Application would not alter any previously agreed mitigation measures, or any of the documents already approved under the requirements in the Order, and the same commitments in the Order to limit effects on receptors would continue to apply in the event of an extension of the time period for the commencement of the authorised development.
  - 3.3.3 It is therefore concluded that the changes proposed in this NMC Application are considered to be non-material.

## **4 Summary and Conclusions**

### **4.1 Summary**

- 4.1.1 PPL is proposing to amend the Progress Power (Gas Fired Power Station) Order 2015 (as amended) to allow for the extension of 12 months to the time limit set out in requirement 1 (Paragraph 1 of Schedule 2 to the Order) for the commencement of the authorised development in response to the unprecedented and exceptional restrictions and uncertainties caused by the COVID-19 pandemic. No change to the other provisions in the Order, physical development or other controls regulating the construction, operation, maintenance or decommissioning of the authorised development are proposed.
- 4.1.2 The proposed change would not require additional compulsory acquisition of land, nor would it have new or different effects on local residents or businesses or any additional implications in respect of habitats regulation assessment.
- 4.1.3 In considering the potential for new or different likely significant environmental effects to arise, an Environmental Report has been prepared to accompany the NMC Application which considers the proposed change to the Order and compares potential environmental effects arising from those assessed in the original assessment presented in the ES and the information contained in the 2016 NMC Application.
- 4.1.4 In summary, the change would result in no new or different likely significant effects when compared to the findings of the ES submitted with the application for the Order or the 2016 NMC Application.

### **4.2 Conclusion**

- 4.2.1 Given the information presented in this document, as summarised above, it is considered that the proposed changes are non-material amendments for the purposes of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011. Accordingly, PPL submits that the proposed changes as outlined in section 3 of this document can be granted consent by the Secretary of State as non-material changes.



## **Appendix A Works Plans (Revision 0)**

**(Works Plans) Amendment plans 66-10865-E017 Rev B and 6-10865-E019 Rev C**



## The Progress Power (Gas Fired Power Station) Order

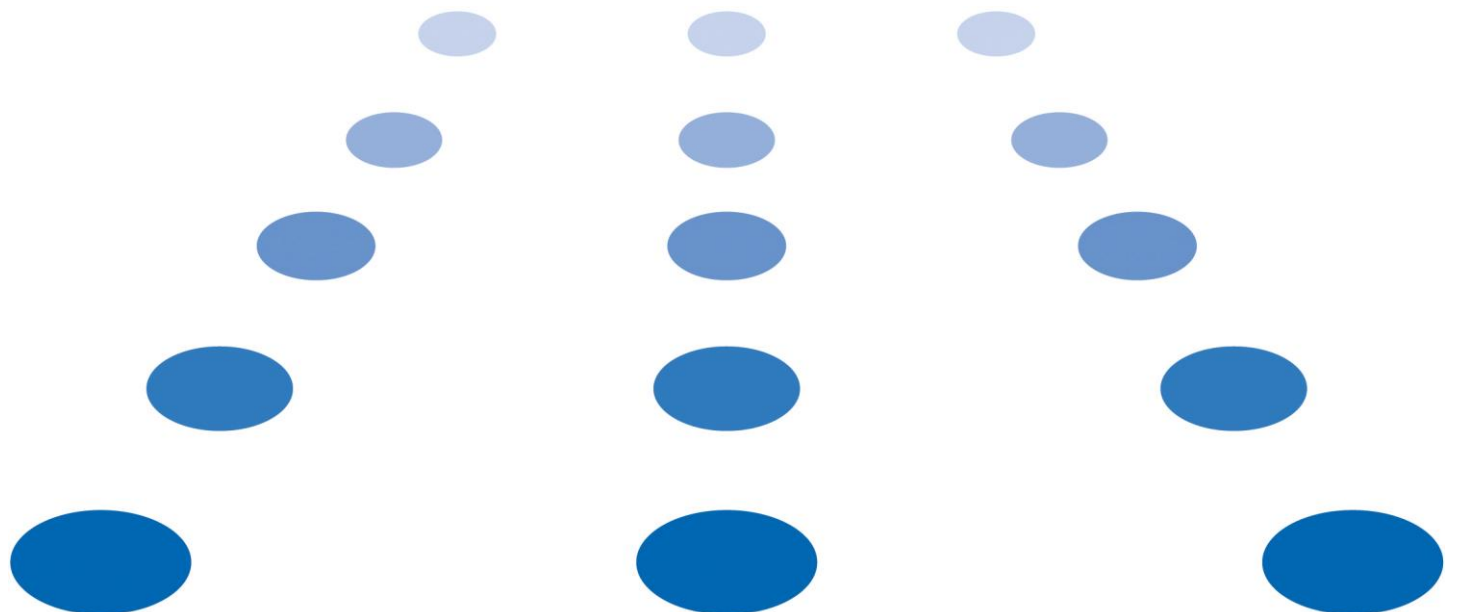
### 2.7 Works Plans – GIS Variant

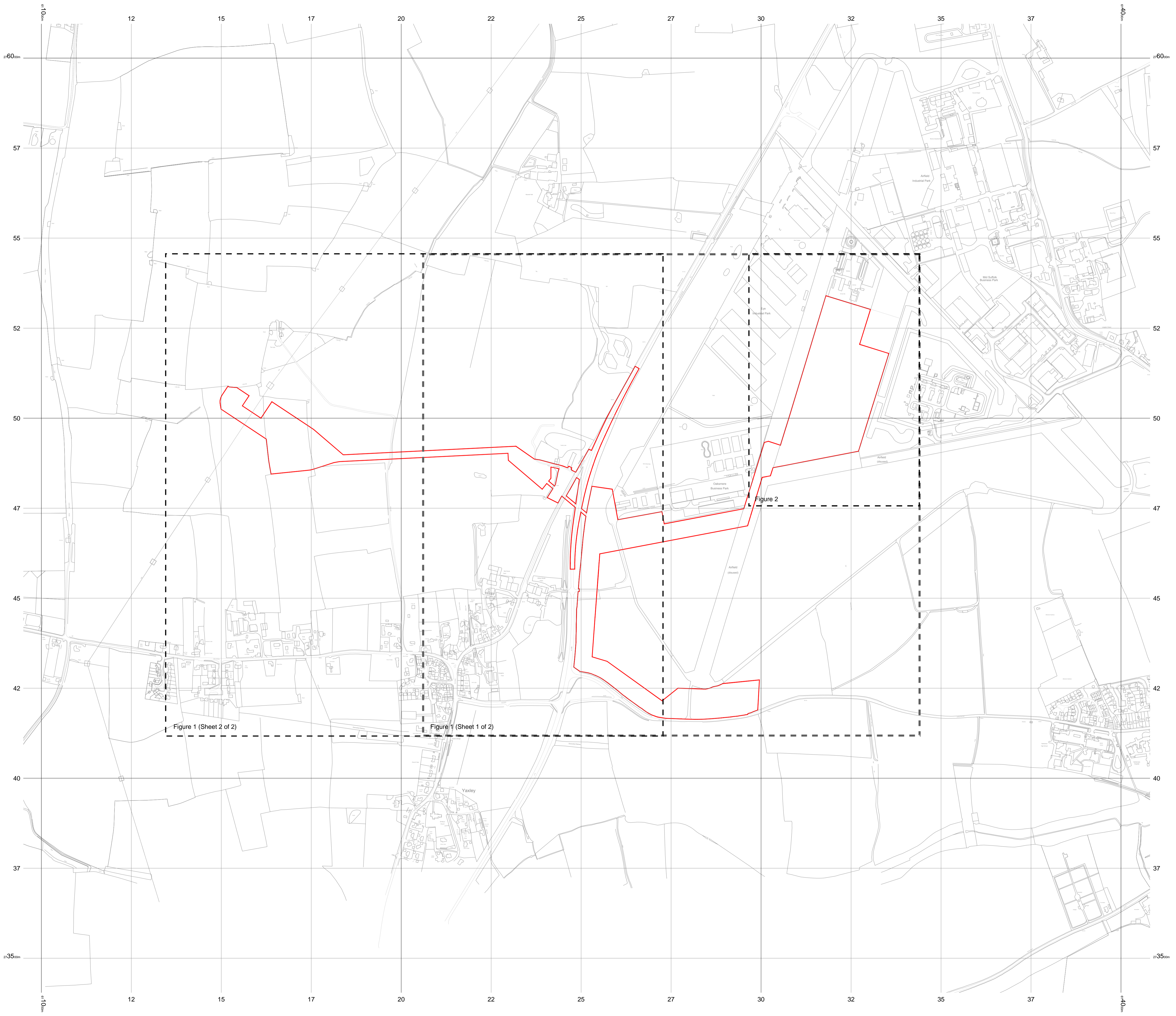
#### Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

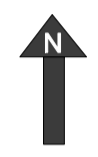
**PINS Reference Number:** EN010060  
**Document Reference:** 2.7  
**Regulation Number:** r5(2)(j)  
**Author:** TerraQuest Solutions

| Revision | Date          | Description         |
|----------|---------------|---------------------|
| 0        | December 2014 | Examination Version |





- Legend:**
- Land required for, or affected by, the authorised development (the Order limits)
  - Figure 1 (Sheet 1 of 2) - Works Plans Figure 1
  - Figure 1 (Sheet 2 of 2) - Works Plans Figure 1
  - Figure 2 - Works Plans Figure 2



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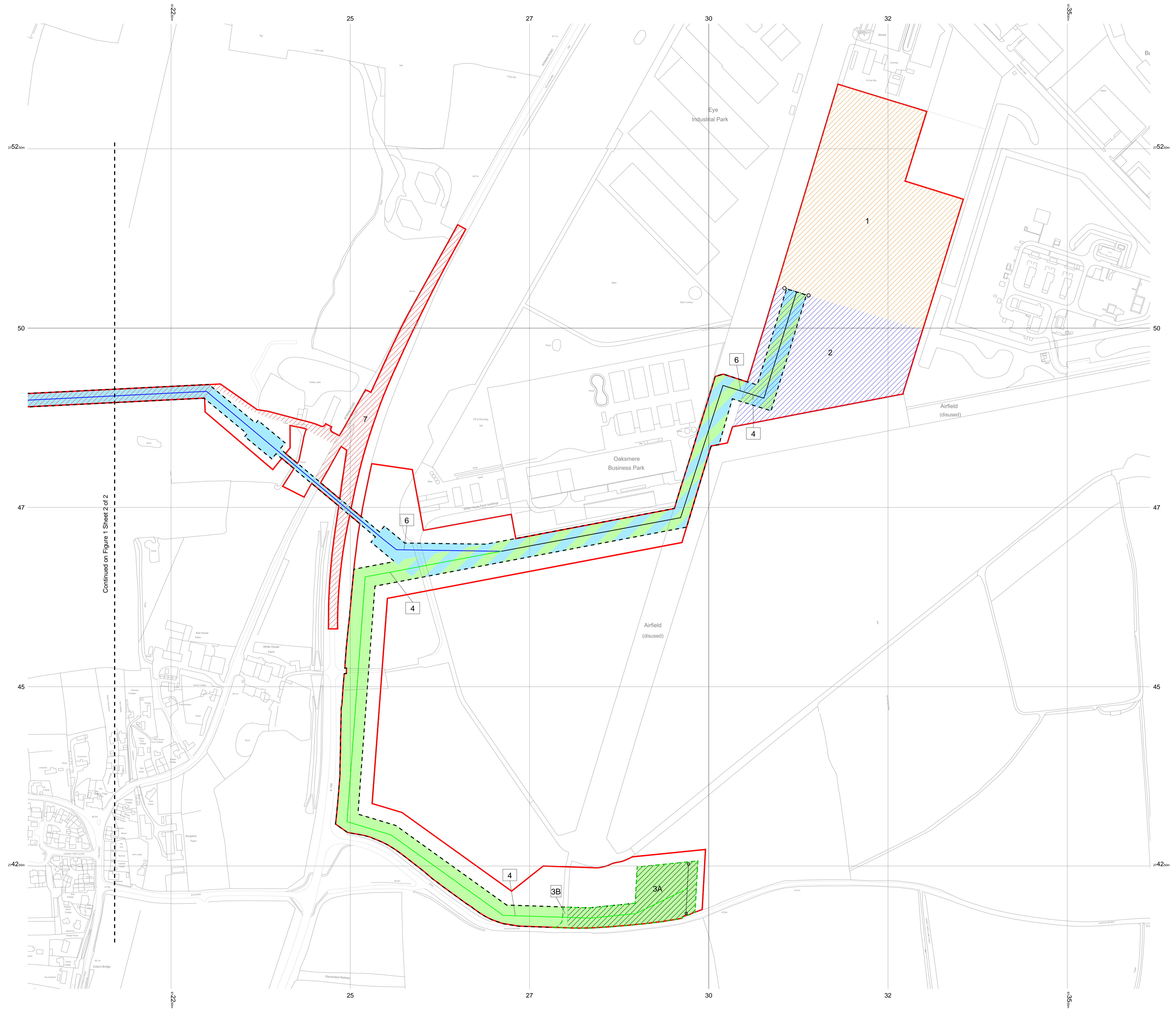


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**Title:**  
Works Plans Key Plan  
GIS Variant Only  
The Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009  
Regulation r5(2)(j) Document Reference: 2.7

|  |   |
|--|---|
| <b>Scale:</b><br>1:5000 @ A1                   | <b>Date:</b><br>December 2014             |
| <b>Drawing No:</b><br>PPL Works Plans Key Plan | <b>Revision:</b><br>revision 0            |
| <b>Approved By:</b><br>Progress Power Limited  | <b>Checked By:</b><br>Parsons Brinkerhoff |
| <b>Drawn By:</b><br>TerraQuest Solutions       |   |

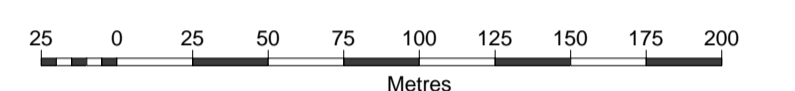


**Legend:**

- Order limits
- - - - - Limits of Deviation of numbered works 4 and 6
- Indicative Centre Line of numbered works 4 and 6
- Indicative Centre Line of numbered work 4
- Indicative Centre Line of numbered work 6
- - - - ○ Commencement of numbered works 4 and 6
- - - - □ Termination of numbered work 4



| Work No. | Brief Description (see Schedule 1 to the Development Consent Order)  |
|----------|--|
| 1        | Power Generation Plant (divided up into numbered works 1A, 1B, 1C and 1D on Works Plan Figure 2) (Outer Limits of Deviation) |
| 2        | Maintenance Compound   |
| 3A       | Above Ground Installation Minimum Offtake Connection Compound (Maximum Limits of Deviation)                                  |
| 3B       | Site Vehicular Access from Castleton Way to numbered work 3A (Maximum Limits of Deviation)                                   |
| 4        | Gas Pipeline   |
| 6        | Electrical Cable (part of)   |
| 7        | Site Vehicular Access to numbered work 5 and new access from the A140 (part of) (Maximum Limits of Deviation)                |



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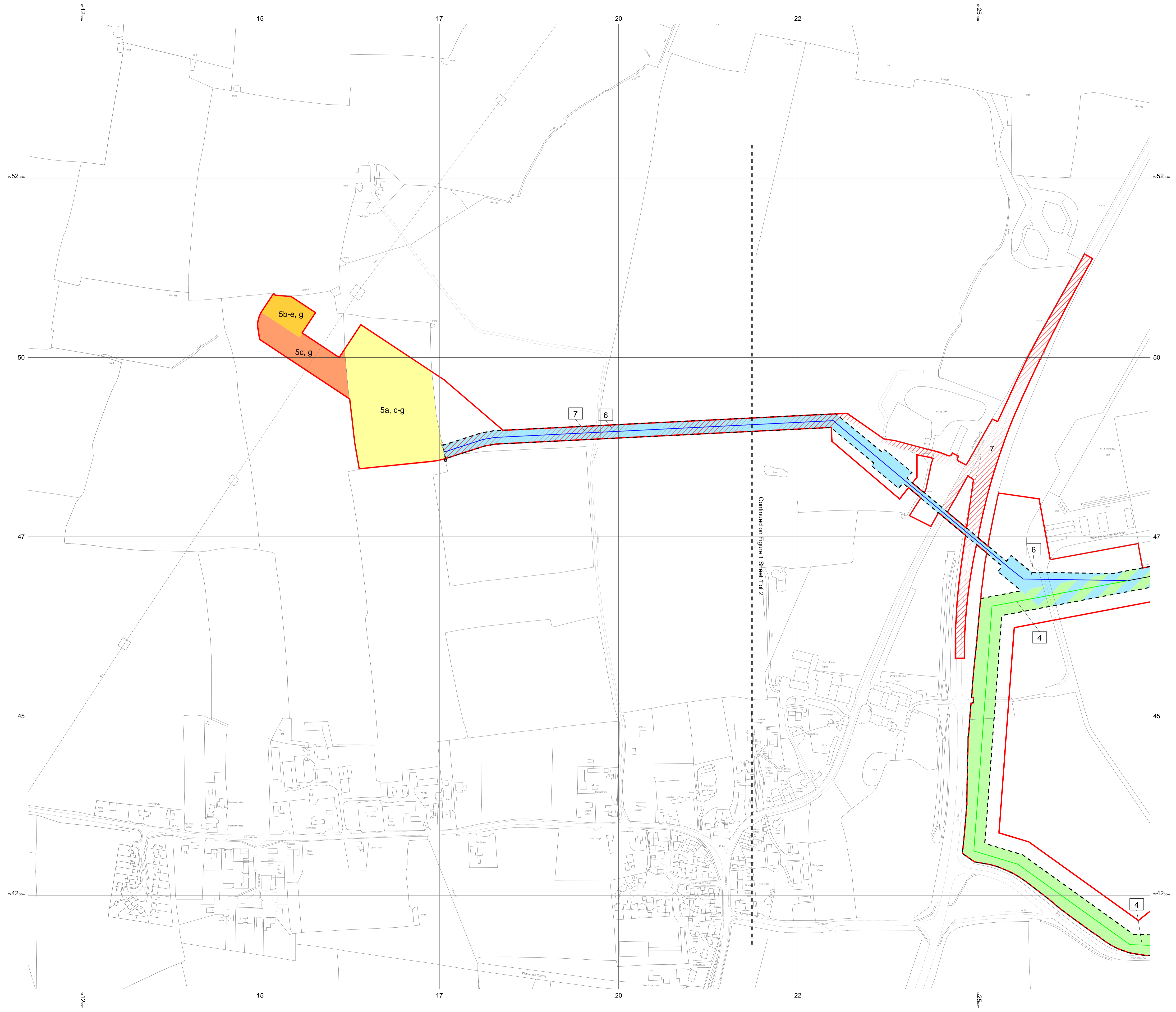
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Title:  
 Progress Power Limited - Works Plans Figure 1 (Sheet 1 of 2)  
 GIS Variant Only  
 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009  
 Regulation r5(2)(g) Document Reference: 2.7

|  |                                    |                                   |
|--|------------------------------------|-----------------------------------|
| Scale:<br>1:2500 @ A1                  | Date:<br>December 2014             |                                   |
| Drawing No:<br>PPL Works Plan Figure 1 | Revision:<br>revision 0            |                                   |
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Continued on Figure 1 Sheet 2 of 2

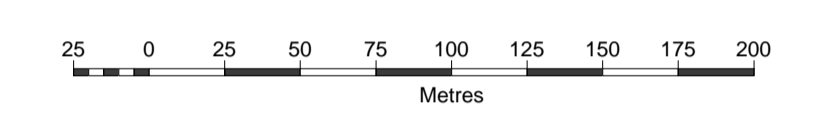


**Legend:**

- Order limits
- Limits of Deviation of numbered works 4 and 6
- Indicative Centre Line of numbered works 4 and 6
- Indicative Centre Line of numbered work 4
- Indicative Centre Line of numbered work 6
- Termination of numbered work 6



| Work No. | Brief Description (see Schedule 1 to the Development Consent Order)                                 |
|----------|---|
| 4        | Gas Pipeline (part of)  |
| 5        | Electrical Connection Compound (a, c - g inclusive) (Maximum Limits of Deviation)                   |
| 5        | Electrical Connection Compound (b - e, g inclusive) (Maximum Limits of Deviation)                   |
| 5        | Electrical Connection Compound (c, g) (Maximum Limits of Deviation)                                 |
| 6        | Electrical Cable (part of)  |
| 7        | Site Vehicular Access to numbered work 5 and new access from the A140 (Maximum Limits of Deviation) |



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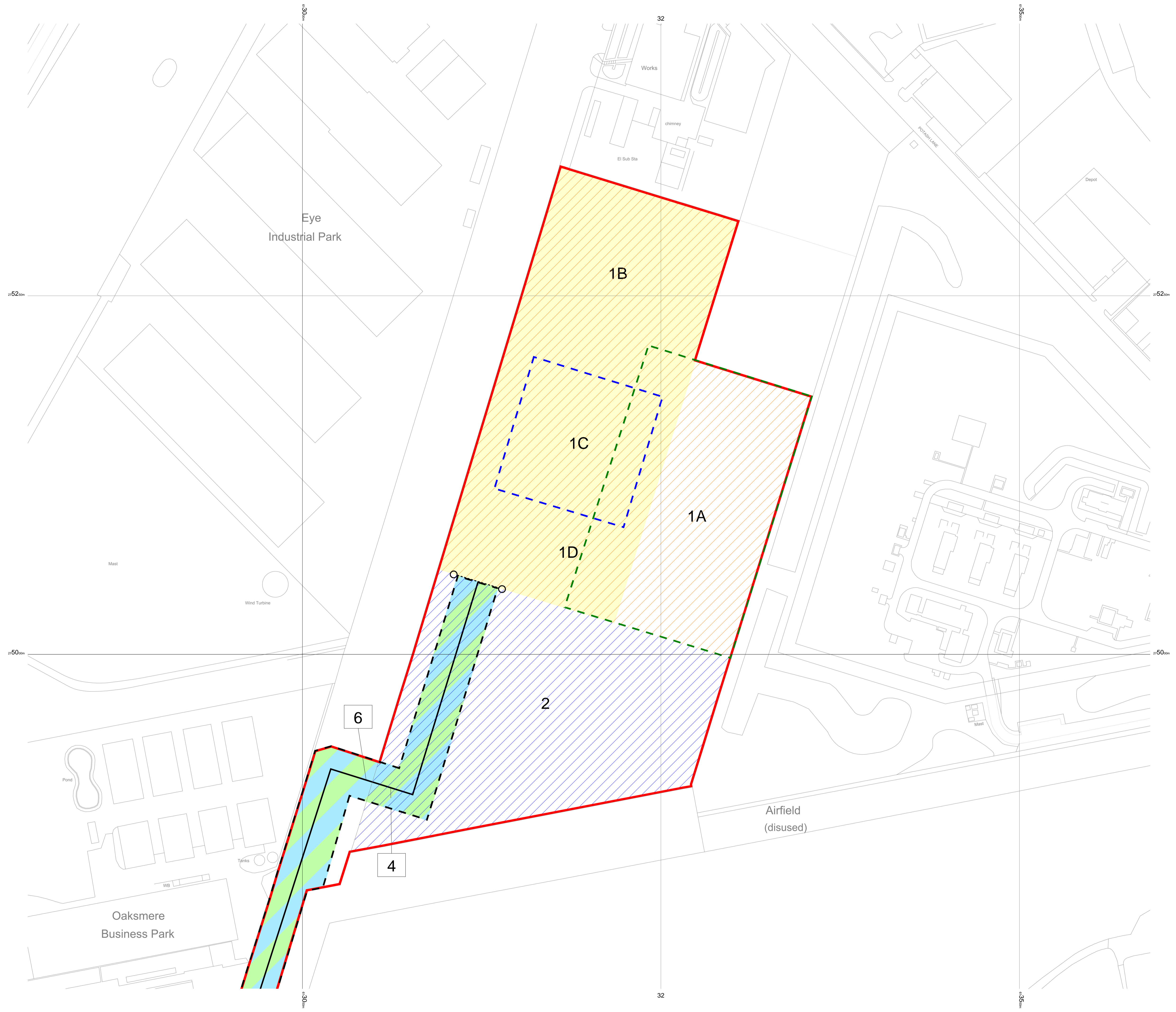
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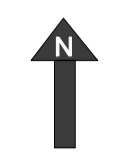
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 Regulation r5(2)(g) Document Reference: 2.7



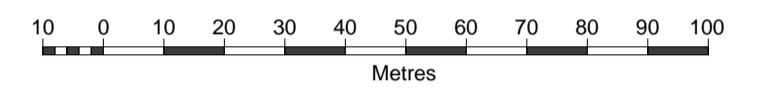
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|--|------------------------------------|
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| Drawing No:<br>PPL Works Plan Figure 1 | Revision:<br>revision 0            |
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- Legend:**
- Order limits
  - - - - Limits of Deviation of numbered works 4 and 6
  - Indicative Centre Line of numbered works 4 and 6
  - - - - ○ Commencement of numbered works 4 and 6



| Work No. | Brief Description (see Schedule 1 to the Development Consent Order) |
|----------|---|
| 1A       | Power Generation Plant (Maximum Limits of Deviation)                |
| 1B       | Power Generation Plant (Maximum Limits of Deviation)                |
| 1C       | Power Generation Plant (Maximum Limits of Deviation)                |
| 1D       | Power Generation Plant (Maximum Limits of Deviation)                |
| 2        | Maintenance Compound  |
| 4        | Gas Pipeline (part of)  |
| 6        | Electrical Cable (part of)  |



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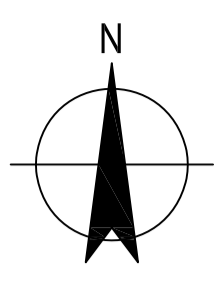


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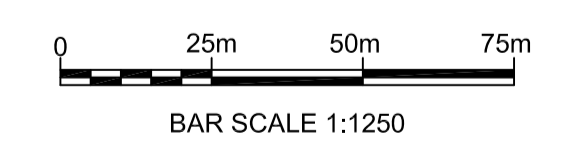
**Title:**  
 Progress Power Limited - Works Plans Figure 2  
 GIS Variant Only  
 Showing Numbered Works 1, 2, 4 (part of) and 6 (part of)  
 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009  
 Regulation r5(2)(j) Document Reference: 2.7

|   |   |
|---|---|
| <b>Scale:</b><br>1:1250 @ A1                  | <b>Date:</b><br>December 2014             |
| <b>Drawing No:</b><br>PPL Works Plan Figure 2 | <b>Revision:</b><br>revision 0            |
| <b>Approved By:</b><br>Progress Power Limited | <b>Checked By:</b><br>Parsons Brinkerhoff |
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- KEY :**
- BOUNDARY (ORDER LIMITS)
  - WORK AREA 1A  
POWER GENERATION PLANT (MAXIMUM LIMITS OF DEVIATION)
  - WORK AREA 1B (EXTENDED)  
POWER GENERATION PLANT (MAXIMUM LIMITS OF DEVIATION)
  - WORK AREA 1C  
POWER GENERATION PLANT (MAXIMUM LIMITS OF DEVIATION)
  - WORK AREA 1D  
POWER GENERATION PLANT (MAXIMUM LIMITS OF DEVIATION)
  - WORK AREA 2  
MAINTENANCE COMPOUND
  - WORK AREA 4  
GAS PIPELINE (PART OF)
  - WORK AREA 6  
ELECTRICAL CABLE (PART OF)

**ASSOCIATED DRAWINGS :**  
 20010002\_GB1041-U-CLD012-100002 – SITE PLAN  
 PPL 2.7 WORK PLANS



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**PLANNING**

|    |                     |   |       |             |                  |          |
|----|---------------------|---|-------|-------------|------------------|----------|
| No | Revision            | Note: * indicates signatures on original issue of drawing or last revision of drawing | Drawn | Job Manager | Project Director | Date     |
| B  | ISSUED FOR PLANNING |   | PDO   | *WT         | *GT              | 15.11.18 |
| A  | PRELIMINARY         |   | PDO   | *GT         | *WT              | 09.10.18 |

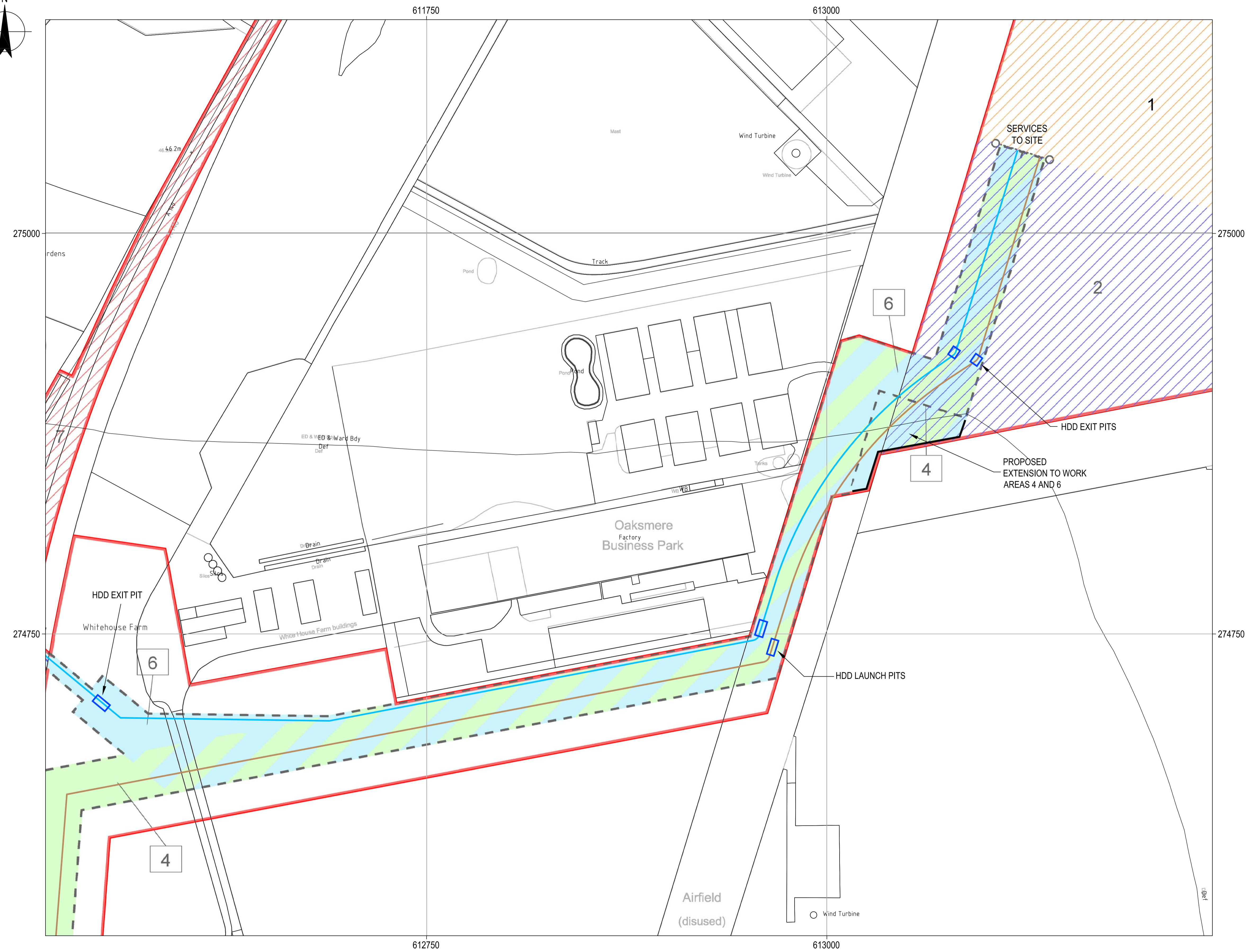
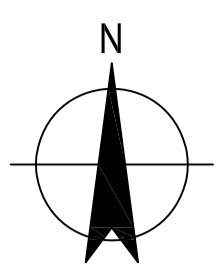
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| Drafting | Check              | Design   | Check |
| Approved | (Project Director) | Date   |       |
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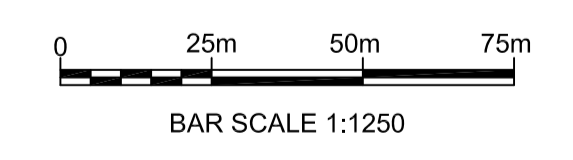
Client **PROGRESS POWER LIMITED**  
 Project **PROGRESS POWER PROJECT**  
 Title **PROPOSED EXTENSION TO WORK AREA 1B WITH SITE LAYOUT**

Original Size **A1** Drawing No: **66-10865-E017** Rev: **B**



- KEY :**
- BOUNDARY (ORDER LIMITS)
  - - - WORKING CORRIDOR (CONSENTED LIMITS OF DEVIATION)
  - HV CABLE ROUTE (PROPOSED)
  - GAS PIPE ROUTE (PROPOSED)
  - HDD CONNECTION PITS (PROPOSED)
  - WORK AREA 1  
POWER GENERATION PLANT (OUTER LIMITS OF DEVIATION)
  - WORK AREA 2  
MAINTENANCE COMPOUND
  - WORK AREA 4  
GAS PIPELINE (PART OF)
  - WORK AREA 6  
ELECTRICAL CABLE AND WATER MAIN (PART OF)
  - PROPOSED EXTENSION TO WORK  
AREAS 4 AND 6 (PROPOSED LIMIT OF CONSENTED DEVIATION)

**ASSOCIATED DRAWINGS :**  
 66-10865-E008 LOCATION OF HDD ROUTES AND CONNECTION PITS  
 PPL 2.7 WORK PLANS



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**PLANNING**

| No | Revision | Note: * indicates signatures on original issue of drawing or last revision of drawing | Drawn | Job Manager | Project Director | Date     |
|----|----------|---|-------|-------------|------------------|----------|
| C  |          | COMMENTS INCORPORATED   | PDO   | *CJ         | *GT              | 17.12.18 |
| B  |          | ISSUED FOR PLANNING   | PDO   | *CJ         | *GT              | 15.11.18 |
| A  |          | PRELIMINARY   | PDO   | *CJ         | *GT              | 19.10.18 |

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|               |   |
|---------------|---|
| Client        | <b>PROGRESS POWER LIMITED</b>   |
| Project       | <b>PROGRESS POWER PROJECT</b>   |
| Title         | <b>PROPOSED EXTENSION TO WORK AREAS 4 AND 6 WITH UTILITY SERVICES</b> |
| Original Size | <b>A1</b>   |
| Drawing No:   | <b>66-10865-E019</b>  |
| Rev:          | <b>C</b>  |



## Appendix B Chronology of key preparatory activities in order to commence the authorised development

| <b>Activity</b>   | <b>Date</b>                    |
|---|--------------------------------|
| The Progress Power (Gas Fired Power Station) Order 2015 (SI 2015/1570) is made                                  | 23 <sup>rd</sup> July 2015     |
| The Progress Power (Gas Fired Power Station) (Correction) Order 2016 (SI 2016/736) is made                      | 11 <sup>th</sup> July 2016     |
| The Progress Power (Gas Fired Power Station) (Amendment) Order 2016 (SI 2016/1086) is made                      | 11 <sup>th</sup> November 2016 |
| Drax Group plc acquire Progress Power Limited   | 5 December 2016                |
| Regular meetings with relevant authorities commence to inform forthcoming Design Principles process             | Mid-2017 onwards               |
| Pre-commencement Requirements: Requirement 12 Land Contamination is submitted for approval                      | 16 <sup>th</sup> October 2017  |
| Pre-commencement Requirements: Requirement 9(1) Archaeology is submitted for approval                           | 13 <sup>th</sup> November 2017 |
| Pre-commencement Requirements: Requirement 19 European Protect Species is submitted for approval                | 30 <sup>th</sup> November 2017 |
| Pre-commencement Requirements: Requirement 9(1) Archaeology is discharged                                       | 6 <sup>th</sup> December 2017  |
| Pre-commencement Requirements: Requirement 12 Land Contamination is discharged                                  | 12 <sup>th</sup> December 2017 |
| Pre-commencement Requirements: Requirement 6 Permanent and temporary means of access is submitted for approval  | 19 <sup>th</sup> December 2017 |
| Pre-commencement Requirements: Requirement 9(2) Archaeology – in respect of Works 5-7 is submitted for approval | 20 <sup>th</sup> December 2017 |
| Pre-commencement Requirements: Requirement 9(2) Archaeology – in respect of Works 1-4 is submitted for approval | 29 <sup>th</sup> December 2017 |
| Design Principles: Pre-meeting  | 15 <sup>th</sup> January 2018  |
| Pre-commencement Requirements: Requirement 9(2) Archaeology – in respect of Works 5-7 is discharged             | 16 <sup>th</sup> January 2018  |
| Pre-commencement Requirements: Requirement 19 European Protected Species is discharged                          | 24 <sup>th</sup> January 2018  |
| Design Principles: First Design Workshop - Electrical Connection Compound                                       | 29 <sup>th</sup> January 2018  |
| Design Principles: Independent Design Review site visit by the Design Council                                   | 30 <sup>th</sup> January 2018  |
| Pre-commencement Requirements: Requirement 6 Permanent and temporary means of access is discharged              | 6 <sup>th</sup> February 2018  |

| <b>Activity</b>  | <b>Date</b>                     |
|--|---------------------------------|
| Pre-commencement Requirements: Requirement 9(2) Archaeology – in respect of Works 1-4 is discharged                                | 15 <sup>th</sup> February 2018  |
| Design Principles: First Design Workshop – Power Plant and Above Ground Installation:  | 19 <sup>th</sup> March 2018     |
| Design Principles: Independent Design Review (London) by the Design Council  | 23 <sup>rd</sup> March 2018     |
| Pre-commencement Requirements: Requirement 8 Surface and Foul Water drainage is submitted for approval                             | 4 <sup>th</sup> April 2018      |
| Design Principles: Second Design Workshop – all relevant works   | 9 <sup>th</sup> April 2018      |
| Pre-commencement Requirements: Requirement 18 Control of artificial light is submitted for approval                                | 2 <sup>nd</sup> May 2018        |
| Pre-commencement Requirements: Requirement 8 Surface and Foul Water drainage is discharged   | 10 <sup>th</sup> May 2018       |
| Pre-commencement Requirements: Requirements 13 and 14 Construction Traffic and Construction Travel Plan are submitted for approval | 5 <sup>th</sup> June 2018       |
| Pre-commencement Requirements: Requirement 7 Fencing is submitted for approval   | 8 <sup>th</sup> June 2018       |
| Pre-commencement Requirements: Requirement 11 Construction Environmental Management Plan is submitted for approval                 | 13 <sup>th</sup> June 2018      |
| Pre-commencement Requirements: Requirement 18 Control of artificial light is discharged  | 24 <sup>th</sup> July 2018      |
| Pre-commencement Requirements: Requirement 7 Fencing is discharged   | 2 <sup>nd</sup> August 2018     |
| Pre-commencement Requirements: Requirement 11 Construction Environmental Management Plan is discharged                             | 14 <sup>th</sup> September 2018 |
| Pre-commencement Requirements: Requirement 3 Detail Design and design amendments under Requirement 22 is submitted for approval    | 20 <sup>th</sup> December 2018  |
| Pre-commencement Requirements: Requirement 4 (a),(b),(d)-(f), (h)-(i) Landscape Plan is submitted for approval                     | 20 <sup>th</sup> December 2018  |
| Pre-commencement Requirements: Requirement 4(g) (Ecological Management Plan) is submitted for approval                             | 20 <sup>th</sup> December 2018  |
| Pre-commencement Requirements: Requirement 10 Ecological Management Plan is submitted for approval                                 | 20 <sup>th</sup> December 2018  |
| Pre-commencement Requirements: Requirement 19(2) European Protect Species is submitted for approval                                | 20 <sup>th</sup> December 2018  |
| Pre-commencement Requirements: Requirements 13 and 14 Construction Traffic and Construction Travel Plan are discharged             | 28 <sup>th</sup> December 2018  |

| <b>Activity</b>   | <b>Date</b>   |
|---|---|
| Pre-commencement Requirements: Requirement 4(g) (Ecological Management Plan) is discharged                          | 1 <sup>st</sup> May 2019  |
| Pre-commencement Requirements: Requirement 10 Ecological Management Plan is discharged                              | 1 <sup>st</sup> May 2019  |
| Pre-commencement Requirements: Requirement 19(2) European Protected Species is discharged                           | 1 <sup>st</sup> May 2019  |
| TCPA: Realignment of high voltage cable and new water pipeline application is submitted for approval                | 2 <sup>nd</sup> May 2019  |
| TCPA: Temporary access road application is submitted for approval   | 2 <sup>nd</sup> May 2019  |
| Pre-commencement Requirements: Requirement 4 (a),(b),(d)-(f), (h)-(i) Landscape Plan is discharged                  | 17 <sup>th</sup> May 2019   |
| Pre-commencement Requirements: Requirement 3 Detail Design and design amendments under Requirement 22 is discharged | 3 <sup>rd</sup> July 2019   |
| TCPA: Realignment of high voltage cable and new water pipeline application is approved                              | 6 <sup>th</sup> December 2019   |
| TCPA: Temporary access road application is approved   | 6 <sup>th</sup> December 2019   |
| Pre-commencement Requirements: Requirement 4(c) Landscape Plan (Ground and bund levels) is submitted for approval   | 28 <sup>th</sup> April 2020 (currently under consideration by MSDC for determination by 24 <sup>th</sup> June 2020) |