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

THE MILLBROOK GENERATING STATION ORDER 2019 (S.I No. 578)

Dear Denise,

Millbrook Power Ltd. (MPL) was the applicant for the Millbrook Gas Fired Generating Station Order, which was granted by the Secretary of State for Business, Energy and Industrial Strategy on 13th March 2019 ([Statutory Instrument No. 578](#)).

In order to export electricity from the generating station to the National Grid Electricity Transmission System (NETS), the authorised development includes for a new substation, sealing end compounds, a replacement tower, underground cables and other electrical transmission equipment.

As part of their project development process National Grid has recently undertaken a contractor tender exercise for the construction of the substation. During this process they identified an alternative solution to that included in the Order which they consider to be more economically viable. Pursuant to their obligation under Section 9(2) of the Electricity Act 1989 (General duties of licence holders), National Grid has an obligation to promote an economic electricity transmission system and have therefore recommended that their alternative solution is pursued for the Millbrook connection to the NETS.

In addition, Rookery South Pit is the subject of an ongoing Low Level Restoration Scheme (LLRS) being undertaken by the landowner pursuant to a planning consent (application number BC/CM/2000/8) to restore the former clay workings, below pre-excavation ground levels, with measures included in the restoration to enhance biodiversity and landscape (the LLRS Consent). The purpose of the LLRS is to use further winnable material to the south of Rookery South Pit to restore the land within the pit to a usable condition. This area to the south is described as the 'southern permitted extraction zone'; it is an area of unworked clay and soils which is contiguous with the pit and is included within the LLRS Consent.

The Applicant has been undertaking a construction review into the Project and has identified that the platform for the Power Generation Plant and the creation of drainage ditches to the south and east can be completed without the need to extract all material in the southern permitted extraction zone.

As such, not all of the material from the southern extraction area needs to be excavated prior to construction of the Project.

MPL is therefore applying 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. This application is subject to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, as amended (the "Regulation(s)").

As such, the following documents are included to support the application for a non-material amendment:

- Non-material Change main document, including a summary and details of the Applicants interests and a full description of the changes being applied for;
- An Environmental report confirming that such amendments do not result in any new or different environmental effects to those set out in the original ES supporting the DCO;
- Revision 2 of the Outline Landscape and Ecology Mitigation and Management Strategy (Appendix D to the Environmental Report);
- Plan showing revised details of the LLRS (Appendix A to the Non-material change main document);
- Revised draft Development Consent Order (clean and track change versions);
- Works Plans – as permitted and as proposed;
- Land Plans - as permitted and as proposed;
- Rights of Way, Streets and Access Plan - as permitted and as proposed;
- Indicative Site Layout Plans - as permitted and as proposed;
- Site layout plan of GIS substation;
- Elevations of GIS substation;
- Site layout plan and elevations of as permitted AIS substation and as permitted SEC

Please feel free to give me a call if you have any further questions.

Yours sincerely,

Jim Doyle

Environmental Consents Officer

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