

2022 No. 000

INFRASTRUCTURE PLANNING

**The Thurrock Flexible Generation Plant (Amendment) Order
2022**

Made - - - - - ***

Coming into force ***

An application has been made, under paragraph 2 of Schedule 6 to the Planning Act 2008(a), to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) for a non-material change to The Thurrock Flexible Generation Plant Development Consent Order 2022(c).

The Secretary of State, having considered the application, the responses to the publicity and consultation required by regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(d), has decided to make the changes on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

Accordingly, the Secretary of State, in exercise of the powers in paragraph 2 of Schedule 6 to the Planning Act 2008, makes the following Order:

Citation and commencement

1. This Order may be cited as The Thurrock Flexible Generation Plant (Amendment) Order 2022 and comes into force on [●].

Amendment to the Thurrock Flexible Generation Plant Development

2. The Thurrock Flexible Generation Plant Development Consent Order 2022 (“the 2022 Order”) is amended in accordance with this Order.

Amendments to Schedule 1 (Authorised Development)

3. Schedule 1 (Authorised Development) of the 2022 Order is amended as follows—

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- (a) 2008 c.29. Paragraph 2 of Schedule 6 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c. 23), by paragraph 72 of Schedule 25 to the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c. 7).
- (b) S.I. 2011/2055, as amended by S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2015/377, S.I. 2015/760, S.I. 2015/1682, S.I. 2017/314, S.I. 2017/524, S.I. 2018/378, S.I. 2019/734, S.I. 2020/764, S.I. 2020/1534 and S.I. 2021/987.
- (c) S.I. 2022/157.
- (d) S.I. 2011/2055. Regulations 6 and 7 were both amended by S.I. 2012/635 and 2015/760.

- (a) within the description of Work No.1, at 1B, after “Battery storage facility”, delete “with a net rated electrical output of up to 150 MW for four hours”;
- (b) within the description of Work No.1, at 1B, following the semi-colon at the end of item (c) delete ‘and’; and
- (c) within the description of Work No.1, at 1B, following item (c) insert new item (d) as follows:
 - “(d) having a combination of net rated electrical output and duration that delivers an electrical capacity of up to 600MWh, which may comprise:
 - (i) a net rated electrical output of 150MW for up to 4 hours;
 - (ii) a net rated electrical output of 240MW for up to 2 hours and 30 minutes;
 - (iii) a net rated electrical output of 300MW for up to 2 hours;
 - (iv) a net rated electrical output of 400MW for up to 1 hour and 30 minutes; or
 - (v) a net rated electrical output of 600MW for up to 1 hour; and”

Signed by authority of the Secretary of State for Business, Energy and Industrial Strategy

[insert minister]

[insert title]

Date

Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends The Thurrock Flexible Generation Plant Development Consent Order 2022, a development consent order under the Planning Act 2008, following an application made in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for a non-material change under paragraph 2 of Schedule 6 to the Planning Act 2008.