

William Summerlin

From: William Summerlin
Sent: 22 December 2023 15:23
To: 'Crowhurst, Kerry (Energy & Security - EDRD)'; Dawkins, James (Energy & Security - EDRD)
Cc: Kirsty Cassie; Ciara Stack
Subject: Further NMC to The Thurrock Flexible Generation Plant Development Consent Order 2022
Attachments: Thurrock FGP - Proposed Consultee List for 2024 NMC.ods

Hi Both

I hope you are well. We are looking to make another non-material change (NMC) to our DCO at Thurrock. We are more than happy to set up a meeting (either in person or virtually) to talk anything through if you would like in the new year. In the meantime, please accept this email as a formal request for the Secretary of State's consent for a limited consultation exercise for this NMC.

Proposed NMC

Currently, work no. 1A of the authorised development in Schedule 1 of the DCO (page 29 of the link here <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010092/EN010092-001668-Thurrock%20FGP%20Development%20Consent%20Order%20FOR%20PINS.pdf>) allows for a "Gas fired electricity generating station with a gross rated electrical output of up to 620MW consisting of" a list of equipment. This list includes at paragraph (b), "up to 48 gas reciprocating engines".

The current DCO therefore assumes that the 620MW gross rated electrical output (which translates to around 600MW of net rated electrical output) will be delivered by 48 engines of up to 12.5MW each or fewer engines of a higher output per engine.

We would like to submit an NMC to increase the maximum number of engines to "up to 100". This is to cater for flexibility in procuring different engine sizes through the various phases of the gas element of this DCO development. In the same way as the total MW output of the gas element of the site could be delivered with fewer than 48 engines, it could also be delivered with a larger number of smaller engines, or a combination of large and small engines. To be clear, the gross rated output of 620MW would remain unaffected, as would the net rated output of 600MW.

The NMC would therefore be entirely limited to replacing the number "48" to with the number "100" in the definition of work no. 1A(b) only. Change shown in track below:

"(b) up to ~~48~~ 100 gas reciprocating engines;"

No amendments are required elsewhere in the DCO, including to the works plans, land plans or the parameters for built infrastructure.

Scope of Consultation for NMC

The relevant regulations for DCO changes allow for a limited consultation exercise for an NMC. Paragraph 32 of the government's guidance on this is:

“The regulations also provide that an applicant need not consult a person or authority specified in the regulations if they have the written consent of the Secretary of State not to do so. Any such requests should be sent in writing to the Planning Inspectorate well in advance of consultation starting and should set out clearly who it is proposed not to consult and the reason for this. Requests will be considered on a case by case basis, but applicants should note that requests seeking a total exemption from the need to consult are unlikely to be accepted.”

Essentially, if more than 48 engines and up to 100 engines are deployed as a result of this NMC, there would be more engines within the engine houses than originally consented. However, there would be no impact on the external appearance or other parameters relating to the gas element of the DCO and the gas element would remain subject to: a) the overall 620MW gross rated output limit; b) the requirements and other controls within the DCO; and (c) and the environmental permit required for the plant to operate.

On that basis, no updates are required to the environmental statement, habitats regulations assessment or compulsory acquisition powers. There would be no changes in impacts on local businesses and residents either.

Our view is the very limited nature of this change could feasibly warrant a total exemption from the need to consult. However, given the guidance discourages such an approach, and in the interests of proper planning, we propose to consult the same parties as we agreed with DESNZ (formerly BEIS) to consult for our previous NMC (made on 7 March 2023 and named *The Thurrock Flexible Generation Plant Consent (Amendment) Order 2023*).

We attach a spreadsheet list. Tab 1 contains those parties we intend to consult and tab 2 contains a list of consultees from the original DCO application that we do not propose to consult.

We look forward to progressing this in the new year. In the meantime, have a good festive season.

Kind Regards

Will

William Summerlin
Senior Development Manager

[\[REDACTED\]@stateraenergy.co.uk](mailto:will.summerlin@stateraenergy.co.uk)



Statera Energy Limited | 4th Floor | 80 Victoria Street | London | SW1E 5JL

Consultee	Include as Consultees for NMC Application	Section 42 Consultee	Consultee's key concerns during DCO application stage	Reason for consulting
Thurrock Council	Yes	Yes	Noted subject to mitigation measures being implemented, it did not consider the Proposed Development would lead to any significant adverse effects on sensitive receptors in relation to noise and vibration.	Party consulted for previous non-material change application, for which consent was granted in March 2023
Condozers Scout Activity Centre	Yes	No	Raised concerns regarding the impact of the Proposed Development on the users of their facilities. In particular, they raised concerns in respect of additional Heavy Goods Vehicle (HGV) traffic along Church Road and the road and footpath closures proposed during construction, noise and air quality impacts resulting from the construction of the gas pipeline and new road access as well as the impact on noise and air quality on Condozers during operation	Party consulted for previous non-material change application, for which consent was granted in March 2023
Gravesham Borough Council	Yes	Yes	Noted there was potential for noise and disturbance impacts on residents during construction. However, in its SoCG [REP6-015] it confirmed that it had no significant concerns in relation to the potential for noise and disturbance to Gravesham residents, subject to the implementation of noise mitigation and monitoring during construction and operation as required by Requirement 9 (Construction hours) and Requirement 16 (Operational noise) of the dDCO.	Party consulted for previous non-material change application, for which consent was granted in March 2023
UK Power Networks Limited	Yes	Yes	NA	Party consulted for previous non-material change application, for which consent was granted in March 2023
National Grid Electricity Transmission Plc	Yes	Yes	NA	Party consulted for previous non-material change application, for which consent was granted in March 2023
Public Health England	Yes	Yes	Sought further information on the assessment of impacts on human health and on deprivation levels for Walton Common and the proposed exchange land.	Party consulted for previous non-material change application, for which consent was granted in March 2023
The Health and Safety Executive	Yes	Yes	NA	Party consulted for previous non-material change application, for which consent was granted in March 2023
Natural England	Yes	Yes	Permanency of causeway, HRA matters, water vole translocation	Party consulted for previous non-material change application, for which consent was granted in March 2023
Historic England	Yes	Yes	Raised a number of concerns in relation to the setting of heritage assets, archaeological deposits and the impact on the historic environment resulting from a loss of common land.	Party consulted for previous non-material change application, for which consent was granted in March 2023
The Environment Agency	Yes	Yes	Raised issues in respect of flood risk and climate change. Also the necessary Environmental Permits for operating	Party consulted for previous non-material change application, for which consent was granted in March 2023
Essex County Fire and Rescue Service	Yes	Yes	NA	Party consulted for previous non-material change application, for which consent was granted in March 2023
Essex Police and Crime Commissioner	Yes	Yes	NA	Party consulted for previous non-material change application, for which consent was granted in March 2023
Kent Downs AONB	Yes	Yes	NA	Party consulted for previous non-material change application, for which consent was granted in March 2023
Network Rail Infrastructure Limited	Yes	Yes	Raised concerns regarding the impact of the Proposed Development on nearby level crossings and NR infrastructure. It also raised concerns around the siting of the access off Station Road.	Party consulted for previous non-material change application, for which consent was granted in March 2023

Consultee	Include as Consultees for NMC Application	Section 42 Consultee	Consultee's key concerns during DCO application stage
National Health Service Commissioning Board	No	Yes	NA
NHS Thurrock Clinical Commissioning Group	No	Yes	NA
Homes England	No	Yes	NA
Maritime and Coastguard Agency	No	Yes	NA
Marine Management Organisation	No	Yes	Sought further information on the disposal of dredged material, sediment analysis, the Applicant's consideration in the ES of underwater noise and the impact of the Proposed Development on fish.
Civil Aviation Authority	No	Yes	NA
Highways England	No	Yes	NA
Transport for London	No	Yes	Strongly encouraged the maximisation of water and rail to transport construction material to and from the site
Essex County Council	No	Yes	NA
Trinity House	No	Yes	NA
The Crown Estate	No	Yes	NA
Forestry Commission England	No	Yes	NA
Ministry of Defence	No	Yes	Site outside of MoD safeguarding areas and therefore had no safeguarding objections to the proposal.
East of England Ambulance Service NHS Trust	No	Yes	NA
Highways England Historical Railways Estate	No	Yes	NA
Forth Ports (Port of Tilbury)	No	Yes	Objected to the inclusion of the proposed causeway on the basis that other options were available for the delivery of AILs that could have avoided some of the adverse effects associated with its construction. It also sought protective provisions in the dDCO to safeguard the safe and efficient operation of its undertaking and to ensure that the proposal did not impact on PoTLL's existing obligations under the Tilbury 2 DCO. As the Examination progressed, PoTLL also raised concerns with the effect that the proposed causeway would have on the plans for the Thames Freeport.
Port of London Authority	No	Yes	NA
NATS En-route (NERL) Safeguarding	No	Yes	NA
Royal Mail Group	No	Yes	Sought to limit any risk from the Proposed Development on its operations. In particular, it sought a consultative role in the dDCO in respect of road closures or diversions as well as the content of the final Construction Traffic Management Plan (CTMP).
Affinity Water	No	Yes	NA
Anglian Water	No	Yes	Generally supportive but sought amendment to Article 16 of the dDCO as well as protective provisions in respect of its assets.
Essex and Suffolk Water	No	Yes	NA
Cadent Gas Limited	No	Yes	NA
Energetics Gas Limited	No	Yes	NA
Energy Assets Pipelines Limited	No	Yes	NA
ES Pipelines Ltd	No	Yes	NA
ESP Connections Ltd	No	Yes	NA
ESP Networks Ltd	No	Yes	NA
ESP Pipelines Ltd	No	Yes	NA
Fulcrum Pipelines Ltd	No	Yes	NA
GTC Pipelines Ltd	No	Yes	NA
Independent Pipelines Ltd	No	Yes	NA
Indigo Pipelines Ltd	No	Yes	NA
Quadrant Pipelines Limited	No	Yes	NA
National Grid Gas Plc	No	Yes	NA
Scotland Gas Networks Plc	No	Yes	NA
Southern Gas Networks Plc	No	Yes	NA
Wales and West Utilities Ltd	No	Yes	NA
RWE Generation UK Plc	No	Yes	Objected to the inclusion of its land in the BoR and the inclusion of CA powers over its land interests. It also raised concerns regarding the prevention of future development of its land, the impact of the causeway, whether adequate consideration had been given to alternatives, the interference with the existing access road and its obligations to existing tenants. Furthermore, it raised concerns in relation to the proposed alteration to flood defences and the impact they would have on its land. It also sought PPs in the dDCO for its protection.
Energetics Electricity Limited	No	Yes	NA
Energy Assets Networks Limited	No	Yes	NA
Energy Assets Power Networks Limited	No	Yes	NA
ESP Electricity Limited	No	Yes	NA
Fulcrum Electricity Assets Limited	No	Yes	NA
G2 Energy IDNO Limited	No	Yes	NA
Harlaxton Energy Networks Limited	No	Yes	NA
Independent Power Networks Limited	No	Yes	NA
Leep Electricity Networks Limited	No	Yes	NA
Murphy Power Distribution Limited	No	Yes	NA
Peel Electricity Networks Limited	No	Yes	NA
The Electricity Network Company Limited	No	Yes	NA
UK Power Distribution Limited	No	Yes	NA
Utility Assets Limited	No	Yes	NA
Vattenfall Networks Limited	No	Yes	NA
Utility Distribution Networks Limited	No	Yes	NA
Kent County Council	No	Yes	NA
Medway Council	No	Yes	NA
Brentwood Borough Council	No	Yes	NA
Basildon Borough Council	No	Yes	NA
Dartford Borough Council	No	Yes	NA
Castle Point Borough Council	No	Yes	NA
London Borough of Havering	No	Yes	NA
London Borough of Bexley	No	Yes	NA