

Date: 16 August 2022
Our Ref: 12392

Mr James Dawkins
Planning Case Manager
Energy Infrastructure Planning
Department for Business, Energy and Industrial
Strategy
1 Victoria Street
London, SW1H 0ET



6 New Bridge Street
London EC4V 6AB



Dear Mr Dawkins

**THE IMMINGHAM OPEN CYCLE GAS TURBINE ORDER 2020 (S.I. 2020 NO. 847) (THE 'ORDER')
PROPOSED APPLICATION FOR A NON-MATERIAL CHANGE ORDER IN RESPECT OF CHANGES TO
SCHEDULE 1 'AUTHORISED DEVELOPMENT' AND SCHEDULE 2 REQUIREMENT 11(3) 'FLOOD RISK' OF
THE ORDER**

**THE IMMINGHAM OPEN CYCLE GAS TURBINE (VPI 'B') PROJECT, LAND NORTH OF THE VPI COMBINED
HEAT AND POWER ('CHP') POWER STATION, ROSPER ROAD, IMMINGHAM, LINCOLNSHIRE, DN40
3DZ**

**THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT
ORDERS) REGULATIONS 2011 – REGULATION 7(3) REQUEST FOR APPROVAL OF THE CONSULTEE LIST**

We write on behalf of VPI Immingham B Limited (the 'Applicant' and 'Undertaker') in accordance with 'The Planning Act 2008' (the 'PA 2008') and 'The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011' (the '2011 Regulations') in respect of 'The Immingham Open Cycle Gas Turbine Order 2020' (S.I. 2020 No. 847) (the 'Order').

The Order granted consent for the construction, operation and maintenance of an electricity generating station comprising an Open Cycle Gas Turbine ('OCGT') power station with a gross electrical output of up to 299 megawatts and associated development. The OCGT power station is known as the VPI 'B' Project.

A Correction Order, 'The Immingham Open Cycle Gas Turbine (Correction) Order 2021' (S.I. 2021 No. 581), was made in respect of the Order on 14 May 2021 and came into force on 17 May 2021. The Correction Order corrected minor drafting and typographical errors.

The Applicant is proposing to submit an application for a non-material change to the Order. The proposed non-material change encompasses the following:

1. The inclusion of a Synchronous Condenser under Work No. 1 at Schedule 1 'Authorised Development' of the Order.
2. The amendment of Requirement 11(3) 'Flood Risk' at Schedule 2 of the Order to amend the trigger for the submission of the mitigation of operational flood risk.



In accordance with Regulation 7(3) of the 2011 Regulations, we are seeking the consent of the Secretary of State for a more focused and targeted consultation for the proposed non-material change application. This is due to the proposed changes being limited in nature and not resulting in new or different significant environmental effects or having any implications in terms of the Habitats Regulations or for the compulsory acquisition of land. Furthermore, the proposed changes will not impact on local residents or businesses. It is not therefore considered necessary to consult all those who were informed of, or involved in, the DCO application process.

Details of the consultees that the Applicant proposes to consult with on the non-material change application are provided in the table attached to this letter. The table includes those persons notified of the acceptance of the DCO Application pursuant to Section 56 of the PA 2008, confirms whether they submitted a relevant or written representation during the examination, and summarises the issues that were raised in those representations. Those it is proposed to consult are shaded green within the table. Those proposed to be consulted are local authorities and parish/town councils, those who commented on flood risk during the examination, Natural England given the proximity of designated sites, the leasehold and freehold landowners of the land where the Proposed Development will be constructed, and National Grid Electricity Transmission plc given the proposed addition of the Synchronous Condenser.

In addition, formal public consultation will also be undertaken, with a notice of the application being published in accordance with Regulation 6 of the 2011 Regulations. This notice will be published for two consecutive weeks in the following publications:

- The Grimsby Telegraph.
- The Scunthorpe Telegraph.

The Applicant intends to submit their non-material change application in September 2022, and therefore would be grateful if you could confirm approval of the consultee list and that the publication proposals as outlined above are acceptable, by 5 September 2022.

Yours sincerely



Geoff Bullock
Partner
DWD



Enc.

Consultee List