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Mr Rob Booth
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21 November 2023

Dear Mr Booth

THE IMMINGHAM OPEN CYCLE GAS TURBINE ORDER 2020 – S.I. 2020 NO. 847 (“the 2020 Order”)

PROPOSED NON-MATERIAL CHANGE APPLICATION NUMBER TWO (“the Application”)

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

1. Thank you for your letters and supporting documents of 10 November 2023 on behalf of VPI Immingham B Limited (“the Applicant”). The Application Scope letter provided details of the proposed application for a non-material change order in respect of changes to Schedule 12 ‘Design Parameters’ of the 2020 Order. The Regulation 7(3) letter requests the Secretary of State’s consent to a limited consultation exercise under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”) with consultees identified in the supporting document, List of Consultees.
2. The Application Scope letter states that the changes that will comprise the Application are as follows:

The proposed non-material changes to the Order proposes the following changes to ‘Schedule 12’, ‘Table 9 Design Parameters’ of the Order:

1. *the Maximum length of the Single gas turbine and generator; and*
2. *the Maximum length and Maximum width of the Gas turbine building.*

3. The Regulation 7(3) letter requests the Secretary of State's consent for a limited consultation exercise for this Application.
4. The List of Consultees proposed by the Applicant is:
 1. Habrough Parish Council;
 2. Immingham Town Council;
 3. Lincolnshire County Council;
 4. Natural England;
 5. North East Lincolnshire Council;
 6. North Killingholme Parish Council;
 7. North Lincolnshire Council;
 8. South Killingholme Parish Council; and,
 9. The Environment Agency- Lincolnshire.
5. The Secretary of State has considered the request and is satisfied that it is not necessary to consult other bodies identified by the Applicant in the supporting document (List of Consultees) on the basis that they are not directly affected by the proposed non-material change.
6. Accordingly, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, the Secretary of State consents to the reduced list of nine consultees, as outlined in paragraph 4 above.
7. In taking this decision, the Secretary of State notes that there will also be public consultation in line with the requirements in regulation 6 of the 2011 Regulations and that the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
8. The Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to her for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,

Sebbie Bamber
Planning Case Manager