

BY E-MAIL

Secretary of State for Energy Security and Net Zero
Energy and Infrastructure Planning
1 Victoria Street
London
SW1H 0ET

**For the Attention of:
Energy Infrastructure Planning**

5 August 2026

Dear Energy Infrastructure Planning Team

REGULATION 4 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

APPLICATION TO MAKE A NON-MATERIAL AMENDMENT TO THE PROGRESS POWER (GAS FIRED POWER STATION) ORDER 2015 (S.I. 2015/1570) AS CORRECTED (S.I. 2016/736) AND AMENDED (S.I. 2016/1086 & S.I. 2020/807)

1. INTRODUCTION AND BACKGROUND

- 1.1 Progress Power Limited ("**PPL**") (company number 08421833) whose registered office is at Drax Power Station, Drax, Selby, United Kingdom, YO8 8PH is the undertaker with the benefit of the Progress Power (Gas Fired Power Station) Order 2015, which was granted by the Secretary of State for Energy Security and Net Zero on 23 July 2015 (S.I. 2015 No. 1570) as corrected by the Progress Power (Gas Fired Power Station) (Correction) Order 2016 (S.I. 2016 No. 736) following an application made by PPL (the "**Original Order**").
- 1.2 The Original Order was amended by the Progress Power (Gas Fired Power Station) (Amendment) Order 2016 (S.I. 2016 No. 1086) which was made on 11 November 2016 ("**NMC1**"). NMC1 authorised non-material changes to the design parameters for the generating station to accommodate changes to the design and consequent amendments to the requirements in Schedule 2 to the Original Order.
- 1.3 A second non-material change application was subsequently submitted and the Progress Power (Gas Fired Power Station) (Amendment) Order 2020 (S.I. 2020 No. 807) was made on 27 July 2020 ("**NMC2**"). NMC2 extended the deadline for the commencement of the authorised development by 12 months to 13 August 2021 due to the exceptional and unprecedented circumstances arising from the COVID-19 pandemic. The Original Order as amended by NMC1 and NMC2 is referred to herein as the "**Amended Order**".
- 1.4 The Amended Order includes provision authorising the construction, operation and maintenance of a gas-fired generating station and its associated gas and electrical connections at Eye Business Park, Eye, Suffolk.

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- 1.5 PPL seeks to make a third non-material change to the Amended Order relating to Work No. 5 and Work No. 7 (**"NMC3"**).

Work No. 5

- 1.6 Work No. 5 is for the construction of a substation (the **"Substation"**) to be operated by National Grid Electricity Transmission Plc (**"NGET"**) and comprises, as set out in Schedule 1 of the Amended Order, a *"400 kV substation and site office and welfare accommodation; 400 kV cable sealing end compound; underground high voltage electrical cables and associated telemetry and electrical protection auxiliary cabling; security infrastructure including perimeter fencing with gates, security cameras and site lighting; landscaping including bunds, tree planting, fencing and other boundary treatments and ecological mitigation; site drainage and waste management infrastructure; and internal roadways, car parking, pedestrian network and hardstanding for planned maintenance"*.
- 1.7 The Amended Order currently provides, in Article 6(1)(a), that Work No. 5 is for the benefit of both PPL and NGET. NGET completed the construction of the Substation in May 2026 and is entirely responsible for the operation and maintenance of the Substation (i.e. PPL is no longer involved in Work No. 5). PPL therefore proposes, via NMC3, to amend the Amended Order so that the benefit of Work No. 5 is for NGET only. This amendment will assist the relevant planning authority in respect of the monitoring of compliance with the Amended Order in respect of the Substation going forward.
- 1.8 PPL also proposes to make consequential amendments to Article 2 and to reflect that National Grid Gas plc is now called National Gas Transmission plc.

Work No. 7

- 1.9 Work No. 7 comprises, as set out in Schedule 1 of the Amended Order, *"a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works"*.
- 1.10 The access between Leys Lane and the Substation was completed in January 2022 and is shown hatched blue on the Site Location Plan at Appendix 3 of this letter (the **"Substation Access"**).
- 1.11 In May 2019, Mid Suffolk Council granted PPL planning permission under the Town and Country Planning Act 1990 for the "creation of a temporary access road between A140 and Leys Lane, Yaxley for use during the construction of Progress Power Station Limited Power Station" (Application Reference: DC/19/02267) (the **"Temporary Access Road"**). The application boundary is shown edged green on the Site Location Plan. Construction of the Temporary Access Road commenced on 8 November 2021 and was completed on 28 September 2022. The Temporary Access Road provided sufficient access to the Substation during its construction and, as a result, the access works between the A140 and Leys Lane authorised under Work No. 7 of the Amended Order were not required.¹
- 1.12 If carried out, the proposed access between the A140 and Leys Lane would have severed the existing access between Old Norwich Road and Yaxley Lake and Yaxley Allotments and an alternative access for users of Yaxley Lake and Yaxley Allotments was therefore also included as part of Work No. 7. As the Temporary Access Road meant that the existing access to Yaxley Lake and Yaxley Allotments was not interfered with, the alternative means of access to Yaxley Lake and Yaxley Allotments provided for in Work No. 7 was unnecessary and not built. For the same reason, the reinstatement plan required by paragraph 3 of Requirement 6 of the Amended Order was not submitted, as the works between Old Norwich Road and the A140 were never undertaken.
- 1.13 In February 2023, Conrad Energy (Developments) Ltd (**"Conrad"**) received planning permission for the *"construction and operation of Synchronous Condensers with ancillary infrastructure, and associated works including access and landscaping"* (Application Reference: DC/22/04021). The

¹ It is noted that this part of Work No. 7 was intended to be temporary as provided for in Part 2 of Schedule 3 of the Amended Order.

permission allowed for “*the temporary use of the existing track from the A140 to Leys Lane for the construction phase of the development only*”. Condition 12 required Conrad to submit, for the local planning authority’s approval, a plan and timetable for the reinstatement of the Temporary Access Road. This condition was discharged by Conrad on 5 May 2023 (Application Reference: DC/23/01935). Accordingly, Conrad is responsible for the Temporary Access Road and its reinstatement pursuant to Conrad’s planning permission. Once the Temporary Access Road has been reinstated, the Substation can continue to be accessed via the Substation Access at Leys Lane from Mellis Road.

- 1.14 PPL therefore proposes to retain the provisions in the Amended Order relating to the Substation Access and, via NMC3, remove the access works that were not required and not undertaken in relation to A140 to Leys Lane from Work No. 7 and make the necessary consequential amendments to the Amended Order.

Plans

- 1.15 Finally, PPL proposes to make consequential amendments to the Works Plan and Rights of Way, Streets and Access Plan.

Overall

- 1.16 The changes under NMC3 will not:
- 1.16.1 give rise to any materially new or materially different environmental effects to those originally assessed as part of the application for the Original Order;
 - 1.16.2 require additional compulsory acquisition of land;
 - 1.16.3 have new or different effects on local residents or businesses; or
 - 1.16.4 any additional implications in respect of habitats regulations assessment.
- 1.17 Therefore, PPL considers that the proposed changes are non-material in nature. PPL has produced the Supporting Statement at Appendix 2 of this letter, in support of these conclusions.
- 1.18 Preliminary discussions on NMC3 have taken place between PPL and Mid Suffolk District Council, with Mid Suffolk District Council expressing in principle support for NMC3.

2. SUPPORTING DOCUMENTATION

- 2.1 PPL is applying to the Secretary of State pursuant to section 153 and paragraph 2 of Schedule 6 to the Planning Act 2008 to make changes to the Amended Order that are non-material. This application is subject to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011. As such, the following documents are included to support the application for the NMC3:
- 2.1.1 Non-Material Change Application Report (included as the first Appendix to this letter);
 - 2.1.2 Supporting Statement (included as the second Appendix to this letter);
 - 2.1.3 the Site Location Plan (included as the third Appendix to this letter);
 - 2.1.4 Regulation 6 Notice;
 - 2.1.5 Regulation 7 Letter;
 - 2.1.6 Draft amendment Order (Word and PDF version);



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2.1.7 Email confirming successful validation of the draft amendment Order;

2.1.8 Amended Works Plan; and

2.1.9 Amended Rights of Way, Streets and Access Plan.

2.2 Please contact [REDACTED] at [REDACTED] [@pinsentmasons.com](mailto:[REDACTED]@pinsentmasons.com) should you have any questions.

Yours sincerely

Pinsent Masons LLP

(This letter has been sent electronically and so is unsigned)

APPENDIX 1

NON-MATERIAL CHANGE APPLICATION REPORT

1. INTRODUCTION

- 1.1 Progress Power Limited (“PPL”) (company number 08421833) whose registered office is at Drax Power Station, Drax, Selby, United Kingdom, YO8 8PH is the undertaker with the benefit of the Progress Power (Gas Fired Power Station) Order 2015, which was granted by the Secretary of State for Energy Security and Net Zero on 23 July 2015 (S.I. 2015 No. 1570) as corrected by the Progress Power (Gas Fired Power Station) (Correction) Order 2016 (S.I. 2016 No. 736) following an application made by PPL (the “**Original Order**”).
- 1.2 The Original Order was amended by the Progress Power (Gas Fired Power Station) (Amendment) Order 2016 (S.I. 2016 No. 1086) which was made on 11 November 2016 (“**NMC1**”). NMC1 authorised non-material changes to the design parameters for the generating station to accommodate changes to the design and consequent amendments to the requirements in Schedule 2 to the Original Order.
- 1.3 A second non-material change application was subsequently submitted and the Progress Power (Gas Fired Power Station) (Amendment) Order 2020 (S.I. 2020 No. 807) was made on 27 July 2020 (“**NMC2**”). NMC2 extended the deadline for the commencement of the authorised development by 12 months to 13 August 2021 due to the exceptional and unprecedented circumstances arising from the COVID-19 pandemic. The Original Order as amended by NMC1 and NMC2 is referred to herein as the “**Amended Order**”.
- 1.4 The Amended Order includes provision authorising the construction, operation and maintenance of a gas-fired generating station and its associated gas and electrical connections at Eye Business Park, Eye, Suffolk (the “**Scheme**”).
- 1.5 PPL seeks to make a third non-material change to the Amended Order relating to Work No. 5 and Work No. 7 (“**NMC3**”).

Work No. 5

- 1.6 Work No. 5 is for the construction of a substation (the “**Substation**”) to be operated by National Grid Electricity Transmission Plc (“**NGET**”) and comprises, as set out in Schedule 1 of the Amended Order, a “*400 kV substation and site office and welfare accommodation; 400 kV cable sealing end compound; underground high voltage electrical cables and associated telemetry and electrical protection auxiliary cabling; security infrastructure including perimeter fencing with gates, security cameras and site lighting; landscaping including bunds, tree planting, fencing and other boundary treatments and ecological mitigation; site drainage and waste management infrastructure; and internal roadways, car parking, pedestrian network and hardstanding for planned maintenance*”.
- 1.7 The Amended Order currently provides, in Article 6(1)(a), that Work No. 5 is for the benefit of both PPL and NGET. NGET completed the construction of the Substation in May 2026 and is entirely responsible for the operation and maintenance of the Substation (i.e. PPL is no longer involved in Work No. 5). PPL therefore proposes, via NMC3, to amend the Amended Order so that the benefit of Work No. 5 is for NGET only. This amendment will assist the relevant planning authority in respect of the monitoring of compliance with the Amended Order in respect of the Substation going forward.
- 1.8 PPL also proposes to make consequential amendments to Article 2 and to reflect that National Grid Gas plc is now called National Gas Transmission plc.

Work No. 7

- 1.9 Work No. 7 comprises, as set out in Schedule 1 of the Amended Order, “*a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road*”.

markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works”.

- 1.10 The access between Leys Lane and the Substation was completed in January 2022 and is shown hatched blue on the Site Location Plan at Appendix 3 (the “**Substation Access**”).
- 1.11 In May 2019, Mid Suffolk Council granted PPL planning permission under the Town and Country Planning Act 1990 for the “creation of a temporary access road between A140 and Leys Lane, Yaxley for use during the construction of Progress Power Station Limited Power Station” (Application Reference: DC/19/02267) (the “**Temporary Access Road**”). The application boundary is shown edged green on the Site Location Plan. Construction of the Temporary Access Road commenced on 8 November 2021 and was completed on 28 September 2022. The Temporary Access Road provided sufficient access to the Substation during its construction and, as a result, the access works between the A140 and Leys Lane authorised under Work No. 7 of the Amended Order were not required.²
- 1.12 If carried out, the proposed access between the A140 and Leys Lane would have severed the existing access between Old Norwich Road and Yaxley Lake and Yaxley Allotments and an alternative access for users of Yaxley Lake and Yaxley Allotments was therefore also included as part of Work No. 7. As the Temporary Access Road meant that the existing access to Yaxley Lake and Yaxley Allotments was not interfered with, the alternative means of access to Yaxley Lake and Yaxley Allotments provided for in Work No. 7 was unnecessary and not built. For the same reason, the reinstatement plan required by paragraph 3 of Requirement 6 of the Amended Order was not submitted, as the works between Old Norwich Road and the A140 were never undertaken.
- 1.13 In February 2023, Conrad Energy (Developments) Ltd (“**Conrad**”) received planning permission for the “*construction and operation of Synchronous Condensers with ancillary infrastructure, and associated works including access and landscaping*” (Application Reference: DC/22/04021). The permission allowed for “*the temporary use of the existing track from the A140 to Leys Lane for the construction phase of the development only*”. Condition 12 required Conrad to submit, for the local planning authority’s approval, a plan and timetable for the reinstatement of the Temporary Access Road. This condition was discharged by Conrad on 5 May 2023 (Application Reference: DC/23/01935). Accordingly, Conrad is responsible for the Temporary Access Road and its reinstatement pursuant to Conrad’s planning permission. Once the Temporary Access Road has been reinstated, the Substation can continue to be accessed via the Substation Access at Leys Lane from Mellis Road.
- 1.14 PPL therefore proposes to retain the provisions in the Amended Order relating to the Substation Access and, via NMC3, remove the access works that were not required and not undertaken in relation to A140 to Leys Lane from Work No. 7 and make the necessary consequential amendments to the Amended Order.

Plans

- 1.15 Finally, PPL proposes to make consequential amendments to the Works Plan and Rights of Way, Streets and Access Plan.

Overall

- 1.16 NMC3 is necessary for the reasons set out above. The changes will not:
- 1.16.1 give rise to any materially new or materially different environmental effects to those originally assessed as part of the application for the Original Order;
 - 1.16.2 require additional compulsory acquisition of land;

² It is noted that this part of Work No. 7 was intended to be temporary as provided for in Part 2 of Schedule 3 of the Amended Order.

1.16.3 have new or different effects on local residents or businesses; or

1.16.4 any additional implications in respect of habitats regulations assessment.

1.17 Therefore, PPL considers that the proposed changes are non-material in nature. The changes required are set out at section 3 below.

1.18 Preliminary discussions on NMC3 have taken place between PPL and Mid Suffolk District Council, with Mid Suffolk District Council expressing in principle support for NMC3.

1.19 PPL hereby applies to the Secretary of State pursuant to section 153 and paragraph 2 of Schedule 6 of the 2008 Act to make changes to the Amended Order that are not material (referred to hereafter as the “**NMC3 Application**”). The NMC3 Application is subject to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”). The NMC3 Application has been prepared with reference to the Department of Communities and Local Government document ‘Guidance on Changes to Development Consent Orders’ (December 2015).

1.20 This document sets out the proposed changes to the Amended Order sought by PPL and the rationale for doing so, and details of the consultation process undertaken. The Supporting Statement at Appendix 2 sets out why the changes sought in the NMC3 Application will not result in any materially new or materially different environmental effects to those originally assessed as part of the application for the Original Order, given that the changes proposed are technical and would not result in any new development beyond that already consented through the Original Order, which has already been subject to Environmental Impact Assessment.

2. **CONSULTATION PROCESS**

Background

2.1 Under the 2011 Regulations, on making a non-material change application the applicant must notify and consult those persons specified in the 2011 Regulations, this being all those who were notified (in accordance with section 56 of the Planning Act 2008) when the application for the original development consent order was accepted by the Secretary of State, as well as any other person who may be directly affected by the changes proposed in the application.

2.2 Regulation 7(3) of the 2011 Regulations also provides that an applicant need not consult a person or authority specified in the 2011 Regulations if they have the written consent of the Secretary of State not to do so.

2.3 A letter of 3 November 2025 from Pinsent Masons LLP to the Secretary of State requested written consent from the Secretary of State under regulation 7(3) of the 2011 Regulations that only Mid Suffolk District Council (as the local authority), Suffolk County Council (as the local highway authority) and NGET and National Gas Transmission Plc (both being affected by the changes in relation to Work No. 5) (together, the “**Consultees**”) should be consulted on the NMC3 Application, for the reasons set out in that letter for each organisation.

2.4 On 17 December 2025, the Secretary of State confirmed that the consultee list need only include the Consultees. The Secretary of State agreed that all other parties need not be consulted as they are not directly affected by the NMC3 Application, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the Scheme. Accordingly, the Secretary of State gave written consent, under regulation 7(3) of the 2011 Regulations, confirming that only the Consultees need to be consulted on the NMC3 Application. No other parties who may be directly affected by the changes proposed in the NMC3 Application have been identified.

Overview

- 2.5 Regulations 6 and 7 of the 2011 Regulations set out the process for publicising and consulting respectively on a non-material change application. Pursuant to Regulation 7A of the 2011 Regulations, PPL will submit a separate Consultation and Publicity Statement confirming its compliance with Regulations 6 and 7A of the 2011 Regulations.
- 2.6 In summary, the following has, or is being, undertaken by PPL to comply with regulations 6 and 7 of the 2011 Regulations:
- 2.6.1 PPL is publicising the NMC3 Application by publishing a notice in each of the East Anglian Daily Times and the Eastern Daily Press for two successive weeks. The notice will be published for the first time on 5 August 2026 when the NMC3 Application is made to the Secretary of State. A copy of the notices will be included in the Consultation and Publicity Statement;
- 2.6.2 the Planning Inspectorate's ("PINS") project email address (progresspower@planninginspectorate.gov.uk) has been included in the notice publicising the NMC3 Application so that members of the public can make a formal response to PINS in relation to the NMC3 Application; and
- 2.6.3 following receipt of notice from the Secretary of State pursuant to Regulation 7(3) on 17 December 2025, the list of consultees regarding the NMC3 Application will be the Consultees defined above.
- 2.7 The NMC3 Application will be available to view on the project website at:
- <https://www.drax.com/about-us/progress-power/>
- and also on PINS' website at:
- <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010060>
- 2.8 Hard copies of the NMC3 Application can be requested by contacting PPL at Jenny.Blyth@drax.com or on 07934 299 525. Each hard copy is available at the cost of £20 per copy.
- 2.9 Consultees are invited to provide comments on the NMC3 Application until the closing date for consultation which is no less than 28 days following the date when the notice is last published.
3. **PROPOSED NON-MATERIAL CHANGES TON THE AMENDED ORDER**
- 3.1 The Amended Order consists of 40 articles and 11 schedules. The NMC3 Application proposes changes only to Articles 2, 6, 11 and 14, and Schedules 1-6 and 8-9. The content of the proposed changes is set out in the table below.

Table 1 – Proposed changes to the Amended Order

Article	Proposed Change
Article 2	The following shall be added as a new definition: <u>"NGET" means National Grid Electricity Transmission plc (Company No. 02366977) whose registered office is at 1 - 3 Strand, London, WC2N 5EH.</u>
Article 2	The following shall be added as a new definition: <u>"NGT" means National Gas Transmission plc (Company No. 02006000) whose registered office is at National Grid House Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA;</u>

Article 2	The definition of "National Grid" shall be deleted and replaced with the following: <u>"National Grid" means NGET and/or NGT as the context requires;</u>		
Article 2	The definition of "Progress Power Limited" shall be amended as follows: "Progress Power Limited" means Progress Power Limited (Company No. 8190283 <u>08190283</u>) whose registered office is at 33 Cavendish Square, London, W1G 0PW <u>Drax Power Station, Drax, Selby, United Kingdom, YO8 8PH;</u>		
Article 2	The definition of "rights of way, streets and access plan" shall be amended as follows: "rights of way, streets and access plan" means the plan submitted as revision 01 dated December 2014 <u>September 2025</u> and certified as such by the Secretary of State for the purposes of this Order;		
Article 2	The definition of "the works plans" shall be amended as follows: "the works plans" means the works plans submitted as revision 01 and dated December 2014 <u>September 2025</u> and certified as such by the Secretary of State for the purposes of this Order.		
Article 6	Paragraph (1) shall be amended as follows: (1) The <u>Subject to paragraph (2), the</u> provisions of this Order shall have effect solely for the benefit of the undertaker, except— (a) in respect of Works No. 3 and No. 5 have effect for the benefit of the undertaker and National Grid; and (b) in respect of Work No. 7 have effect for the benefit of the undertaker and the highway authority. <u>(a) numbered work 3 for which development consent is granted by this Order for the benefit of the undertaker and NGT;</u> <u>and</u> <u>(b) numbered work 5 for which development consent is granted by this Order solely for the benefit of NGET.</u>		
Article 11	Paragraph (1) shall be deleted and replaced with the following: <u>Not used.</u>		
Article 14	Paragraph (1) shall be amended as follows: (1) A street authority and the undertaker may enter into agreements with respect to— (a) the construction of any new street including any structure carrying the street; (b) the strengthening, improvement, repair or reconstruction of any street under the powers conferred by this Order; (c) the maintenance of the structure of any bridge or tunnel carrying a street; <u>or</u> (d) any alteration, diversion, prohibition or restriction in the use of a street authorised by this Order; or (e) the carrying out in the street of any of the works referred to in article 11(1) (construction and maintenance of new or altered means of access).		
Schedule 1	The definition of Work No. 7 shall be amended as follows: Work No. 7 – new means of access between Work No. 5 and the A140 <u>Leys Lane</u> including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works,		
Schedule 2	Sub-paragraphs 6(3) and (4) shall be deleted.		
Part 1, Schedule 3	The table shall be amended as follows:		
	(1) Area	(2) Street subject to alteration of layout	(3) Description of alteration

	In the District of Mid Suffolk	Potash Lane	The lowering of the levels of the kerb between the points marked A and B on the rights of way, streets and access plan to provide permanent access to numbered work 3A.
	In the District of Mid Suffolk	Old Norwich Road	Creation of new access comprising part of numbered work 7 including the lowering of the levels of the kerb between the points marked M and N on the rights of way, streets and access plan to provide permanent access to numbered work 5.
	In the District of Mid Suffolk	Access Road Serving Yaxley Lake	Upgrading of the existing access comprising part of numbered work 7 between the points marked O1 and P on the rights of way, streets and access plan to provide permanent access to numbered work 5.
	In the District of Mid Suffolk	Leys Lane	Works to facilitate the creation of a new access comprising part of <u>constituting</u> numbered work 7 between the points marked Q and R on the rights of way, streets and access plan to provide permanent access to numbered work 5.
Part 2, Schedule 3	The table shall be amended as follows:		
	(1) Area	(2) Street subject to alteration of layout	(3) Description of alteration
	In the District of Mid Suffolk	Potash Lane	The lowering of the levels of the kerb between the points marked B and C on the rights of way, streets and access plan to provide temporary access to numbered work 3 during construction.
	In the District of Mid Suffolk	A140	Creation of new access comprising part of numbered work 7 including the lowering of the levels of the kerb between the points marked K and L on the rights of way, streets and access plan to provide temporary access to numbered work 5 during construction.
Schedule 4	The table shall be amended as follows:		
	(1) Area	(2) Street subject to street works	(3) Description of the street works
	In the District of Mid Suffolk	Potash Lane	Works for numbered work 3B including installation of drainage between the points marked A and B on the rights of way, streets and access plan.
	In the District of Mid Suffolk	Part of disused runway complex	Works for numbered work 4 to be installed within that part of the disused runway complex between the points marked D and E on the rights of way, streets and access plan.

	In the District of Mid Suffolk	Part of disused runway complex	Works for numbered works 4 and/or 6 to be installed within that part of the disused runway complex between the points marked H and I on the rights of way, streets and access plan.
	In the District of Mid Suffolk	A140	Works for the provision of a new temporary access during construction comprising part of numbered work 7 between the points marked K and L on the rights of way, streets and access plan.
	In the District of Mid Suffolk	Old Norwich Road	Works for the provision of a new permanent access comprising part of numbered work 7 between the points marked M and N on the rights of way, streets and access plan.
	In the District of Mid Suffolk	Access Road Serving Yaxley Lake	Works for the provision of a new permanent access comprising part of numbered work 7 between the points marked O1 and P on the rights of way, streets and access plan.
	In the District of Mid Suffolk	Leys Lane	Works for numbered work 6 to be installed in the street between the points marked Q and R on the rights of way, streets and access plan.
	In the District of Mid Suffolk	Potash Lane	Works for numbered works 4 and 6 to be installed in the street between the points marked T and U on the rights of way, streets and access plan.
	In the District of Mid Suffolk	Footpaths numbered W-583/009/0 and W-239/015/0	Works for numbered works 4 and 6 to be installed in the street between the points marked V and W on the rights of way, streets and access plan.
Schedule 5	The table shall be amended as follows:		
	(1) Area	(2) Street subject to temporary prohibition or restriction of use	(3) Extent of temporary prohibition or restriction of use of streets
	In the District of Mid Suffolk	Potash Lane	Prohibition/Restriction: From the points marked A to B on the rights of way, streets and access plan, being approximately 30 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover numbered work 3B providing access to 3A.
	In the District of Mid Suffolk	Potash Lane	Prohibition/Restriction: From the points marked B to C on the rights of way, streets and access plan, being approximately 56 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to provide a temporary access to numbered work 3.

	In the District of Mid Suffolk	Part of disused runway complex	Prohibition/Restriction: From the points marked D to F on the rights of way, streets and access plan being approximately 51 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover numbered work 4 crossing and being installed.
	In the District of Mid Suffolk	Potash Lane	Prohibition/Restriction: From the points marked G to J1 on the rights of way, streets and access plan being approximately 96 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover numbered works 4 and 6 crossing and being installed.
	In the District of Mid Suffolk	Part of disused runway complex	Prohibition/Restriction: From the points marked J1 to J2 on the rights of way, streets and access plan being approximately metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover numbered works 4 and 6 crossing and being installed.
	In the District of Mid Suffolk	A140	Prohibition/Restriction: From the points marked K to L on the rights of way, streets and access plan being approximately 598 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover part of numbered work 7 providing access to numbered work 5.
	In the District of Mid Suffolk	A140	Prohibition/Restriction: From the points marked K to L on the rights of way, streets and access plan being approximately 598 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover the reinstatement of part of numbered work 7 providing access to numbered work 5.
	In the District of Mid Suffolk	Old Norwich Road	Prohibition/Restriction: From the points marked M to N on the rights of way, streets and access plan being approximately 143 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover part of numbered work 7 providing access to numbered work 5.
	In the District of Mid Suffolk	Access Road Serving Yaxley Lake	Prohibition/Restriction: From the points marked O1 to P on the rights of way, streets and access plan being approximately 190 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover part of numbered work 7 providing access to numbered work 5.

	In the District of Mid Suffolk	Leys Lane	Prohibition/Restriction: From the points marked Q to R on the rights of way, streets and access plan being approximately 20 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover numbered work 6 being installed in the street.
	In the District of Mid Suffolk	Potash Lane	Prohibition/Restriction: From the points marked S to T on the rights of way, streets and access plan being approximately 23 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street for temporary works associated with numbered works 4 and 6 being installed in the street.
	In the District of Mid Suffolk	Potash Lane	Prohibition/Restriction: From the points marked T to U on the rights of way, streets and access plan being approximately 227 metres. Purpose of the Prohibition/Restriction: Temporary closure of part of the street to cover numbered works 4 and 6 being installed in the street.
Part 1, Schedule 6	The table shall be deleted and replaced with the following: Not used.		
Part 2, Schedule 6	The table shall be amended as follows:		
	(1) <i>Location</i>	(2) <i>Street</i>	(3) <i>Description of access</i>
	In the District of Mid Suffolk	Potash Lane	The new access constituting numbered work 3B and shown on the rights of way, streets and access plan hatched red between points A and B.
	In the District of Mid Suffolk	A140	The new access constituting part of numbered work 7 and shown on the rights of way, streets and access plan hatched red between points K and L.
	In the District of Mid Suffolk	Old Norwich Road	The new access constituting part of numbered work 7 and shown on the rights of way, streets and access plan hatched red between points M and N.
	In the District of Mid Suffolk	Access Road Serving Yaxley Lake	The new access constituting part of numbered work 7 and shown on the rights of way, streets and access plan hatched red between points O1 and P.
	In the District of Mid Suffolk	Means of access	The new access constituting part of numbered work 7 and shown on the rights of way, streets and access plan hatched red between points PQ-R and O2.
Schedule 8	The table shall be amended as follows:		

	(1) <i>Location</i>	(2) <i>Number of land shown on land plans</i>	(3) <i>Purpose for which temporary possession may be taken</i>	(4) <i>Relevant part of the authorised development</i>
	Part of public footpath numbered W-583/009/0 situated to the east of Oaksmere Business Park, Eye	1a_GR	Temporary use to facilitate construction for the numbered work 4	Part of numbered work 4
	Land forming part of the disused runway complex at Eye Airfield situated to the east of Oaksmere Business Park, Eye	2a_GR	Temporary use to facilitate construction for the numbered work 4	Part of numbered work 4
	Land forming part of the disused runway complex at Eye Airfield situated to the south east of Oaksmere Business Park, Eye	2b_GR	Temporary use (including the passing and re-passing of vehicles) to facilitate construction for the numbered work 4	Part of numbered work 4
	Land forming part of the private access road known as Potash Lane situated to the south east of Oaksmere Business Park, Eye	3a_GR	Temporary use to facilitate construction for the numbered work 4	Part of numbered work 4
	Part of agricultural land, part of wooded area and part of an access track forming part of White House Farm situated to the south of Oaksmere Business Park, east of the A140 and north	4a_GR	Temporary use to facilitate construction for the numbered work 4	Part of numbered work 4
	Land forming part of the private access road known as Potash Lane leading from Castleton Way to the disused runway complex at Eye Airfield, Eye	6a_GR	Temporary use to facilitate construction for the numbered works 3B and 4	Part of numbered work 4
	Part of agricultural land forming part of White House Farm situated north of Castleton Way and to the east of the access road leading from Castleton Way to the disused runway complex	7a_GR	Temporary use to facilitate construction for the numbered works 3A and 4	Part of numbered works 3A and 4
	Part of public footpath numbered W-583/009/0 situated to the east of Oaksmere Business Park and to the south west of the National Grid Gas compound, Eye	1a_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6

	Land forming part of the disused runway complex at Eye Airfield situated to the east of Oaksmere Business Park and to the south west of the National Grid Gas compound, Eye	2a_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6
	Land forming part of the disused runway complex at Eye Airfield situated to the south east of Oaksmere Business Park and to the south west of the National Grid Gas compound, Eye	2b_ER	Temporary use (including the passing and re-passing of vehicles) to facilitate construction for the numbered work 6	Part of numbered work 6
	Land forming part of the private access road known as Potash Lane situated to the south east of Oaksmere Business Park, Eye	3a_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6
	Part of agricultural land and access track situated to the south of Oaksmere Business Park and White House Farm buildings, Eye	4a_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6
	Part of agricultural land, part of access track and hard standing to White House Farm buildings situated to the south and west of Oaksmere Business Park and White House Farm buildings,	4b_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6
	Part of agricultural land situated to the east of the A140 and south west of White House Farm buildings, Eye	4c_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6
	Part of agricultural land forming part of Red House Farm situated to the west of Old Norwich Road and south and south west of Yaxley Lake, Eye	9a_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6
	Part of agricultural land forming part of Red House Farm situated to the west of Old Norwich Road and south and south west of Yaxley Lake, Eye	9b_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6
	Part of agricultural land forming part of Red House Farm situated to the west of Old Norwich Road and south and south west of Yaxley Lake, Eye	9b_ER	Temporary use to facilitate construction for the numbered work 6	Part of numbered work 6

	Part of agricultural land forming part of Vine Farm situated to the north of Vine Farm and west of Leys Lane, Eye	13a_ER	Temporary use to facilitate construction for numbered works 5, and 6 and 7	Part of numbered works 5, and 6 and 7
	Part of agricultural land forming part of Red House Farm situated to the south of the access road from Old Norwich Road to Yaxley Lake, Eye	3_JW	Temporary use to facilitate construction for the numbered work 7	Part of numbered work 7
Part 1, Schedule 9	The definition of "National Grid" shall be amended as follows: "National Grid" means either— (a) National Grid Electricity Transmission PLC (Company No. 236697702366977) whose registered office is at 1-3 Strand, London, WC2N 5EH; or (b) National Grid-Gas Transmission PLC (Company No. 2006000200600) whose registered office is at 1-3 Strand, London, WC2N 5EHNational Grid House Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA, as the context shall require;			
Part 4, Schedule 9	The definition of "Eastern Power Networks" shall be amended as follows: "Eastern Power Networks" means Eastern Power Networks plc (Company No. 236690602366906) whose registered office is at Newington House, 237 Southwark Bridge Road, London, SE1 6NP;			

3.2 The changes to the Amended Order proposed are required for the reasons set out in paragraphs 1.6 to 1.14 above.

3.3 PPL has produced the Supporting Statement, which is appended in full at Appendix 2, in order to confirm that the proposed changes will not result in any materially new or materially different environmental effects to those originally assessed as part of the application for the Original Order.

4. CONCLUSION

4.1 PPL is proposing to change the Amended Order for the reasons set out in paragraphs 1.6 to 1.14 above.

4.2 No change to the other provisions in the Amended Order, physical development or other controls regulating construction, operation, maintenance or decommissioning of the authorised development are proposed.

4.3 The proposed changes would not give rise to any materially new or materially different environmental effects to those originally assessed as part of the application for the Original Order, nor would they require additional compulsory acquisition of land, have any new or different effects on local residents or businesses, or any additional implications in respect of habitats regulations assessment.

4.4 Given the information submitted in this document, as summarised above, it is considered that the proposed changes are non-material changes for the purposes of the 2011 Regulations. Accordingly, PPL submits that the proposed changes as outlined in section 3 of this document can be granted consent by the Secretary of State as non-material changes.



APPENDIX 2
SUPPORTING STATEMENT



Progress Power Limited

PROGRESS POWER GENERATING STATION

Non Material Change 3 Supporting Statement





Progress Power Limited

PROGRESS POWER GENERATING STATION

Non Material Change 3 Supporting Statement

TYPE OF DOCUMENT (VERSION) PUBLIC

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1 INTRODUCTION

1.1 OVERVIEW

- 1.1.1. The Progress Power Gas Fired Power Station (Progress Power Project) was granted development consent by the Secretary of State under the Planning Act 2008 through the Progress Power (Gas Fired Power Station) Order (the DCO) in 2015. The DCO for the Progress Power Project authorises the construction, operation and maintenance of a gas-fired electricity generating station with a capacity of up to 299 MWe and associated development, including gas and electrical connections on land at and surrounding the former Eye Airfield in Eye, Mid Suffolk. Since the DCO was originally made, two non-material changes have been approved to ensure that the DCO accurately reflects detailed design development and the practical delivery of the scheme.
- 1.1.2. This application for a further Non-Material Change (NMC3) seeks to make targeted amendments to the DCO to align it with works that have been completed, to remove authorised works that are no longer required, and to provide clarity over responsibility for certain elements of the scheme, without altering the nature or effects of the authorised development.

THE APPLICANT

- 1.1.3. The applicant for this non-material change is Progress Power Limited (PPL), the undertaker named in the DCO and promoter of the Progress Power Project. PPL brought forward the original application for development consent and has overseen the delivery of the authorised development alongside other delivery partners, including National Grid Electricity Transmission Plc (NGET). PPL remains responsible for the Progress Power Project and for ensuring that the DCO continues to operate effectively and clearly, including where updates are required to reflect how the project has been constructed and is now operated.

THE 2014 ENVIRONMENTAL STATEMENT

- 1.1.4. The DCO was accompanied by an **Environmental Statement [APP-035]** (ES) submitted in March 2014, which assessed the likely significant environmental effects of the Progress Power Project in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. The ES **[APP-035]** considered the construction, operation and decommissioning of the generating station and all associated development, including the electrical connection, substations and access arrangements, within a defined worst-case assessment envelope.

1.2 PURPOSE OF THIS SUPPORTING STATEMENT

- 1.2.1. The purpose of this Supporting Statement is to examine the proposed NMC3 changes to the DCO, demonstrating that they are non-material in nature and necessary to ensure the DCO accurately reflects the project as constructed, operated and managed. In doing so, the Supporting Statement provides clear evidence that the proposed amendments do not give rise to any new or materially different environmental effects from those previously assessed and that the conclusions of the 2014 ES **[APP-035]** remain valid. The Supporting Statement confirms that the proposed amendments do not give rise to any new or materially different environmental effects from those assessed as part of the original application for the DCO.

- 1.2.2. Additionally, the Supporting Statement also confirms that the changes proposed under NMC3 would not require any additional compulsory acquisition of land, would not result in new or different effects on local residents or businesses, and have no additional implications in respect of Habitats Regulations Assessment.

1.3 BACKGROUND TO THE DCO

- 1.3.1. The DCO granted development consent for the construction, operation and maintenance of a gas-fired electricity generating station and associated development, including gas and electrical connections, on land at and surrounding the former Eye Airfield in Eye, Mid Suffolk.

NON-MATERIAL CHANGE 1

- 1.3.2. The DCO was subsequently amended by the Progress Power (Gas Fired Power Station) (Amendment) Order 2016 (S.I. 2016 No. 1086), which was made on 11 November 2016 (NMC1). NMC1 authorised a number of non-material changes to the design parameters of the generating station to accommodate design evolution and made corresponding amendments to the requirements set out in Schedule 2 to the DCO.

NON-MATERIAL CHANGE 2

- 1.3.3. A second application for a non-material change was later made, resulting in the Progress Power (Gas Fired Power Station) (Amendment) Order 2020 (S.I. 2020 No. 807), which was made on 27 July 2020 (NMC2). NMC2 extended the deadline for commencement of the authorised development by a period of 12 months, to 13 August 2021, in response to the exceptional and unprecedented circumstances arising from the COVID-19 pandemic.

1.4 DESCRIPTION OF NON-MATERIAL CHANGE 3

- 1.4.1. NMC3 sets out changes to Work No. 5 and Work No. 7. These changes, and the reasons for the changes, are described in full in Appendix 1 of this submission.

1.5 GUIDANCE

- 1.5.1. This Supporting Statement has been prepared having regard to the applicable statutory framework for changing development consent orders under section 153 and Schedule 6 of the Planning Act 2008 and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, and with reference to relevant Government and Planning Inspectorate guidance.
- 1.5.2. The Government's non-statutory guidance *Planning Act 2008: Guidance on Changes to Development Consent Orders* (published in December 2015)¹ provides advice on the preparation and determination of applications for changes to DCOs, including the distinction between material and non-material changes and the importance of considering whether a proposed change would give rise to any new or materially different likely significant effects when compared with those

¹ Department for Communities and Local Government (2015), Planning Act 2008: Guidance on Changes to Development Consent Orders, December 2015

previously assessed. In addition, the Planning Inspectorate's Nationally Significant Infrastructure Projects (NSIP) advice pages² (as updated in 2025) provide practical guidance on procedural and drafting matters relevant to post-decision changes and the preparation of application documents and have been taken into account where relevant to the structure and content of the NMC3 submission.

- 1.5.3. Drawing on the principles set out in the 2015 Government guidance, and reflecting how those principles are applied in practice and referenced in the Planning Inspectorate's advice and decision-making, the following matters are relevant to the consideration of whether a proposed change can properly be regarded as non-material:
- **ES / Environmental Impact Assessment (EIA)** – whether the change would necessitate further environmental information to address any new or materially different likely significant effects compared with those previously assessed.
 - **Habitats / protected sites and species** – whether the change would affect the conclusions previously reached under the Habitats Regulations (e.g. by introducing new pathways of effect or changing the assessment conclusions).
 - **Compulsory acquisition / land rights** – whether the change would require any additional compulsory acquisition of land or rights beyond what is already authorised.
 - **People and businesses** – whether the change would result in new or different effects on local residents, landowners or businesses compared with those previously assessed.

² Planning Inspectorate (2025) Nationally Significant Infrastructure Projects: Advice pages. Available via: <https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes>

2 CONSIDERATION OF THE EFFECTS OF THE CHANGE ON THE ENVIRONMENTAL STATEMENT

2.1 ASSESSMENT OF THE EFFECTS OF THE CHANGES

- 2.1.1. This section considers whether the changes proposed under NMC3 would give rise to any new or materially different likely significant effects on the environment when compared with those assessed in the 2014 ES [APP-035].
- 2.1.2. The assessment has been undertaken in accordance with the established approach to non-material changes to DCOs, focusing on whether the proposed changes:
- introduce new development elements or activities;
 - alter the nature, scale or operation of the consented development;
 - result in new receptors or impact pathways; or
 - materially change the significance of effects previously assessed in the 2014 ES.
- 2.1.3. The assessment is necessarily proportionate in scope, reflecting the nature of NMC3, which:
- does not authorise any new physical development;
 - removes consented but unimplemented access works; and
 - clarifies responsibility for works that have already been constructed.

SCOPE OF ASSESSMENT

- 2.1.4. The assessment has been structured around the 2014 ES [APP-035] topic chapters, with detailed consideration undertaken for those topics where changes to Work No. 7 (access arrangements associated with the Electrical Connection Compound (ECC)) could conceivably influence previously assessed effects. These topics are set out in **Table 2-1**, which identifies:
- the relevant findings of the 2014 ES insofar as they relate to the consented access works; and
 - an assessment of whether the proposed NMC3 changes give rise to any change in the significance of those effects.
- 2.1.5. Detailed consideration has been given to those topics where construction activities or access arrangements were a determining factor in the original ES assessment and where the changes proposed under NMC3 could plausibly influence previously assessed effects.

Work No. 5

- 2.1.6. The amendments proposed to Work No. 5 relate solely to the clarification of the benefit of the authorised substation works, which were completed in May 2026 and are owned, operated and maintained solely by NGET.
- 2.1.7. The changes do not facilitate any new works, do not alter the physical form or operation of the substation, and do not give rise to any new construction, operational or decommissioning activities. Accordingly, the changes to Work No. 5 are screened out from further consideration, as they do not create any potential for new or materially different environmental effects compared with those assessed in the 2014 ES [APP-035].

Work No. 7

- 2.1.8. The environmental assessment for NMC3 therefore focuses on Work No. 7, which originally authorised a permanent access road and associated junction works between the A140 and Leys Lane to serve the ECC, together with related infrastructure and mitigation measures.
- 2.1.9. As set out in Appendix 1 of this submission, the A140–Leys Lane access works were not required and were never constructed. Construction access to the ECC was instead achieved via a separately consented temporary access road under Town and Country Planning Act 1990 permissions. NMC3 removes the unimplemented access works and associated consequential provisions from the DCO, while retaining those elements of Work No. 7 that relate to the completed substation access.

ENVIRONMENTAL TOPICS ASSESSED

- 2.1.10. **Table 2-1** provides a topic-by-topic assessment for those ES chapters where the consented access works formed part of the impact pathway, including:
- Air Quality;
 - Cultural Heritage and Archaeology;
 - Ecology and Nature Conservation;
 - Landscape and Visual Effects;
 - Noise and Vibration;
 - Traffic, Transport and Access; and
 - Water Quality and Resources.
- 2.1.11. For each topic, the assessment identifies the relevant conclusions of the 2014 ES **[APP-035]** and explains why the changes proposed under NMC3 do not result in any new or materially different likely significant effects.

Topics screened out from detailed assessment

- 2.1.12. All other ES chapters have been reviewed and are not explicitly addressed in **Table 2-1** where it is evident that the NMC3 changes do not affect the nature of the development, its operation, or the environmental receptors considered. These topics are addressed separately and include geology and soils, socio-economics, health and waste, and cumulative effects.

Table 2-1 - Assessment of effects of changes in context of the ES

ES Topic	Impacts in ES relevant to NMC3	Assessment of change in significance due to the NMC3
Air Quality	Chapter 6: Air Quality of the 2014 ES [APP-035] assessed the air quality effects of the Project during construction, operation and decommissioning. In relation to the A140–Leys Lane access road forming part of Work No. 7, the ES scoped out the need for detailed assessment of construction traffic exhaust emissions in paragraph 6.1.5, on the basis that predicted vehicle movements were below relevant screening thresholds and would not give rise to significant effects. Potential construction-phase dust and particulate matter effects associated with the ECC, which include the access works, were assessed qualitatively and controlled through standard mitigation secured via the Construction Environmental Management Plan (CEMP) [APP-026, REP-097, annex 3 and 4, REP-106, annex 3]. Table 6.9.1 of the ES summarises the residual air quality effects for the Project and identifies both vehicle emissions and dust and particulate matter arising from construction activities associated with the ECC (including the access arrangements) as negligible. No operational air quality effects were attributed to the access road, with the operational air quality assessment focused solely on emissions from the Power Generation Plant.	NMC3 removes the need for the access road, having used the temporary access road permitted via the Town and Country Planning Act. The changes proposed under NMC3 do not introduce any new air quality impact pathways and do not increase construction or operational traffic movements beyond those considered in the 2014 ES [APP-035] assessment. On the contrary, the removal of the access road avoids construction activities that could have generated dust and vehicle emissions. The NMC3 therefore does not give rise to any materially new or materially different air quality effects, and the significance of effects remains unchanged from the 2014 ES conclusions. No further assessment is required.
Cultural Heritage and Archaeology	Chapter 13: Cultural Heritage and Archaeology of the 2014 ES [APP-035] assessed cultural heritage impacts within the Project Site, Inner Study Area (1 km) and Outer Study Area (5 km). For NMC3, the relevant ES assessment relates to the ECC area of the Project Site (Work No. 7). The ES [APP-035] identified direct, construction-phase significant effects (prior to mitigation) on three non-designated heritage assets (Field System HA10; Roman Road	The NMC3 amendments to Work No. 7 remove consented but unimplemented access works and retain the existing substation access. No new construction activities or ground disturbance are proposed as a result of the change. A proportionate desk-based review of the National Heritage List for England and the Suffolk Historic Environment Record was undertaken to confirm whether the cultural heritage baseline had materially changed since the 2014 ES [APP-035]. This review confirmed that there are no new

ES Topic	Impacts in ES relevant to NMC3	Assessment of change in significance due to the NMC3
	HA41; Metalwork Scatter MSF27037), assessed as moderate to moderate/large adverse and permanent. No significant impacts were identified during operation or decommissioning, and with mitigation in place the ES concluded no significant residual or cumulative effects.	designated heritage assets within the Project Site. Any additional non-designated heritage assets identified since the ES [APP-035] have been excavated and preserved by record. All heritage assets identified within the Project Site following the submission of the 2014 ES [APP-035] arose from the programme of archaeological mitigation secured through the DCO and/or from subsequent planning applications in areas immediately adjacent to the DCO boundary. These assets were therefore identified, investigated and appropriately mitigated in accordance with the relevant consented frameworks. As a result, the NMC3 does not introduce any new or different impact pathways for cultural heritage. The significance of effects on cultural heritage therefore remains unchanged from the conclusions reported in the 2014 ES [APP-035]. No further assessment is required.
Ecology and Nature Conservation	Chapter 8: Ecology and Nature Conservation of the 2014 ES [APP-035] chapter assessed potential direct and indirect impacts on designated sites, habitats and species (valued ecological receptors) within the Project Site and relevant study areas. For NMC3, the relevant assessment relates to the ECC area of the Project associated with Work No. 7. The ES identified potential significant negative impacts on a number of valued ecological receptors in the absence of mitigation; however, with mitigation in place, no significant negative residual or cumulative impacts were concluded for any project stage. In addition, the ES predicted significant positive impacts during construction for several receptors, including hedgerows, foraging and commuting bats, breeding birds and great crested newt, associated with proposed habitat creation to compensate for habitat loss, including that linked to the consented A140–Leys Lane access road.	The NMC3 confirms that the access road between the A140 and Leys Lane was not constructed and removes the corresponding consented access works. As a result, habitats previously predicted to be lost or fragmented to facilitate this access route have been retained, negating the impacts and compensation measures assumed in the 2014 ES for those elements. The NMC3 does not involve any new habitat clearance, ground disturbance or construction works and does not introduce any new ecological impact pathways. Landscape planting and habitat enhancement measures elsewhere within the Project Site, including those associated with the ECC works, remain as proposed and are not reliant on delivery of the removed access route. The NMC3 therefore does not give rise to any materially new or materially different negative impacts on ecological receptors, and the significance of effects – including significant positive effects – remain unchanged from the 2014 ES conclusions. No further ecological assessment is required.

ES Topic	Impacts in ES relevant to NMC3	Assessment of change in significance due to the NMC3
Landscape and Visual Assessment	Chapter 11: Landscape and Visual Impact Assessment (LVIA) of the 2014 ES [APP-035] assessed landscape character and visual effects associated with the ECC and its proposed access arrangements, including a new priority junction on the A140 and a new access route crossing agricultural land in the Leys Lane area (Work No. 7). The 2014 ES [APP-035] identified Moderate adverse, localised and significant effects on landscape character and short- to medium-term significant adverse effects on nearby high-sensitivity visual receptors (including residents and users of Public Rights of Way), with effects expected to reduce over time as mitigation planting matured. The principal driver of significant effects was the ECC itself, with the access route noted as a secondary, but locally incongruous, element where it crossed open farmland.	The NMC3 removes the consented but unimplemented A140–Leys Lane access works and the associated alternative access to Yaxley Lake and Yaxley Allotments, while retaining the completed ECC from Leys Lane. This avoids the introduction of engineered highway features, vegetation clearance and physical change across open agricultural land that were embedded within the consented scheme assessed in the 2014 ES [APP-035]. The change does not introduce any new landscape or visual impact pathways and does not affect the ECC or its approved landscape mitigation strategy, which remains as assumed in the ES. The key mitigation measures that underpin the 2014 ES [APP-035] LVIA conclusions, namely the perimeter structure planting and associated field boundary/hedgerow reinforcement around the ECC, remain as proposed and are not dependent on delivery of the removed access route. Overall, the proposed changes in NMC3 do not give rise to any materially new or different significant landscape or visual effects assessed in the 2014 ES [APP-035] LVIA. Removal of the unbuilt access elements would be expected to slightly reduce the magnitude and/ or extent of localised landscape and visual effects when compared with the consented scheme assessed in 2014. No further assessment is required.
Noise and Vibration	The effects of construction traffic on the A140 to Leys Lane access road are presented in Table 7-13 and paragraph 7.9.20 of Chapter 7: Noise and Vibration of the 2014 ES [APP-035]. The 2014 ES identifies that the predicted noise level from construction traffic using the access road is below the daytime limit of 65 dB(A) at all Noise Sensitive Receptor (NSR) locations. Therefore, during core working hours the overall impact of construction noise traffic is predicted to be minor at all NSR locations. This level of impact is not significant. Standard mitigation is also embedded via a Construction	NMC3 removes the need for the access road, having used the temporary access road permitted via the Town and Country Planning Act, with no change in traffic volumes. As a result, noise impacts associated with construction traffic remain within the range assessed in the 2014 ES [APP-035] and are predicted to be below the daytime limit of 65 dB(A) and therefore be minor and not significant. The NMC3 therefore does not give rise to any materially new or materially different impacts on noise sensitive receptors, and the significance of effects remains unchanged from the 2014 ES

ES Topic	Impacts in ES relevant to NMC3	Assessment of change in significance due to the NMC3
	Environmental Management Plan (CEMP) [APP-026, REP-097, annex 3 and 4, REP-106, annex 3]. Operational noise for the access was scoped out from assessment. Vibration levels were assessed as not perceptible to sensitive receptors and therefore not significant.	conclusions. No further assessment is required.
Traffic, Transport and Access	Chapter 12 Traffic, Transport and Access of the 2014 ES [APP-035] chapter assessed the effects of construction, operation and decommissioning traffic on the local highway network, including access arrangements to the ECC via a new priority T-junction on the A140 with a ghost right-turn lane (Work No. 7). The ES identified construction as the worst-case phase in traffic terms but concluded that the local transport network could accommodate peak construction traffic with minor impacts at junctions and that the proposed A140 access would operate within capacity with no queuing. The ES also identified temporary disturbance to A140 traffic during clearance and widening works and severance of access between Old Norwich Road and Yaxley Lake/Yaxley Allotments, with an alternative access proposed as part of the consented scheme.	The NMC3 removes the consented but unimplemented A140–Leys Lane access works, including the new A140 junction, road widening and associated vegetation clearance, and removes the need for alternative access arrangements to Yaxley Lake and Yaxley Allotments. Instead, access is taken from an access point with limited localised widening of the junction bellmouth and surfacing, with no A140 widening required. This reduces construction activity on the A140, avoids temporary traffic disturbance associated with junction works, and ensures existing access to Yaxley Lake and Yaxley Allotments is retained without interruption. The changes do not introduce any new traffic or transport impact pathways and result in effects that are neutral to beneficial when compared with the consented scheme. The NMC3 therefore does not give rise to any materially new or materially different traffic, transport or access effects, and the significance of effects remains unchanged from the 2014 ES conclusions. No further assessment is required.
Water Quality and Resources	Chapter 9: Water Quality and Resources of the 2014 ES [APP-035] chapter assessed potential impacts on surface water and groundwater receptors arising from construction, operation and decommissioning activities, including those associated with the consented access works forming part of Work No. 7. For NMC3, the relevant receptors are Waterbody 2 – A140 Drain (WB2), Waterbody 3 – Yaxley Lake (WB3) and Waterbody 4 – a small pond south of Yaxley Lake (WB4). The ES [APP-035] identified potential slight to moderate changes	The NMC3 removes the consented but unimplemented access works between the A140 and Leys Lane, resulting in reduced construction and operational activity in the vicinity of WB2, WB3 and WB4 compared with the scheme assessed in the 2014 ES. This reduces the potential for effects associated with HGV movements, dust and debris generation, accidental spillages, and removes the need for any encroachment on the footprint of WB4 to build out the access road. As a result, there are no new impact pathways, and the magnitude of potential effects is reduced relative to the assessed scheme.

ES Topic	Impacts in ES relevant to NMC3	Assessment of change in significance due to the NMC3
	to WB3 and WB4, primarily associated with dust and debris deposition, accidental spillages and, for WB4, minor modification to facilitate construction of the access road. However, all identified effects were assessed as not significant, and no significant impacts to surface water or groundwater receptors were predicted for any project phase.	The NMC3 does not give rise to any materially new or materially different effects on water quality or water resources during construction, operation or decommissioning, and the significance of effects remains unchanged from the 2014 ES conclusions. No further assessment is required.

2.1.13. A review has been undertaken of the remaining topic chapters of the 2014 ES [APP-035] that are not explicitly addressed in **Table 2-1**, to confirm whether the changes proposed under NMC3 could give rise to any new or materially different likely significant effects when compared with those previously assessed.

2.1.14. These chapters are summarised below, together with a brief explanation as to why no further assessment is required.

Geology, Ground Conditions and Agriculture

2.1.15. **Chapter 10: Geology, Ground Conditions and Agriculture** of the ES [APP-035] assessed effects arising from ground disturbance, land-take and construction activities, including temporary and permanent impacts on soils and agricultural land. NMC3 removes consented but unimplemented access works and does not introduce any additional land-take, excavation or earthworks. As a result, there are no new impact pathways in respect of geology, ground conditions or agricultural resources. The removal of access infrastructure would, if anything, reduce the extent of potential effects when compared to the consented scheme assessed in 2014. The significance of effects therefore remains unchanged and no further assessment is required.

Socio-Economics

2.1.16. **Chapter 14: Socio-Economics [APP-035]** of the ES focused on construction employment, operational employment, effects on the local economy and agricultural land-take. NMC3 does not alter the operational characteristics of the Project, employment generation, or economic contribution of the Power Generation Plant. The removal of unimplemented access works does not give rise to new socio-economic effects and does not affect the findings reported in the ES. Accordingly, there are no new or materially different socio-economic effects arising from NMC3.

Health and Waste

2.1.17. **Chapter 15: Health and Waste** of the ES [APP-035] considered health effects by drawing together topic-specific assessments (including air quality, noise and vibration, water and land contamination), and assessed waste generation during construction, operation and decommissioning. As set out elsewhere in this Supporting Statement, NMC3 does not give rise to any new emissions, operational activities or construction phases beyond those already assessed. Waste arisings associated with the removed access works will not occur, and no new health impact pathways are introduced. The conclusions of Chapter 15 therefore remain valid and unchanged.

Cumulative and Inter-Relationship Effects

- 2.1.18. The ES **[APP-035]** assessed cumulative and inter-relationships effects within each topic chapter, based on the full consented project. NMC3 does not introduce additional development, emissions or receptors, and does not interact with other schemes in a way that would give rise to new or materially different cumulative effects. The proposed changes are limited to removal of unimplemented infrastructure and therefore do not alter the cumulative conclusions of the ES.

2.2 CONCLUSION OF ASSESSMENT OF THE EFFECTS

- 2.2.1. NMC3 would not result in any new, or materially different, likely significant effects on the environment beyond those assessed and reported in the 2014 ES **[APP-035]**. The proposed changes do not introduce new receptors, alter previously assessed impact pathways, or change the significance of effects previously identified. Accordingly, the changes do not necessitate further environmental information to address any new or materially different likely significant effects. An updated ES is therefore not required, and the conclusions of the 2014 ES **[APP-035]** remain valid and unaffected.

3 OTHER RELEVANT CONSIDERATIONS

3.1 HABITATS AND PROTECTED SPECIES

3.1.1. The Secretary of State's Decision Letter for the Scheme stated:

"19. Following the advice of [Natural England] NE and the [Environment Agency] EA, the Secretary of State is satisfied that the identified mitigation measures will effectively ensure that no likely significant effect will occur as a result of the Development alone and in combination with other plans and projects. The Secretary of State is therefore satisfied that the Development will not have a likely significant effect on any European site; and agrees with the ExA that an AA is not required [ER 5.11]."

3.1.2. The changes sought under NMC3 do not change the conclusions of the Secretary of State with regards to the Habitats Regulations.

3.2 COMPULSORY ACQUISITION / LAND RIGHTS

3.2.1. The changes proposed under NMC3 do not require any additional land, interests or rights beyond those already authorised by the DCO as made and amended. No amendments are proposed to the land plans, book of reference or compulsory acquisition provisions of the DCO.

3.3 PEOPLE AND BUSINESSES

3.3.1. The changes proposed under NMC3 do not introduce new construction or operational activities and do not give rise to any additional effects on local residents, businesses or landowners beyond those previously assessed. Impacts on human and economic receptors were set out in the 2014 ES [APP-035] and consideration has been given to the NMC3 changes in **Section 2**, which confirms that the removal of the unimplemented A140-Leys Lane access works does not give rise to any new adverse impacts.

4 CONCLUSION

4.1 CONCLUSION

- 4.1.1. The changes proposed under NMC3 have been assessed against the conclusions of the 2014 **ES [APP-035]**, taking into account the government and Planning Inspectorate guidance relevant to consideration of changes to DCOs.
- 4.1.2. The assessment demonstrates that the proposed amendments do not give rise to any new or materially different likely significant environmental effects beyond those previously assessed, and that the conclusions of the 2014 ES **[APP-035]** remain valid. The changes do not introduce new development, alter the nature or operation of the consented scheme, or affect previously assessed impact pathways.
- 4.1.3. In addition, the proposed amendments do not require any additional compulsory acquisition of land or rights, do not result in any new or different effects on local residents, landowners or businesses, and do not give rise to any new or different implications under the Habitats Regulations.
- 4.1.4. For the reasons set out in this Supporting Statement, the changes proposed under NMC3 are considered as non-material in nature for the purposes of section 153 and Schedule 6 of the Planning Act 2008.



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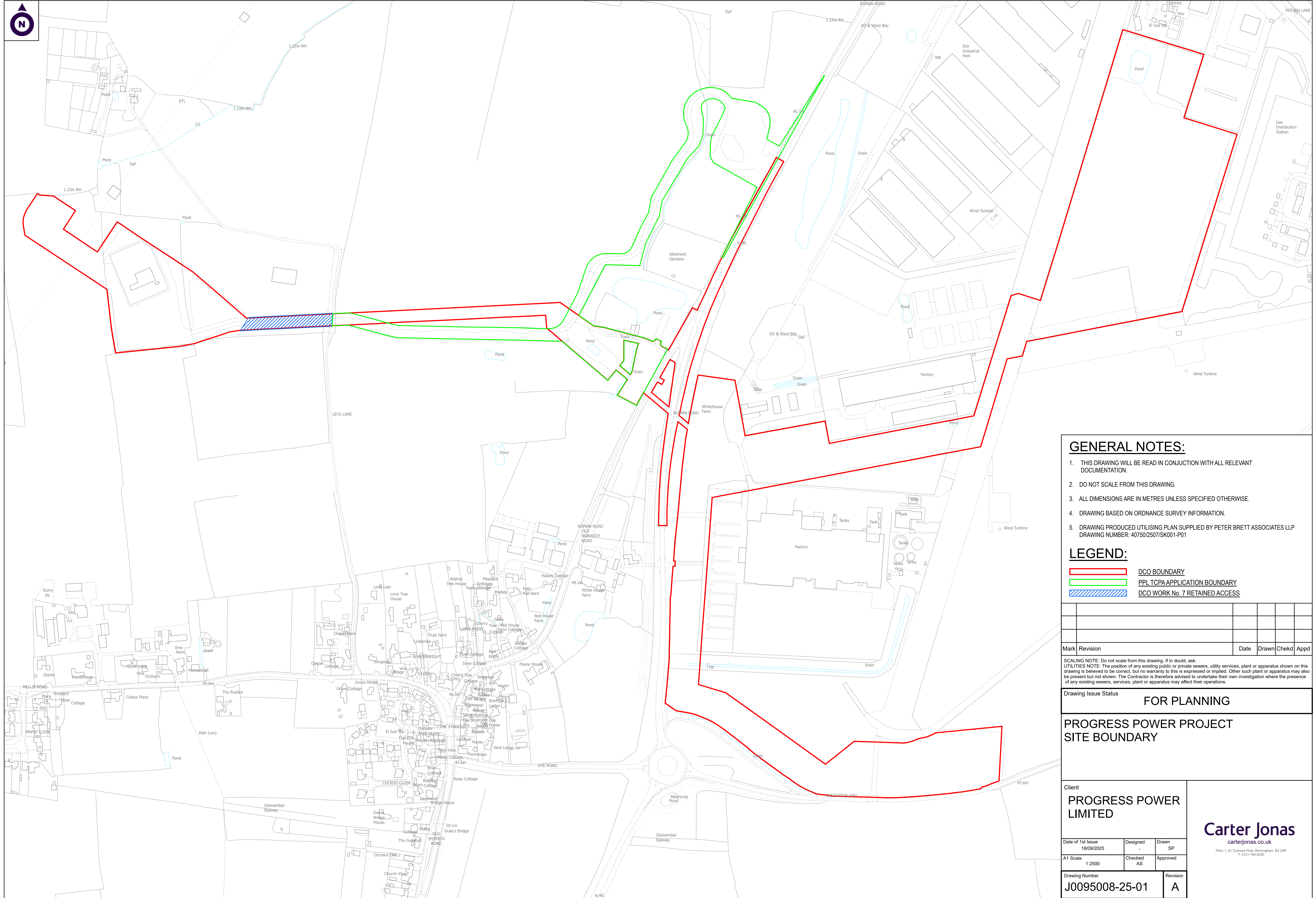
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APPENDIX 3

SITE LOCATION PLAN



1. THIS DRAWING WILL BE READ IN CONJUNCTION WITH ALL RELEVANT DOCUMENTATION.
2. DO NOT SCALE FROM THIS DRAWING.
3. ALL DIMENSIONS ARE IN METRES UNLESS SPECIFIED OTHERWISE.
4. DRAWING BASED ON ORDNANCE SURVEY INFORMATION.
5. DRAWING PRODUCED UTILISING PLAN SUPPLIED BY PETER BRETT ASSOCIATES LLP
DRAWING NUMBER: 40750/2507/SK001-P01

	<u>DCO BOUNDARY</u>
	<u>PPL TCPA APPLICATION BOUNDARY</u>
	<u>DCO WORK No. 7 RETAINED ACCESS</u>

Mark	Revision	Date	Drawn	Chkd	Appd

SCALING NOTE: Do not scale from this drawing. If in doubt, ask.

UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake their own investigation where the presence of any existing sewers, services, plant or apparatus may affect their operations.

Drawing Issue Status	FOR PLANNING
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PROGRESS POWER PROJECT SITE BOUNDARY

Client

**PROGRESS POWER
LIMITED**

Date of 1st Issue 18/09/2025	Designed -	Drawn SP
A1 Scale 1:2500	Checked AS	Approved

Drawing Number	Revision
10095008-25-01	A

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