

Progress Power Gas Fired Power Station

EN010060

Non-material change application – Consultation Response

Suffolk County Council

Table of Contents

Glossary of Acronyms.....	2
Purpose of this Submission	2
Non-material change application response	3
Appendix A: Figures.....	11
Appendix B: Comments on an Alternative Access Solution: remaking the temporary access	18

Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Order</i>
<i>ES</i>	<i>Environmental Statement</i>
<i>NSIP</i>	<i>Nationally Significant Infrastructure Project</i>
<i>PPA</i>	<i>Planning Performance Agreement</i>
<i>PRoW</i>	<i>Public Rights of Way</i>
<i>NGET</i>	<i>National Grid Electricity Transmission</i>
<i>NMU</i>	<i>Non-Motorized Users</i>
<i>LHA</i>	<i>Local Highways Authority</i>
<i>AIL</i>	<i>Abnormal Indivisible Loads</i>
<i>MRN</i>	<i>Major Road Network</i>

“The Council” / “SCC” refers to Suffolk County Council.

Purpose of this Submission

The document has been prepared by Suffolk County Council to respond to the consultation on the non-material change application pursuant to the Progress Power (Gas Fired Power Station) Order 2015 (as amended).

Non-material change application response

Change to Work no. 7

1. Progress Power Limited (PPL) proposes to alter Work no. 7 such that the permanent access track and temporary junction to the A140 is no longer part of the Order. Whilst SCC understands that construction of the project is completed and does not require Work no. 7, the result of the change is an unacceptable access solution for Work no. 5's operation. Moreover, SCC considers that it is likely that users of the Public Rights of Way (PRoW) network who wish to access the bridleway north of Lay's Lane, in addition to non-motorised users of Lay's Lane, will experience new or different effects from those originally assessed in the Environmental Statement. These points are discussed further in this response.
2. When the original Order for this project was made, Works no. 5 and 7 were consented on the basis that they would facilitate the construction and operation of the authorised development only. No further development connecting into the substation could reasonably have been foreseen. However, the present-day context has evolved considerably with the implementation of the government's Clean Power 2030 ambitions and Net Zero commitments which have facilitated the coming forward of an increasingly high quantity of large-scale renewable energy infrastructure projects concurrently.
3. As a result, electricity transmission infrastructure is struggling to keep up with demand as shown by the need for National Grid Electricity Transmission (NGET) to undertake what is termed the Great Grid Upgrade. NGET are currently struggling to provide enough Grid connections to promoters of renewable energy generation schemes which means existing connection points are in high demand and likely to be exhausted for network efficiency reasons. This appears to be confirmed by a public statement on National Grid's website stating: "*A new substation is considered only when existing options are exhausted*"¹. It is important to factor this context in when deciding whether the proposed change is material.

Material Change

4. SCC considers that the change should be considered material according to government guidance on Changes to Development Consent Orders published in 2015. The guidance states that "*A change should be treated as material if it would require an updated Environmental Statement*". Related to this is concerns about impacts on local residents as a result of the change.

¹ See <https://www.nationalgrid.com/electricity-transmission/connections/article/substation-expansion-and-creation>

5. As will be explored in this response, the original Environmental Statement did not consider interactions with other major renewable energy generation and storage projects connecting at Work no. 5 which could give rise to materially new or different cumulative effects. Moreover, the original Environmental Statement did not assess the suitability of Leys Lane to accommodate operational traffic generated for maintaining and operating the substation, which will likely include HGVs. This includes the lack of assessment of the use of Leys Lane for AIL movements in the event that electrical equipment requires replacement in the substation.
6. It is for the Applicant to demonstrate that an updated Environmental Statement is not needed and SCC notes that the document titled “Non Material Change 3 Supporting Statement” provides the Applicant’s rationale for the change being no-material. However, that statement does not consider the cumulative implications of the development likely to connect at Yaxley substation; rather, only a short statement is offered without any explanation, or exploration to the contrary, in paragraph 2.1.18 which claims that the change “*does not interact with other schemes in a way that would give rise to new or materially different cumulative effects*”. In what follows, SCC gives reasons motivating the notion that there may be interactions between this project and cumulative developments which would give rise to new or materially different cumulative effects.
7. SCC also considers that the difference in effects set out in the change application is misleading in places. One example is the impact on Yaxley Allotments and Yaxley Lake which may have experienced temporary impacts due to the construction of work no. 7. It should be noted that these impacts could likely be avoided such as through nighttime working limiting access obstruction for the most part. However, a new access road would have been built under work no.7 of higher quality than the existing access which would serve as a lasting benefit to those receptors.

Interactions with proposed developments

8. The Grid connection consented as part of The Progress Power (Gas Fired Power Station) Order 2015, and associated infrastructure, were consented on the basis that the connection would serve only the authorised development and there were not reasonably foreseeable future developments at the time of the making of the Order. However, this context has changed significantly since, with multiple NSIP projects being planned either to connect to Yaxley substation or to be constructed in close proximity to it in order to meet the government’s Net Zero commitments and Clean Power 2030 ambitions which have caused connection points to be at a premium due to the inadequacy of existing infrastructure to accommodate projects designed to meet these government targets.

9. The Transmission Energy Capacity (TEC) register shows several projects connecting at Yaxley substation which were not foreseeable when the Progress Power Order was made. This includes:
 - i. EcoPower Solar Farm which concluded its statutory consultation in August 2026,
 - ii. A synchronous gas condenser by Conrad Ltd which lies beside the substation,
 - iii. Zenobe Yaxley,
 - iv. Lightsource Yaxley PV (TEC register entry 1st Sep 2026),
 - v. NatPower Yaxley Green Energy Park,
 - vi. Noventum Yaxley
 - vii. CONNECTID 2 LTD (TEC register entry 1st Sep 2026)
 - viii. Yaxley GEC (Ethos Green) (TEC register entry 1st Sep 2026)
 - ix. Yaxley BESS
10. The access arrangement for the substation (Work no. 5) has a necessary connection to the level of impact from projects connecting to the substation as each one will likely be required to deliver electrical equipment and associated infrastructure as part of ensuring the substation is suitable for connection, in addition to the cabling connection works themselves. Therefore, the implications for environmental effects arising from the substation's permanent access route are fundamentally, and materially, different than at the time of the substation's consent.
11. Of course, the presence of projects on the TEC register does not entail that all of these projects will be offered connections to Yaxley substation. However, there can be confidence that there is a reasonable likelihood for several other projects to receive connection offers there. This includes EcoPower and Conrad which both have their connection offer is at Yaxley substation. Given the context of low supply and high demand of Grid connections, it is considered reasonably foreseeable that further projects, such as those listed on the TEC register, will connect at Yaxley substation. National Grid will be aware of how many projects the substation can roughly accommodate.
12. In any case, greater confidence will be available once the Gate 2 connection offers are confirmed with phase 2 to be confirmed between September 2026 and January 2027. Therefore, in order to be confident about the materiality of the change, the decision-maker should be satisfied that this reasonably foreseeable development will not lead to cumulative effects previously unassessed in the original application in relation to the permanent access of the substation being Leys Lane.

Cumulative effects

13. Within EcoPower’s statutory consultation materials, it is proposed that Mellis Road, which must be used by vehicles to access Leys Lane, will be used as a primary construction traffic access route, and so there will be cumulative effects on this road from any operational traffic on the part of Progress Power. This is not recognised in PPL’s change application.
14. The change will result in the access road to the substation being Leys Lane, which cannot accommodate infrastructure construction traffic at any scale. In lieu of any alternative permanent access route, there is a reasonable likelihood that other projects connecting at the Yaxley substation would require use of the designated permanent access route (Leys Lane) for construction and/or operation. SCC understands that planned development will need to be considered on its own terms and decided based on its merits in planning terms, which will include the suitability of the access arrangements. However, the necessity for future development to access Yaxley substation’s location is due to its inclusion in the Progress Power Order and the offers for projects to connect to it by National Grid, to whom the benefit of Work No. 5 has been transferred.
15. The need for other projects to find acceptable access solutions to the substation, in addition to the nature of those access solutions, share a direct causal link with the nature of the consented substation and its access arrangements. For this reason, SCC does not accept that access arrangements of future developments are unrelated in planning terms with the consideration of this change application, which itself is concerned with the substation’s access arrangements. Therefore, SCC considers that the necessary implications of this change application for the level of environmental impacts arising from projects connecting to Yaxley substation should be taken into account when considering this change application.
16. When considering the proposed change, the Secretary of State must take into account the planning context of the application. SCC considers that, when taking this context into account, it is clear that there is, at least, a reasonable possibility for new or materially different cumulative effects to occur which requires an updated Environmental Statement so that those effects can be assessed, Therefore, SCC considers that the change should be considered material. In what follows, further evidence is provided to support this conclusion in terms of likely new or materially different traffic and transport and public rights of way impacts.

Material impacts – traffic and transport

17. SCC would object to the removal of works no.7 from the order between R-Q and O1 as shown in the plans certified under the original DCO plans [Progress Power](#)

[Limited - 2.8 Rights of Way, Streets and Access Plan rev 1.pdf](#) . If no other permanent access to the substation is provided noting that it is not considered practical to use or improve Leys Lane to do so, then there will be no practical access to the Yaxley Substation and adjacent energy sites for any vehicle larger than a small van. This is unacceptable in transport terms.

18. Photographic evidence is provided in Appendix A demonstrating the unsuitability of Leys Lane as a permanent access, notwithstanding the fact that this road was not assessed as the permanent access for the substation during the operational period, both in isolation and cumulatively. Only small volumes of traffic use Leys Lane which means the road is highly sensitive to increased vehicle movements which is exacerbated when factoring in potential cumulative impacts with additional development connecting at Yaxley substation not envisaged in the original application.
19. If work no. 7 is removed from the DCO and the temporary haul road is removed in line with the current conditions imposed to Progress Power / Conrad, there will be no AIL route from the Major Road Network (MRN) to the Yaxley substation. This is essential as there is no guarantee that AIL access will not be required during the operational phase of the substation. Whilst replacing transformers is a rare occurrence, the access to the substation needs to be robust and designed for a realistic worst-case scenario.
20. The only permanent access to the substation if work no. 7 is removed would be along Leys Lane, which is wholly unsuitable for the traffic that will be using it. Leys Lane is a single-track road with no passing places, used heavily by NMU. As such, no vehicles larger than a small van can safely traverse this road, and especially not on a frequent basis.
21. Since the Yaxley substation has been built additional energy projects have come along which need to connect into the area, including EcoPower Solar, Battery Energy Storage and other electrical developments. Permanent access is required to the substation in order to accommodate the construction and operation of these proposed projects.
22. The supplied Rights of Way, Streets and Access Plan incorrectly shows the roads through Yaxley as B class roads when they are C class. This requires addressing as it implies the road from the A140 to Leys Lane is more suitable than it actually is for higher volumes of traffic.
23. As the LHA SCC would also remind the applicant that issues remain with the capacity of highway structures on the A140 and elsewhere being able to accommodate AIL movements, particularly special-order movements in terms of weight (e.g. STGO1 restriction on Brockford Bridge).

Material impact on Public Rights of Way (PRoW) users

24. Leys Lane is directly connected to Yaxley Bridleway 008 and is the main access for bridleway users, which can consist of pedestrians, cyclists, mobility scooters and horses, both walked and ridden.
25. Cyan is Leys Lane and the purple is Yaxley Bridleway 008, as shown in Fig.6 of Appendix A.
26. The change application states that there is no impact from on non-motorised users of Leys Lane. However, this has not been assessed with up-to-date trip data for all users and considering the cumulative impact on this development due to new projects which will amplify the impacts. Without any recent trip data for Leys Lane, it cannot be assessed to have no impact upon existing users.
27. Leys Lane, for the majority of its length, is a single-track lane, with a grass verge with step off. The grass verge step-off may be suitable for pedestrians, however this will be an issue for horse riders, cyclists and mobility scooter users if confronted with LGV's and HGV's etc. There are no designated passing places along this lane.
28. The previously envisaged access arrangement would have not had this impact on this part of Leys Lane and would not have been assessed before with regards to the PRoW and the operation of the site. If it had, SCC would have requested surveys and mitigation for the existing users, for example evidence or provision of passing bays along Leys Lane.
29. SCC has no information provided as to what happens to Leys Lane when major maintenance for the substation is required. When it is envisaged that there will be significantly more trips by large vehicles and how this will impact upon the non-motorised users of Leys Lane and PRoW users.
30. SCC requests more information and up-to-date data for non-motorised usage and impact on Leys Lane linking to Yaxley Bridleway 008. Details of what mitigation is being proposed to protect existing users of Leys Lane, for example passing places and signage, should also be provided due to the envisaged intensification of Leys Lane by motorised vehicles.

The need for a permanent access solution

31. In addition to the potential for new or materially different cumulative impacts, it is clear from direct observation that Leys Lane is not a suitable, resilient access route for the connection point for major energy infrastructure. The road is extremely narrow and in close proximity to residential properties along Mellis road which could be materially impacted, particularly should a transformer in the substation requires replacement. As currently proposed, there would be no suitable AIL

access route for a replacement transformer or other equipment requiring an AIL movement.

32. Should the change be considered material, SCC would take the position that a suitable, permanent access solution for the substation is necessary, which could be achieved either through the Order itself or through a contribution made by the undertaker. SCC's reasoning for this is detailed in what follows.
33. Without adequate permanent access arrangements, there will be an unnecessary increase in adverse environmental impacts, either cumulatively through shared use of Leys Lane, or through alternative access arrangements chosen by the other promoters. For the reasons set out previously, shared use of Leys Lane will likely cause materially new or different environmental effects. If alternatives are implemented by future promoters, these will likely be on an individual, haphazard basis, leading to multiple temporary solutions, which clearly would be more adversely impactful than if a common permanent solution were implemented by the undertaker.
34. Either the consented DCO access, or if considered an acceptable, the alternative the extant planning applications for the temporary access installed as an alternative by Progress Power and lately transferred to Conrad Energy between the A140 and Leys Lane would need to be provided, particularly in view of the likely developments coming forward such as EcoPower and a need for continued access during the operational phase for large vehicles all such developments including Progress Power as set out in this response.
35. As a result, SCC considers that the decision-maker cannot be satisfied that there will not be materially new or different cumulative effects in combination with reasonably foreseeable planned development without a suitable permanent access solution being implemented.
36. For a permanent access to be implemented through the Order, SCC would support the change to requirement 6 to remove the requirement to restore the junction improvements to the A140 upon completion of construction so that this access route from the A140 can be made permanent. The proposed removal of parts of Work no. 7 should be refused and there should be a requirement for Work no. 7 to be implemented.
37. Since the benefit of Work no. 5 is transferred to National Grid, it would be logical for National Grid to either implement, or assist in funding, Work no. 7 in this amended form. Should there be concerns of the financial burden of this work, SCC would recommend that National Grid include contributions from projects connecting at Work no. 5 towards funding the permanent access as a condition of its connection offers for those projects given that those projects would also stand to benefit from

the implementation of a resilient permanent access to the substation suitable for vehicles for connection works.

38. Alternatively, the temporary access consented through TCPA could be remade such that it is suitable for permanent use. SCC provides comments on this option in Appendix B.
39. Should the Secretary of State determine that the proposed parts of Work no. 7 are to be removed from the order, a requirement should be included binding the applicant to provide a permanent access, whether that be via upgrading the existing temporary access, or implementing a version of the DCO consented access.
40. Should it be decided that Work no. 7 is to either remain or be transferred to National Grid, Suffolk County Council will work with all liable parties, Parish Councils and relevant stakeholders, to design and deliver the permanent access.

Progress Power Gas Fired Power Station

EN010060

Appendix A: Figures

Suffolk County Council



Figure 1 – Leys Lane



Figure 2 - Leys Lane



Figure 3 - Leys Lane



Figure 4 - Leys Lane



Figure 5 - Leys Lane



Figure 6: Cyan is Leys Lane and the purple is Yaxley Bridleway 008

Progress Power Gas Fired Power Station

EN010060

Appendix B: Comments on an Alternative Access Solution: remaking the temporary access

Suffolk County Council

Alternative: Improvements to the temporary access

1. It is understood that designating the current temporary access as the permanent access for the substation under the Order is unlikely to be feasible given the land rights implications as the Order Limits for the authorised development does not extend into the footprint of that access. Moreover, the existing temporary access used for construction does not have consent to be permanent, meaning the Secretary of State cannot rely on it as a potential solution at present. However, should this option be pursued by the undertaker, SCC offers the following comments.
2. The temporary access from the A140, consented under the Town and Country Planning Act 1990 and used to construct Progress Power, does not have consent as a permanent access for use by future projects and has caused unnecessary adverse environmental impacts. The temporary access is unsuitable in its current form for several reasons, including but not limited to:
 - i. Inadequate bellmouth design for traffic expected to use it. The current design is for a temporary access and has been proven to be unsuitable for the vehicles using and requires reconstruction to reduce future maintenance liabilities.
 - ii. The transport assessment undertaken at the time is now inadequate and outdated as baseline traffic has increased over the years, plus there is new infrastructure on the A140 that was not present when the access was first built.
3. The temporary haul road from the A140 is currently unmade and therefore not suitable for long term use. If the temporary access is to be made permanent, it will need to be properly surfaced in order to support all vehicle types that would be using it, including Abnormal Indivisible Loads (AILs).
4. The current access off the A140 to the airfield aprons will need to be reconstructed to a permanent rather than temporary design and reviewed against the size of vehicles likely to use access (i.e. Abnormal Indivisible Loads).
5. Two junction designs are likely to satisfy the Local Highways Authority (LHA), either a dedicated right turn lane on the A140 (as the consented design plan 12F [Microsoft Word - ES Transport Chapter Appendix Dividers.docx](#)) or a restricted left turn in /out as permitted for Cranswick Country Foods with turn arounds at the new roundabouts north and south of the site. Due to the changes in the use of the A140 in the vicinity consideration needs to be made regarding the need for changes in speed limit to support the junction layout.