

[insert contact details]

5 August 2026

Dear Sir/Madam

PROGRESS POWER (GAS FIRED POWER STATION) ORDER 2015 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed notice relates to an application by Progress Power Limited (“**PPL**”) to the Secretary of State for Energy Security and Net Zero for a non-material change to the Progress Power (Gas Fired Power Station) Order 2015 (as corrected by the Progress Power (Gas Fired Power Station) (Correction) Order 2016 and amended by the Progress Power (Gas Fired Power Station) (Amendment) Order 2016 and Progress Power (Gas Fired Power Station) (Amendment) Order 2020) (the “**Order**”) under the Planning Act 2008 (“**NMC3**”). We act for PPL in relation to the application.

The 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.

Work No. 5

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 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”*.

The 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 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 Order in respect of the Substation going forward.

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

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Work No. 7 comprises, as set out in Schedule 1 of the 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”*.

The access between Leys Lane and the Substation was completed in January 2022 (the **“Substation Access”**).

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”**). 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 Order were not required.¹

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 Order was not submitted, as the works between Old Norwich Road and the A140 were never undertaken.

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.

PPL therefore proposes to retain the provisions in the 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 Order.

Plans

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

Overall

NMC is necessary for the reasons set out above. The changes under NMC3 will not:

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 Order.



- give rise to any materially new or materially different environmental effects to those originally assessed as part of the application for the Order;
- require additional compulsory acquisition of land;
- have new or different effects on local residents or businesses; or
- any additional implications in respect of habitats regulations assessment.

Therefore, PPL considers that the proposed changes are non-material in nature.

Consultation

Before a decision can be made by the Secretary of State, PPL must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “**2011 Regulations**”).

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) letter published by the Secretary of State on 17 December 2025, enclosed with this letter.

The enclosed Regulation 6 notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: progresspower@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, c/o Quadient, 69 Buckingham Avenue, Slough, SL1 4PN.

As set out in the notice, the consultation ends on 9 September 2026. Therefore, the deadline for receipt of your views about the application is **9 September 2026 at 11:59pm**.

Yours faithfully

Pinsent Masons LLP

On behalf of

PROGRESS POWER LIMITED

Drax Power Station

Drax

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Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) letter from the Secretary of State, dated 17 December 2025.