



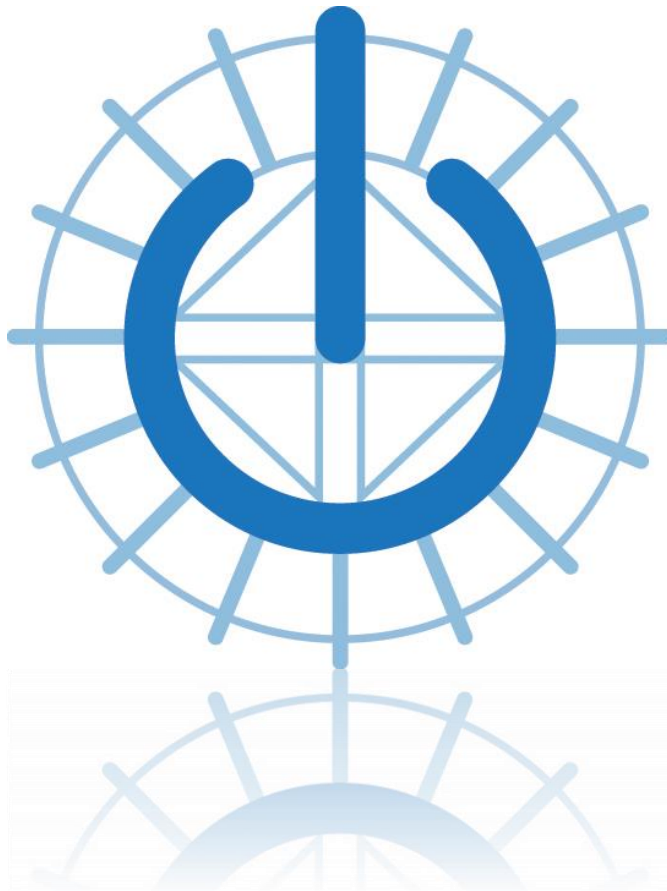
## The Millbrook Power (Gas Fired Power Station) Order

### 5.6 Details of Other Consents and Licenses

Planning Act 2008  
The Infrastructure Planning  
(Applications: Prescribed Forms and Procedure) Regulations 2009

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## INTRODUCTION

- 1.1 MPL is promoting an Open Cycle Gas Turbine (OCGT) gas fired power station at and in the vicinity of the former clay extraction pit at Rookery South, near Stewartby, Bedfordshire.
- 1.2 The Project constitutes a Nationally Significant Infrastructure Project (NSIP) by virtue of section 14(1)(a) and section 15 of the Planning Act 2008 (PA 2008) which includes within the definition of an NSIP any onshore generating station in England or Wales of 50 MWe capacity or more. Under section 31 PA 2008 a Development Consent Order (DCO) is required to develop an NSIP. Under section 37 PA 2008 this can only be granted if an application is made for it to the Secretary of State (SoS) (the DCO Application).
- 1.3 The Project would comprise:
- A new Power Generation Plant in the form of an Open Cycle Gas Turbine (OCGT) peaking power generating station, fuelled by natural gas and capable of providing a rated electrical output of up to 299 Megawatts (MW). The Power Generation Plant comprises:
    - Generating equipment including one Gas Turbine Generator with an exhaust gas flue stack and balance of plant, which are located within the Generating Equipment Site (together the "Generating Equipment");
    - A new purpose built access road to the Generating Equipment Site (the "Access Road" or the "Short Access Road");
    - A temporary construction compound required during construction only (the "Laydown Area");
  - A new underground gas pipeline connection to bring natural gas to the Generating Equipment from the National Transmission System (the "Gas Connection"); and
  - A new electrical connection to export power from the Generating Equipment to the National Grid Electricity Transmission System (NETS) (the "Electrical Connection").
- 1.4 The Generating Equipment, Access Road and Laydown Area are together known as the "Power Generation Plant", and are located within the Power Generation Plant Site.
- 1.5 The Power Generation Plant, Gas Connection and Electrical Connection, together with all access requirements, are referred to as the "Project". The land upon which the Project would be developed, or which would be required in order to facilitate the development of the Project, is referred to as the "Project Site".

- 1.6 Section 37 of the PA 2008 governs the content of an application for a DCO, including the requirements for the necessary accompanying documents specified in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("APFP Regulations").
- 1.7 Regulations 5 and 6 of the APFP Regulations provide the statutory requirements for what must accompany a development consent application. Guidance issued by the Department for Communities and Local Government<sup>1</sup>, requires that:
- 'Where the proposed development will also require other consents, licences, permits, etc, to enable it to be constructed and / or operational, and for which the [SoS] is not the authorising body, then the applicant must list and briefly describe these in ... the application. Reference should be given to any that have already been applied for, and a copy enclosed of any that the applicant may already be in the possession of.'*
- 1.8 This document comprises part of the application documents and provides details of consents required in addition to those being requested as part of the DCO.

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<sup>1</sup> Planning Act 2008 Application Form Guidance, Department for Communities and Local Government, June 2013

**TABLE 1:**

**SUMMARY OF ADDITIONAL CONSENTS LIKELY TO BE REQUIRED**

NATURE OF CONSENT		KEY LEGISLATION	CONSENTING AUTHORITY	STATUS/COMMENT
1	<b>Electricity generation licence</b>	Electricity Act 1989	Office of Gas and Electricity Markets (OFGEM)	Required at the operational stage of the Project in relation to generating activities.
2	<b>Planning and Advanced Reservation Capacity Agreement (PARCA)</b>  For the supply of natural gas to the power plant National Grid	N/A - Commercial Agreement	National Grid	To be progressed after the DCO has been made.
3	<b>Bilateral Connection Agreement</b>  To connect the Project to the National Electricity Transmission System	N/A - Commercial Agreement	National Grid	MPL entered into a Bilateral Connection Agreement and Construction Agreement with National Grid Electricity Transmission PLC on 20 February 2015 (the Connection Agreement) to connect the Power Generation Plant to the National Electricity Transmission System.  This application is discussed in more detail in the Grid Connection Statement (Document Reference: 9.1)
4	<b>Building Regulation approval</b>	Buildings Regulations 2010	Central Bedfordshire	Applications will be made following grant of the DCO if the regulated activities are confirmed to be required within the Order Land.

<p><b>5</b></p>	<p><b>Environmental Permit (EP)</b></p> <p>Operation of the Power Generation Plant, e.g. to regulate emissions to air</p>	<p>Environmental Permitting (England and Wales) Regulations 2010</p>	<p>Environment Agency</p>	<p>An EP will be required to operate the Power Generation Plant.</p> <p>MPL has been in discussions with the EA regarding the EP and has supplied the EA with detailed information relating to the same. MPL is seeking to produce a Statement of Common Ground with the EA before any Examination of the DCO Application, to address anticipated requirements.</p>
<p><b>6</b></p>	<p><b>European Protected Species Licence</b></p>	<p>Conservation of Habitats and Species Regulations 2010</p>	<p>Natural England</p>	<p>Discussions with Natural England will be commenced if required.</p>
<p><b>7</b></p>	<p><b>Health and Safety related consents</b></p>	<p>Health and Safety at Work Act 1974 and subsidiary legislation (including the Pressure Systems Safety Regulations 2000)</p>	<p>Health and Safety Executive (HSE)</p>	<p>Applications to be made by the contractor before construction commences as appropriate.</p>
<p><b>8</b></p>	<p><b>Network Exit Agreement</b></p> <p>Technical and operational conditions for the connection point to the National Transmission System</p>	<p>N/A - Commercial Agreement</p>	<p>National Grid</p>	<p>To be progressed in early 2018, after the DCO Application has been made, but before the DCO is granted.</p>

<p><b>9</b></p>	<p><b>Ordinary Watercourse Consent (OWC)</b></p> <p>May be required for crossing watercourses during construction of the Gas Connection, for works to the watercourses / drains bordering Rookery Pit.</p>	<p>Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010</p>	<p>Central Bedfordshire / Bedford Borough Council</p>	<p>Applications to be made by the contractor before construction commences as appropriate.</p>
<p><b>10</b></p>	<p><b>Authorisation for drainage works in connection with a ditch</b></p> <p>May be required for the realignment of the drainage ditches at the Power Generation Plant Site.</p>	<p>Land Drainage Act 1991</p>	<p>First-tier Property Tribunal</p>	<p>Applications to be made by the contractor before construction commences as appropriate.</p>
<p><b>11</b></p>	<p><b>Permit for transport of abnormal loads</b></p> <p>For delivery by road of loads that fall outside standard practice (if required)</p>	<p>Road Vehicles (Authorisation of Special Types) (General) Order 2003 or with authorisation from the Secretary of State under the Road Traffic Act 1988</p>	<p>Department for Transport, Highways Agency, Local Highway Authority or the police and bridge owners (if any) as appropriate</p>	<p>Appropriate applications, in accordance with the Construction Transport Management Plan, will be made by the contractor in advance of the delivery of abnormal loads.</p>



<b>12</b>	<b>Permit to emit CO2</b>	Greenhouse Gas Emissions Trading Scheme Regulations 2012	Environment Agency	Applications will be made to ensure compliance with the 2012 Regulations (which require any operator that carries out a 'regulated activity', including combustion of fuels, to have a permit). The application will be progressed in parallel with the Environmental Permit application.
<b>13</b>	<b>Safety Regulations Compliance - General</b>	Pipelines Safety Regulations 1996  Gas Safety (Management) Regulations 1996	HSE	Application will be made by the contractor before construction commences.
<b>14</b>	<b>Section 61 consent</b>  Control of noise on construction sites	Control of Pollution Act 1974	Central Bedfordshire	Applications may be made, if required, by the contractor a minimum of 28 days before construction commences.