

2020 No. 413

INFRASTRUCTURE PLANNING

**The Millbrook Gas Fired Generating Station (Amendment)
Order 2020**

<i>Made</i>	- - - -	<i>8th April 2020</i>
<i>Coming into force</i>	- -	<i>9th April 2020</i>

An application has been made, under paragraph 2 of Schedule 6 to the Planning Act 2008(a), to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) for non-material changes to the Millbrook Gas Fired Generating Station Order 2019(c).

The Secretary of State, having considered the application, the responses to the publicity and consultation required by regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make the changes on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

Accordingly, the Secretary of State, in exercise of the powers conferred by paragraphs 2(1) and (9) of Schedule 6 to the Planning Act 2008, makes the following Order—

Citation and commencement

1. This Order may be cited as the Millbrook Gas Fired Generating Station (Amendment) Order 2020 and comes into force on 9th April 2020.

Amendment to the Millbrook Gas Fired Generating Station Order 2019

2. The Millbrook Gas Fired Generating Station Order 2019 (“the 2019 Order”) is amended in accordance with this Order.

Amendment to Schedule 1 (authorised development)

- 3.—(1) Schedule 1 (authorised development) to the 2019 Order is amended as follows.
- (2) In the description of numbered work 1C, omit “overhead conductor gantry,”.
- (3) In the description of numbered work 5, substitute the following paragraph—

(a) 2008 c.29. Paragraph 2 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c.23), by paragraphs 1 and 72 of Schedule 13 of the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c.7).

(b) S.I. 2011/2055. Relevant amendments to this instrument were made by S.I. 2012/635, S.I. 2013/552, S.I. 2013/755, S.I. 2015/760 and S.I. 2017/314.

(c) S.I. 2019/578.

SCHEDULES

SCHEDULE 1 REQUIREMENTS

Article 4(2)

Table 2

<i>Building or structure</i>	<i>Maximum height (metres above existing site level of approximately 31.5 metres AOD unless otherwise stated)</i>	<i>Minimum height (metres above existing site level of approximately 31.5 metres AOD unless otherwise stated)</i>	<i>Maximum length (metres)</i>	<i>Minimum length (metres)</i>	<i>Maximum width (metres)</i>	<i>Minimum width (metres)</i>
The gas turbine generator (including gas turbine, generator, air inlet filter house, air inlet duct, exhaust diffuser, and auxiliaries such as lube oil system, air dryers, fuel gas filter package, instrument air system, compressor washing) (Part of numbered work 1A)	27	–	50	–	40	–
The exhaust gas emission flue stack (part of numbered work 1A)	35	32.5	12	–	12	–
Control	7	–	45	–	25	–

		way, streets and access plan to provide permanent access to numbered work 3A.
Central Bedfordshire Council	Houghton Lane	Upgrading the existing access comprising numbered work 3B between the points marked OO and PP on the rights of way, streets and access plan to provide permanent access to numbered work 3A.
Central Bedfordshire Council	Access track leading from Houghton Lane to Park Farm	Creation of new access comprising part of numbered work 3B between the points marked QQ and RR on the rights of way, streets and access plan to provide permanent access to numbered work 3A.
Central Bedfordshire Council	low level restoration scheme secondary access track	Creation of new access comprising part of numbered work 6 within the area shown on the rights of way, streets and access plan with orange hatching to provide permanent access to numbered work 6(a).
Central Bedfordshire Council	Station Lane	Creation of new access comprising part of numbered work 6 between the points marked SS and TT on the rights of way, streets and access plan to provide permanent access to numbered work 6(a).

SCHEDULE 3

Article 6

STREETS SUBJECT TO STREET WORKS

Table 5

<i>(1)</i> <i>Area</i>	<i>(2)</i> <i>Street Subject to Street Works</i>	<i>(3)</i> <i>Description of the street works</i>
Central Bedfordshire Council	Green Lane	Works to enable the creation of an access and to place and maintain apparatus (comprising numbered work 2A) for use during construction and operation between the points marked A and B and C and D on the rights of way, streets and access plan.
Bedford Borough Council	Green Lane	Works to enable the creation of an access and to place and maintain apparatus (comprising numbered work 2A) for use during construction and operation between the points marked A and B on the rights of way, streets and access plan.
Central Bedfordshire Council	Access Road serving Rookery North and South Pits	Works to enable the creation of an access and to place and maintain apparatus (comprising numbered work 2A) for use during construction and operation between the points marked E and F on the rights of way, streets and access plan.
Central Bedfordshire Council	Access Road serving Rookery North and South Pits	Works to maintain the existing access and to place and maintain apparatus (comprising numbered work 2A) for use during construction and operation between the points marked F and G on the rights of way, streets and access plan.
Central Bedfordshire Council	Established agricultural access tracks between South Pilling Farm and Rookery South Pit	Works for numbered work 5 to be installed in the street between the points marked J and K on the rights of way, streets and access plan.
Central Bedfordshire Council	Established agricultural access tracks between South Pilling Farm and Rookery South Pits	Works for numbered work 5 to be installed in the street between the points marked L and M on the rights of way,

		streets and access plan.
Central Bedfordshire Council	Public footpath 65	Works for numbered work 4A to be installed in the street between the points marked O and P on the rights of way, streets and access plan.
Central Bedfordshire Council	Houghton Lane	Works for numbered work 4A to be installed under the street between the points marked GG and HH on the rights of way, streets and access plan.
Central Bedfordshire Council	Public Footpath 7	Works for numbered work 4A to be installed in the street between the points marked JJ and KK on the rights of way, streets and access plan.
Central Bedfordshire Council	Access track leading from Houghton Lane to Park Farm	Works to upgrade the existing access (comprising numbered work 3B) and to place and maintain apparatus for use during construction and operation and works for numbered work 4A to be installed in the street between the points marked MM and NN on the rights of way, streets and access plan.
Central Bedfordshire Council	Houghton Lane	Works to upgrade the existing junction (comprising numbered work 3B) for use during construction and operation between the points marked OO and PP on the rights of way, streets and access plan.
Central Bedfordshire Council	Access track leading from Houghton Lane to Park Farm	Works to enable the creation of an access (comprising numbered work 3B) for use during operation between the points marked QQ and RR on the rights of way, streets and access plan.
Central Bedfordshire Council	Access track leading from Houghton Lane to Park Farm	Works to enable the creation of an access (comprising numbered work 3B) for use during construction between the points marked RR and NN on the rights of way, streets and access plan.
Central Bedfordshire Council	low level restoration scheme secondary access track	Works for numbered work 4A to be installed in the street between the points marked BB and CC on the rights of way, streets and access plan.
Central Bedfordshire Council	low level restoration scheme secondary access track	Works for numbered work 4A to be installed in the street

		construction of the authorised development.
Central Bedfordshire Council	Access Road serving Rookery North and South Pits including footpath(s)	<p>Prohibition/Restriction: From the points marked F to G on the rights of way, streets and access plan being approximately 844m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of part of the street and partial restriction of the use of the street (including the use of traffic management measures) in order to facilitate the construction of the authorised development.</p>
Central Bedfordshire Council	Established agricultural access tracks between South Pilling Farm and Rookery South Pit	<p>Prohibition/Restriction: From the points marked J to K on the rights of way, streets and access plan being approximately 132m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and restriction on the use of the street in order to facilitate the construction of numbered works 5, 6 and 7.</p>
Central Bedfordshire Council	Established agricultural access tracks between South Pilling Farm and Rookery South Pit	<p>Prohibition/Restriction: From the points marked L to M on the rights of way, streets and access plan being approximately 100m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and restriction on the use of the street in order to facilitate the construction of numbered works 5, 6 and 7.</p>
Central Bedfordshire Council	Public Footpath 65	<p>Prohibition/Restriction: From the points marked N to O on the rights of way, streets and access plan being approximately 10m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the public footpath and restriction of the use of the public footpath in order to facilitate the construction of</p>

		<p>TT on the rights of way, streets and access plan being approximately 31.64 m.</p> <hr/> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and restriction of the use of the street (including the use of traffic management measures) in order to facilitate the construction of numbered work 6.</p>
Central Bedfordshire Council	Public Footpath 7 and low level restoration scheme secondary access track	<p>Prohibition/Restriction: From the points marked V to W on the rights of way, streets and access plan being approximately 20 m.</p> <hr/> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and public footpath and restriction of the use of the street and public footpath in order to facilitate numbered work 7(b) and the construction of numbered work 6.</p>
Central Bedfordshire Council	Public Footpath 14	<p>Prohibition/Restriction: From the points marked X to Y on the rights of way, streets and access plan being approximately 168m.</p> <hr/> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the public footpath and restriction of the use of the public footpath in order to facilitate numbered work 7 and the construction of numbered work 6.</p>
Central Bedfordshire Council	low level restoration scheme secondary access track	<p>Prohibition/Restriction: From the points marked BB to DD on the rights of way, streets and access plan being approximately 260m.</p> <hr/> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the track and restriction of the use of the track (including the use of traffic management measures) in order to facilitate the construction of the authorised</p>

		development.
Central Bedfordshire Council	Established agricultural access track adjacent to plantation leading from Station Lane	<p>Prohibition/Restriction: From the points marked EE to FF on the rights of way, streets and access plan being approximately 140m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and restriction on the use of the street in order to facilitate the construction of numbered works 6 and 7.</p>
Central Bedfordshire Council	Houghton Lane	<p>Prohibition/Restriction: From the points marked GG to HH on the rights of way, streets and access plan being approximately 30m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and restriction on the use of the street in order to facilitate the construction of numbered work 4A.</p>
Central Bedfordshire Council	Public Footpath 7	<p>Prohibition/Restriction: From the points marked II to JJ on the rights of way, streets and access plan being approximately 32m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the public footpath and restriction of the use of the public footpath in order to facilitate the construction of numbered work 4A.</p>
Central Bedfordshire Council	Public Footpath 7	<p>Prohibition/Restriction: From the points marked JJ to KK on the rights of way, streets and access plan being approximately 35m.</p> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the public footpath and restriction of the use of the public footpath in order to facilitate the construction of numbered work 4A.</p>
Central Bedfordshire Council	Public Footpath 7	<p>Prohibition/Restriction: From the points marked KK to</p>

		<p>LL on the rights of way, streets and access plan being approximately 12m.</p> <hr/> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the public footpath and restriction of the use of the public footpath in order to facilitate the construction of numbered work 4A.</p> <hr/>
Central Bedfordshire Council	Access track leading from Houghton Lane to Park Farm	<p>Prohibition/Restriction: From the points marked MM to NN on the rights of way, streets and access plan being approximately 155m.</p> <hr/> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and restriction on the use of the street in order to facilitate the construction of numbered work 3 and numbered work 4.</p> <hr/>
Central Bedfordshire Council	Houghton Lane	<p>Prohibition/Restriction: From the points marked OO to PP on the rights of way, streets and access plan being approximately 25m.</p> <hr/> <p>Purpose of the Prohibition/Restriction: Temporary closure(s) of all or part of the street and restriction on the use of the street (including the use of traffic management measures) in order to facilitate the construction of numbered work 3.</p> <hr/>

SCHEDULE 6

Article 9

DOCUMENTS AND PLANS TO BE CERTIFIED

Table 11

(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>
access road visibility splay plan (contained in appendix 2.1 of appendix 12.1 of the environmental statement)	Drawing reference 31116/2001/008	B	April 2018
book of reference	4.3	3	August 2018
design principles statement	10.2	0	October 2017
environmental statement, Main statement	6.1	0	October 2017
Appendix Volume A: 1.1 Glossary	6.2	0	October 2017
Appendix Volume B: 1.2 Scoping Report and Scoping Opinion	6.2	0	October 2017
Appendix Volume C: 2.6-2.14 Legislation and Policy	6.2	0	October 2017
Appendix Volume D: 3.1 Mitigation Roadmap	6.2	0	October 2017
Appendix Volume E: 3.2 Outline CEMP	6.2	2	July 2018
Appendix Volume F: 5.1 CHP Statement	6.2	0	October 2017
Appendix Volume G: 6.1-6.3 Air Quality	6.2	0	October 2017
Appendix Volume H: 7.1 Noise	6.2	0	October 2017
Appendix Volume H: 7.2 and 7.3 Noise	6.2	1	April 2018
Appendix Volume I: 8.1-8.5 Ecology	6.2	0	October 2017
Appendix Volume J: 10.1 Ground Conditions	6.2	0	October 2017
Appendix Volume K: 11.1 and 11.2 LVIA	6.2	0	October 2017
Appendix Volume K: 11.3 LVIA	6.2	1	April 2018
Appendix Volume L: 12.1 TA (save in	6.2	0	October 2017

respect of Appendix 2.1)			
Appendix Volume L: Appendix 2.1 of the TA	6.2 Drawing reference 31116/2001/0008	B	April 2018
Appendix Volume M: 13.1-13.3 Historic Environment	6.2	0	October 2017
Appendix Volume N: 15.1 Electric and Magnetic Fields Assessment Report	6.2	0	October 2017
Figures (save in respect of Figure 11.1)	6.3	0	October 2017
Figure 11.1	6.3	1	April 2018
Non-technical summary	6.4	0	October 2017
the indicative site layout plans	2.3	2	June 2019
land plans	2.5	2	June 2019
the low level restoration scheme baseline works plan	Drawing reference: J0008128-409	0	April 2018
the outline construction environment management plan (contained in appendix 3.2 of the environmental statement)	6.2	2	July 2018
the outline construction traffic management measures (contained in the outline construction environment management plan and appendices 5.2 to 5.5 of appendix 12.1 of the environmental statement)	6.2	0	October 2017
the outline landscape and ecological mitigation and management strategy (contained in appendix 11.2 of the environmental statement)	6.2	2	June 2019
the outline lighting strategy (contained in appendix 11.3 of the environmental statement)	6.2	0	October 2017

the outline travel plan (contained in appendix 12.1 of the environmental statement)	6.2	0	October 2017
the rights of way, streets and access plan	2.7	3	June 2019
Works plans	2.6	2	June 2019