

---

STATUTORY INSTRUMENTS

---

**2023 No. 289**

**INFRASTRUCTURE PLANNING**

**The Thurrock Flexible Generation Plant  
Consent (Amendment) Order 2023**

*Made* - - - - 7th March 2023

*Coming into force* - - 8th March 2023

An application has been made, under paragraph 2 of Schedule 6 to the Planning Act 2008<sup>(1)</sup>, to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011<sup>(2)</sup> (“the 2011 Regulations”) for a non-material change to The Thurrock Flexible Generation Plant Development Consent Order 2022<sup>(3)</sup>.

The Secretary of State, having considered the application, the responses to the publicity and consultation required by regulations 6 and 7 of the 2011 Regulations 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 in paragraph 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 Thurrock Flexible Generation Plant Consent (Amendment) Order 2023 and comes into force on 8th March 2023.

**Amendment to the Thurrock Flexible Generation Plant Development Consent Order 2022**

**2.** The Thurrock Flexible Generation Plant Development Consent Order 2022 (“the 2022 Order”) is amended in accordance with this Order.

---

(1) 2008 c. 29. Paragraph 2 of Schedule 6 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c. 23), by paragraph 1 and 72 of Schedule 13 to the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c. 7). There are other amendments to the Act that are not relevant to this Order.

(2) S.I. 2011/2055, as amended by S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2015/377, S.I. 2015/760, S.I. 2015/1682, S.I. 2017/314, S.I. 2017/524, S.I. 2018/378, S.I. 2019/734, S.I. 2020/764, S.I. 2020/1534, S.I. 2021/978 and S.I. 2022/634.

(3) S.I. 2022/157.

### **Amendments to Schedule 1 (Authorised Development)**

3. In Schedule 1 to the 2022 Order (Authorised Development), in the description of Work no. 1 in 1B replace “with a net rated electrical output of up to 150 MW for four hours consisting of” with “having a combination of net rated electrical output and duration that delivers an electrical capacity of up to 600MWh, which may comprise—

- (i) a net rated electrical output of 150MW for up to 4 hours
- (ii) a net rated electrical output of 240MW for up to 2 hours and 30 minutes;
- (iii) a net rated electrical output of 300MW for up to 2 hours;
- (iv) a net rated electrical output of 400MW for up to 1 hour and 30 minutes; or
- (v) a net rated electrical output of 600MW for up to 1 hour; and which consists of;

Signed by authority of the Secretary of State for Energy Security and Net Zero

7th March 2023

*David Wagstaff*  
Head of Energy Infrastructure Planning Delivery  
Department for Energy Security and Net Zero

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends The Thurrock Flexible Generation Plant Development Consent Order 2022, a development consent order under the Planning Act 2008, following an application made in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for a non-material change under paragraph 2 of Schedule 6 to the Planning Act 2008. This Order gives flexibility in the delivery of the battery element of the flexible generation plant.