

DEED OF CONSENT DATED 19 DECEMBER 1990

VARIATION OF CONSENT DATED 30 APRIL 1991

VARIATION OF CONSENT DATED 09 NOVEMBER 2022

DEPARTMENT OF BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

VARIATION OF CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989

**DIRECTION UNDER SECTION 90 (2ZA) OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO VARY
CONDITIONS OF THE DEEMED PLANNING PERMISSION**

**CONSTRUCTION AND OPERATION OF A COMBINED CYCLE GAS TURBINE GENERATING STATION AT
RYE HOUSE, HERTFORDSHIRE**

The Secretary of State in exercise of the powers conferred on him by section 36C of the Electricity Act 1989 and section 90(2ZA) of the Town and Country Planning Act 1990 hereby varies the consent and deemed planning permission granted for the combined cycle gas turbine generating station constructed on the Site at Rye House, Hertfordshire in accordance with the variations shown by way of underlined text (for additions) and strikethrough text (for deletion) in the Annex.

09 November 2022

[Redacted]

Deputy Director Energy Infrastructure

Planning

Department for Business, Energy and

Industrial Strategy

Annex -Variation of Section 36 Consent

DEPARTMENT FOR BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

ELECTRICITY ACT 1989

TOWN AND COUNTRY PLANNING ACT 1990

VPI POWER LIMITED

CONSTRUCTION AND OPERATION OF A GENERATING STATION AT RYE HOUSE, HERTFORDSHIRE

1. In pursuance of section 36 of the Electricity Act 1989 the Secretary of State for Business, Energy and Industrial Strategy (the Secretary of State) hereby consents to the construction by VPI Power Limited (the Company) on the area edged red on Drawing No. DWD/15774/01, annexed hereto and duly endorsed on behalf of the Secretary of State, of a combined cycle gas turbine generating station at Rye House in the County of Hertfordshire (the Development), and to the operation of that generating station.
2. Subject to paragraph 3(1), the Development is a combined cycle gas turbine generating station with a gross output of about¹ 680 megawatts, comprising:
 - a) Three gas turbines and associated boilers;
 - b) A steam turbine;
 - c) A synchronous condenser;
 - d) Air cooled condensers for each module;
 - e) Ancillary plant and equipment; and
 - f) The necessary buildings (including administration offices) and civil engineering works.
3. This consent is granted subject to the following conditions:
 - 1) Except where the written agreement of the Secretary of State has been given to any variation in design, construction or operation of the Development, the Development shall not be constructed or operated otherwise than in accordance with the technical and other particulars contained in the Company's application of 11 May 1989 as varied by the Company's letters of 19 October 1990, 21 March 1991, 19 April 1991 and 28 July 2022.

¹A tolerance of up to 5% is permitted.

**DIRECTION UNDER SECTION 90 (2ZA) OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO DEEM
PLANNING PERMISSION TO BE GRANTED**

**CONSTRUCTION AND OPERATION OF A COMBINED CYCLE GAS TURBINE GENERATING STATION AT
RYE HOUSE, HERFORDSHIRE**

4. The Secretary of State in exercise of the powers conferred by section 90(2ZA) of the Town and Country Planning Act 1990 hereby directs that planning permission for the Development be deemed to be granted subject to the following conditions:

- 1) In these Conditions unless the context otherwise requires –

“the Borough Council” means the Broxbourne Borough Council and shall include its successors in title and assigns;

“the Company” means VPI Power Limited and shall include its successors in title and assigns;

“the synchronous condenser works” means the construction and installation of the synchronous condenser to Gas Turbine No. 13 and the associated buildings and structures;

“the Development” means the combined cycle gas turbine generating station as defined at paragraph 2;

“emergency” means circumstances in which there is a reasonable cause for apprehending injury to persons or serious damage to property;

“the Highway Authority” means Hertfordshire County Council;

and

“the Site” means the area edged red on Drawing No. DWD/15774/01.

- 2) The synchronous condenser works shall only take place within the boundary of the Site.

Reason: To ensure that the works do not take place beyond the boundary of the Site.

Layout and Design

- 3) The synchronous condenser works shall not take place until there have been submitted to and approved in writing by the Borough Council drawings showing details of those works, including the general layout, size, appearance and external design of the buildings and structures, and proposals for cladding materials, surface finishes and colour and external lighting. The submitted details shall be in

accordance with Drawing No. 5211454-LY-DWG-015 Rev A1. The buildings and structures shall be constructed and finished in accordance with such approved drawings subject to any subsequent variations agreed in writing by the Borough Council.

Reason: To enable the Borough Council to exercise reasonable and proper control over aspects of the details of the synchronous condenser works.

Noise

- 4) The noise generated during the synchronous condenser works shall be monitored by the Company in accordance with a programme to be agreed with the Borough Council prior to the commencement of those works. The programme shall specify the measuring places from which noise will be monitored the method of noise measurement and the maximum permissible levels of noise at each such measuring place. The programme shall make provision for noise measurements to be taken by the Company as soon as possible following requests by the Borough Council and such measurements shall be given to the Borough Council as soon as they are available. At such measuring places, noise levels during the synchronous condenser works shall not exceed the levels specified in the agreed programme, except in an emergency.
- 5) The noise generated by the operation of the Development shall be monitored by the Company in accordance with a programme to be agreed with the Borough Council prior to the commissioning of the synchronous condenser. The programme shall specify the measuring places from which noise will be monitored, the method of noise measurement and the maximum permissible levels of noise at each such measuring place. The programme shall make provision for noise measurements to be taken by the Company as soon as possible following requests by the Borough Council and such measurements shall be given to the Borough Council as soon as they are available. At such measuring places noise levels during the operation of the Development shall not exceed the levels specified in the agreed programme, except in an emergency.
- 6) The noise generated by the routine testing and practice use of plant and machinery of the Development shall be confined to between the hours of 0800 – 1800 on Mondays to Fridays, excluding Bank and Public Holidays. The Company shall use its best endeavours to ensure that non-routine testing is also confined to these periods.

Reason: To ensure the proper control of noise during the construction works and the operation of the Development.

Removal of temporary structures

- 7) Any temporary buildings or structures erected on the Site for the purpose of the synchronous condenser works shall be removed from the Site no later than 6 months following the completion of those works, unless otherwise agree in writing with the Borough Council.

Reason: To ensure that temporary structures associated with the synchronous condenser works are removed within a reasonable period after the completion of those works.

Construction Traffic Management Plan (CTMP)

- 8) The synchronous condenser works shall not take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Highway Authority. The CTMP shall include measures to manage construction traffic during the synchronous condenser works, including arrangements for construction worker car parking. The CTMP shall be implemented as approved.

Reason: To ensure the safe and efficient operation of the local highway network.

Construction Environmental Management Plan (CEMP)

- 9) The synchronous condenser works shall not take place until a Construction Environmental Management Plan (CEMP), including a Site Waste Management Plan, has been submitted to and approved in writing by the Borough Council. The CEMP shall be implemented as approved.

Reason: To control the construction of the synchronous condenser and to minimise construction waste.

Default of Agreement

- 10) Where any matter is required to be agreed by the Borough Council or County Council under any of the foregoing Conditions that matter shall in default of agreement be determined by the Secretary of State.

Dated 09 November 2022

[Redacted]

Deputy Director Energy Infrastructure

Planning

Department for Business, Energy and

Industrial Strategy