

# KNAPTON GENERATING STATION

## EXPLANATORY MEMORANDUM TO S36 CONSENT VARIATION

### Variation of Section 36 Consent

**Clause 1** amended to refer to the relevant Secretary of State (Business, Energy and Industrial Strategy) and the applicant (Third Energy UK Gas Limited). Also to make reference to the site location plan (ZG-TE-KGS-PA-01) as submitted with the 4 May 2018 application and that the application is no longer for construction of the generating station, but continued operation.

**Clause 3** amended to refer to the 4 May 2018 application and remove reference to commencement of construction (which has been completed)

### Variation of conditions in Section 90 Direction

The **definitions section** (Condition 1 of Clause 4) has been varied as follows:

- Remove reference to “the commencement of the Development”, which has been undertaken;
- Remove reference to “the commissioning of the Development”, which has been undertaken;
- Refer to Third Energy UK Gas as the relevant Company;
- Remove reference to “the main Development” which relates to construction work which has been undertaken;
- Refer to the Site Location Plan ZG-TE-KGS-PA-01 submitted with the 4 May 2018 application to define “the Site”;
- Amend the description of “the well-site KM3” to refer to the KM-3 reinjection well/ KM-A wellsite to reflect descriptions used in the Environmental Report submitted with the 4 May 2018 application.

**Condition 3** (commencement of development) is removed as commencement of the Development has been undertaken.

**Condition 4** is varied to reflect the new proposed end of life.

**Condition 5** (provision of ground levels) is removed as the required details were provided prior to the construction of the Development which has been undertaken.

**Condition 6** (provision of information on design and layout of Site) is removed as the required details were provided prior to the construction of the Development which has been undertaken.

**Condition 7** (undertaking development in accordance with Condition 6) is removed as it related to the construction of the Development which has been undertaken.

**Condition 8** (provision of scheme of fencing/ gates) is removed as the required details were provided prior to the construction of the Development which has been undertaken.

**Condition 9** (provision of information on access works) is removed as the required details were provided prior to the construction of the Development which has been undertaken.

**Condition 10** (access by access road only) is amended to reflect that the access road is no longer “new” as it was constructed alongside the generating station.

**Condition 11** (provision of information on site access and vehicle manoeuvring) is removed as it relates to information to be provided prior to the commissioning of the Development, which has been undertaken.

**Condition 12** (maximum height of buildings above ground level) is amended to reflect that the buildings are constructed and ground levels developed during the original construction works which have been undertaken, and any amendments would use the current ground levels.

**Condition 13** (development only permitted within site boundary) is unchanged.

**Condition 14** (maximum height of buildings) is amended to reflect that such work will be undertaken in accordance with information submitted to discharge the earlier condition.

**Condition 15** (provision of scheme of soil stripping and storage) is removed as the required details were provided prior to the construction of the Development which has been undertaken.

**Condition 16** (contents of scheme of soil stripping and storage) is removed as the required details were provided prior to the construction of the Development which has been undertaken.

**Condition 17** (compliance with scheme of soil stripping and storage) is removed as it relates to construction of the Development which has been undertaken.

**Condition 18** (soil management) is unchanged

**Condition 19** (use of soils in restoration) is amended to reflect that the material to be used in restoration was stored in accordance with the condition attached to the original consent.

**Condition 20** (provision of landscaping scheme for planting and landscaping management) is removed as the required details were provided prior to the construction of the Development which has been undertaken.

**Condition 21** (contents of and required compliance with landscaping scheme) is deleted as it relates to following the landscaping scheme, which was approved and completed to discharge the condition attached to the earlier consent.

**Condition 22** (provision of and operation in accordance with a drainage scheme) is amended as it required submission of information prior to construction of the Development, which has been undertaken, but also ongoing operation in accordance with that information, which is still relevant.

**Condition 23** (storage of oils, fuels and chemicals) is amended to reflect the role of the Environment Agency and the Environmental Permitting Regulations 2016 in ensuring appropriate containment of oils, fuels and chemicals on site.

**Conditions 24, 25 and 26** (archaeology) are removed, as all construction works requiring any excavations have been undertaken (in accordance with the relevant scheme of works submitted to discharge this condition).

**Condition 27** (provision of and operation in accordance with a lighting scheme) is amended as it required submission of information prior to construction of the Development, which has been undertaken, but also ongoing operation in accordance with that information, which is still relevant.

**Conditions 28, 29 and 30** (construction works and noise) are removed, as they relate to construction works which have been undertaken.

**Condition 31** (noise management during operation) is changed to reflect that Sulfacheck is no longer used.

**Condition 32** (operational noise from flaring) is amended to reflect the role of the Site's environmental permit in controlling flaring.

**Condition 33** (waste disposal) is amended to reflect that KM-3 is a well and not a wellsite.

**Condition 34** (restoration timescales) is amended to reflect the new end-of-life of the Site.

**Condition 35** (default of agreement) is amended to reflect the relevant Secretary of State.

**Dates/ Signatories** to be amended to reflect the status of the new consent.