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By email only:

██████████ North Yorkshire County Council
c/o planning.control@northyorks.gov.uk

██████████ Ryedale District Council
ryedale.gov.uk

Date 1 August 2019

Dear ██████████

KNAPTON GENERATING STATION AND OVERHEAD LINE, NORTH YORKSHIRE

APPLICATIONS MADE UNDER SECTIONS 36C AND 37 OF THE ELECTRICITY ACT 1989

THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) REGULATIONS 2013 (“The 2013 Regulations”)

REQUEST BY THE SECRETARY OF STATE FOR SCREENING OPINIONS FOR ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) IN ACCORDANCE WITH THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2017 (“The 2017 Regulations”)

As you are aware, Third Energy UK Gas Limited (“the Applicant”), made an application to the Secretary of State under Section 36C of the Electricity Act 1989 (“the Section 36C application”) in May 2018 for a variation to extend the life of the previously consented Knapton Generating station in North Yorkshire. A separate application on behalf of Northern Powergrid (Northeast) Ltd to keep installed an associated 132kV overhead line under Section 37 of the Electricity 1989 Act (“the Section 37 application”) was also made to the Secretary of State at that time. It is our intention to consider both applications in tandem.

Before EIA screening decisions can be given, Regulation 13 of the 2017 Regulations requires the Secretary of State to consult every local planning authority for the area of the Development to obtain its views (if any) on whether or not an environmental impact assessment should be undertaken in respect of the Development. I therefore wrote to both Councils on 9 August 2018 (copy attached), seeking an EIA screening opinion on the above proposals. Through contact with ██████████ at the Ministry of Housing, Communities and Local Government (“MHCLG”) I was informed that North Yorkshire County Council (“NYCC”) was to delay providing its views to the Secretary of State on EIA screening until nine separate applications submitted to them in respect of extending the lifetime of the associated gas well sites and pipeline networks previously made by the Applicant under the Town and Country Planning regime had been accepted.

I understand from [REDACTED] through recent email exchanges that the separate applications have since been resubmitted to NYCC as a single integrated planning application (Ref: NY/2019/0079/FUL), which was registered on 31 May 2019. I also understand that an EIA screening opinion is in the process of being cleared by NYCC before issue and that the aim is also to present the planning application to its strategic planning committee on 9 September 2019 for determination. However, it is not clear whether NYCC's intended screening opinion will also cover the Section 36C and Section 37 applications. These applications are currently being held in abeyance and a decision on suitability of publication has been delayed pending the Secretary of State's decision on EIA screening.

In the circumstances, and in accordance with Regulation 13(4)(a) of the 2017 Regulations, I should be grateful therefore if both Councils' would confirm as soon as possible and by no later than 14 August 2019 whether you consider the proposals contained within the Section 36C and Section 37 applications comprise EIA development. Alternatively, if you do not intend giving an EIA screening opinion on the Section 36C and Section 37 applications, please confirm that is the case as soon as possible.

I am also copying this letter for information to [REDACTED] at MHCLG and [REDACTED] at MBH Environmental, acting on behalf of the Applicant.

Yours sincerely,

[REDACTED]

Case Manager, Energy Infrastructure Planning Team