

**RYEDALE DISTRICT COUNCIL**

**APPLICATION UNDER SECTION 73 OF  
THE TOWN & COUNTRY PLANNING ACT 1990  
TO CARRY OUT DEVELOPMENT WITHOUT COMPLYING WITH  
CONDITIONS OF AN EARLIER PERMISSION**

**NOTICE OF APPROVAL**

**RYEDALE DISTRICT COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS  
CONSIDERED THIS APPLICATION AND HAS DECIDED THAT IT SHOULD BE  
APPROVED SUBJECT TO THE STATED CONDITIONS:**

**Application No:** 06/00609/73

**Proposal:** Variation of Condition 4 on planning approval 3/114/51/PS to allow the site for the purposes authorised to be used for a further 10 years to 19th May 2018

**at:** Knapton Generating Station Malton Road West Knapton Malton North Yorkshire

**for:** RGS Energy Limited

**Decision Date:** 10 November 2006

**REASON FOR APPROVAL**

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Ryedale Local Plan - Policy ENV7 - Landscaping  
Ryedale Local Plan - Policy ENV1 - New development outside Development Limits  
Ryedale Local Plan - Policy ENV21 - Pollution control  
Ryedale Local Plan - Policy ENV29 - Light pollution  
Ryedale Local Plan - Policy ENV24 - Noise-generating development

**CONDITIONS AND ASSOCIATED REASONS**

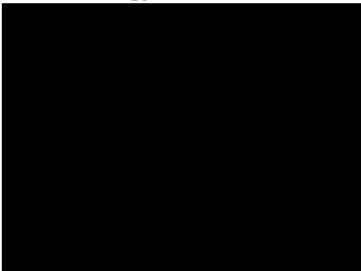
01 The use of the site for the purposes authorised by this permission shall be discontinued after the 19 May 2018 unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To comply with the requirements of Section 91 of the 1990 Act.

02 Except in an emergency, all vehicles entering or leaving the site shall do so via the new access road.

Reason:- For the avoidance of doubt and to satisfy Policy T3 of the Ryedale Local Plan.

RGS Energy Limited



- 03 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no land outside the site shall be utilised for temporary buildings, structures, works, plant or machinery unless planning permission has been obtained. In particular, no living accommodation shall be established on the site or any adjoining land.

Reason:- To enable reasonable and proper control to be exercised over aspects of the details of the development and to satisfy Policy ENV1 of the Ryedale Local Plan.

- 04 Notwithstanding the provisions of the Town & Country Planning (General Development) Order 1995 (or any Order revoking and re-enacting that Order) no building or structures greater than 4 metres in height other than those approved under Condition 06 of planning approval 3/114/51/PS shall be constructed on the site unless planning permission has been obtained.

Reason:- To enable reasonable and proper control to be exercised over aspects of the details of the development and to satisfy Policy ENV1 of the Ryedale Local Plan.

- 05 All soil and subsoils stripped and stored in accordance with the scheme referred to in Condition 15 of planning approval 3/114/51/PS shall be used for restoration works on the site or such other land as shall have received the prior written approval of the Local Planning Authority and no soil or subsoils shall otherwise be removed from the site.

Reason:- To ensure the proper landscaping of the site and the use of topsoil and subsoil removed in the restoration of the land after completion of construction of the development, and to satisfy Policy ENV7 of the Ryedale Local Plan.

- 06 All facilities associated with the development required for the storage of oils, fuels or chemicals shall be individually contained, sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compounds shall be at least equivalent to the capacity of the largest tank in each bund, plus 10%. All inlet, outlet and vent pipes and gauges shall be located within the bund and there shall be no uncontrolled discharge through the bund floor or walls. Any contaminated water or materials shall be disposed of in a manner satisfactory to the Local Planning Authority.

Reason:- To reduce the adverse effects of contaminated liquids and to satisfy Policy ENV21 of the Ryedale Local Plan.

- 07 No additional external lighting shall be installed except in accordance with the approved details.

Reason:- To satisfy Policy ENV29 of the Ryedale Local Plan.

- 08 Except in an emergency and upon the routine replenishment of the Sulfacheck agent, noise levels generated by the operation of the development shall not exceed the following criteria:

35 dB(A) Leq (60 minutes) between 0700 and 1900 hours; and

33 dB(A) Leq (5 minutes) between 1900 and 0700 hours

when measured 12 metres in front of the facade of the dwellinghouse nearest to the site.

Reason:- To ensure proper control of noise during the operation of the development and to satisfy Policy ENV24 of the Ryedale Local Plan.

- 09 Apart from the small quantities required during the normal operation of the development, gas shall not be flared through the incinerator except at start up and shut down and in an emergency.

Reason:- To ensure proper control of noise during the operation of the development and to satisfy Policy ENV24 of the Ryedale Local Plan.

- 10 No waste shall be removed from the site except:

i. by underground pipeline for reinjection to the wellsite KM3; or

ii. by covered vehicle or road tanker to

a) permitted disposal facilities; or

b) treatment works; or

c) septic tank.

Reason:- To ensure that all waste produced by the construction and operation of the development is disposed of in a manner which minimises the effect on the environment and to satisfy Policy ENV21 of the Ryedale Local Plan.

- 11 Unless otherwise agreed in writing by the Local Planning Authority, the restoration of the site to agricultural use and/or woodland shall be undertaken and completed not later than whichever is the sooner of the following dates:-

i. the 19 May 2018; or

ii. the expiration of 18 months from the date of the cessation of electricity generation.

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Such restoration work shall be undertaken in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority.

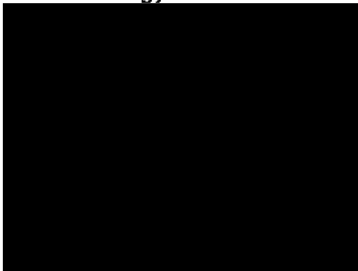
Reason:- To ensure the satisfactory return of the site to its former use after the cessation of electricity generation and to satisfy Policy ENV1 of the Ryedale Local Plan.

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NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE DISTRICT COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.

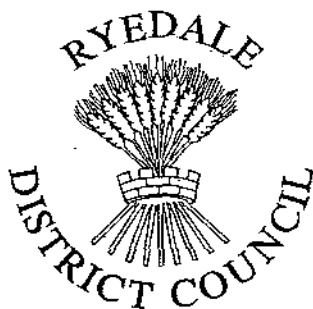
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DEVELOPMENT CONTROL MANAGER

RGS Energy Limited  


Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

Tel: (01653) 600666  
Fax: (01653) 690834  
Website: [www.ryedale.gov.uk](http://www.ryedale.gov.uk)



Chief Executive

Directors

Chief Financial Officer

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**ADVICE FOR APPLICANTS WHEN THE COUNCIL REFUSES PLANNING PERMISSION OR LISTED BUILDING CONSENT OR GRANTS IT SUBJECT TO CONDITIONS**

**Appeals to the Secretary of State for the Environment, Transport & the Regions**

If you are unhappy with the decision of the Council to refuse permission or consent for the proposed development or to grant it subject to conditions that you do not agree with, then you can appeal to the Secretary of State for the Environment, Transport & the Regions under Section 78 of the Town & Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this decision notice, using a form which you can obtain from The Planning Inspectorate, Room 3/01 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

Telephone: 0117 372 6372

Fax: 0117 372 8624

You will also find useful guidance on the Planning Inspectorate website: [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk).

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## **RYEDALE DISTRICT COUNCIL**

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#### **NOTICE OF APPROVAL**

**RYEDALE DISTRICT COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED THAT IT SHOULD BE APPROVED SUBJECT TO THE STATED CONDITIONS:**

**Application No:** 06/00613/73

**Proposal:** Variation of Condition 1 on approval OL/271/715 to extend life of overhead power lines for a further 10 years to 19th May 2018

**at:** Overhead Line Knapton Carr East Knapton Malton

**for:** RGS Energy Ltd

**Decision Date:** 10 November 2006

#### **REASON FOR APPROVAL**

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Ryedale Local Plan - Policy ENV1 - New development outside Development Limits

#### **CONDITIONS AND ASSOCIATED REASONS**

01 The development, use or works hereby permitted shall be discontinued and the land reinstated to its former condition at or before 19 May 2018 unless an extension of the period shall first have been approved in writing by the Local Planning Authority.

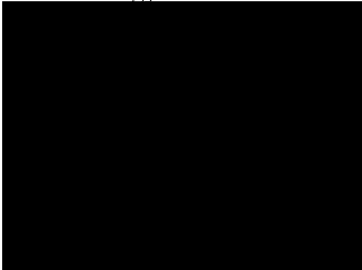
Reason:- The development permitted would be unacceptable on a permanent basis because the electricity line as required to serve the adjacent Knapton Electricity Generating Station only, which is also the subject to a time limited consent which expires on 19 May 2018..

02 The company shall within 6 months of decommissioning the lines:

a) remove towers 1001, 1002 and 1003 in a manner agreed with the landowner;

b) remove the sealing end platform and section of cable above ground on replacement tower No.29A of Malton-Scarborough 132 KV line; and

RGS Energy Ltd



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c) shorten the two cross arms at the top of replacement tower No.29A of the Malton-Scarborough 132 KV line, to the lengths of the top cross arms of the adjoining standard Policy L3 intermediate towers No.28 and No.30.

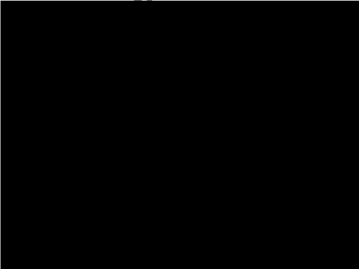
Reason:- To ensure the satisfactory return of the area to its former condition after the cessation of electricity generation at the Claypit Plantation site, and to satisfy the requirements of Policy ENV1 of the Ryedale Local Plan.

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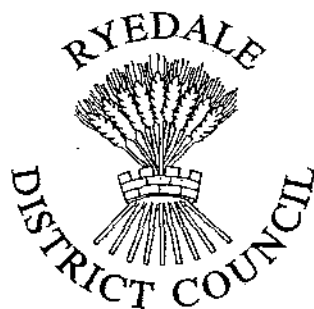
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