

Mr Alan Hardwick
Fisher German LLP
St Helens Court
North Street
Ashby De La Zouch
Leicestershire
LE65 1HS

RECEIVED

15 SEP 2014

FISHER GERMAN LLP - ASHBY



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

**STOCKPORT METROPOLITAN BOROUGH COUNCIL
DECISION NOTICE**

Town and Country Planning Act 1990

FULL PLANNING PERMISSION NUMBER DC055736

03713038

Applicant Details:	Agent Details:
Oil and Pipeline Agency C/o Agent	Mr Alan Hardwick Fisher German LLP St Helens Court North Street Ashby De La Zouch Leicestershire LE65 1HS
Location	Description of Development
LAND SOUTH OF BRAMHALL OIL DEPOT & NORTH OF A5149 CHESTER ROAD / WOODFORD ROAD	Realignment/Replacement of Oil Pipeline

PARTICULARS OF DECISION

The Stockport Metropolitan Borough Council hereby give notice in pursuance of the Town and Country Planning Act 1990 that **FULL PLANNING PERMISSION HAS BEEN GRANTED** for the carrying out of the development described above. The development must be begun not later than the expiration of **THREE YEARS** beginning with the date of this permission, as required by section 91 of the Town and Country Planning Act 1990 and amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development must be carried out in accordance with the application and plans submitted, and subject to the following terms and conditions:

1. Condition

This permission relates to the following drawings :-
GPSS Location Plan (Scale 1:1250) Date 10/06/2014 Site Co-ordinates
390,273 - 383,956
Oil Pipeline Diversions (Scale 1:1250 @ A1) Drawing Number
RCS0625OPA001
Oil Pipeline Diversions Long Sections (Scale 1:500 A1) Drawing Number
RCS0625OPA002

GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
389,952 - 384,064
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
389,995 - 384,033
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,047 - 383,966
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,071 - 383,915
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,108 - 383,851
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,149 - 383,825
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,064 - 383,790
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
389,985 - 383,720
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
389,844 - 383,666
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
389,722 - 383,645
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,153 - 383,821
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,240 - 383,862
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,315 - 383,939
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,371 - 384,015
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,423 - 384,092
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,472 - 384,166
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,558 - 384,207
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,668 - 384,204
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,744 - 384,275
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,812 - 384,283
GPSS Location Plan (Scale 1:500) Date 10/06/2014 Site Co-ordinates
390,804 - 384,295

Reason

For the avoidance of doubt and to ensure that the development complies with the following policies saved Policies of the adopted Stockport Unitary Development Plan Review and Policies of the adopted Stockport Core Strategy DPD;

Core Policy CS1 - Overarching Principles

Core Policy CS8 - Safeguarding and Improving Environment

Core Policy CS10 - An effective and sustainable transport network

SIE-1 - Quality Places
SIE-3 - Protecting, Safeguarding and Enhancing the Environment
SIE-4 - Hazardous Installations
LCR1.1 - Landscape Character Areas
EP1.7 - Development and Flood Risk
GBA1.2 - Control of development in Green Belt
GBA2.1 - Protection of Agricultural Land

2. Condition

No development shall take place until detailed mitigation/compensation strategies for the following species have been submitted to and approved by the Local Planning Authority:

Great crested newts
Badgers
Bats
Breeding birds

The strategies shall be based on up-to date survey data and where appropriate the strategies shall include details such as: measures to avoid direct impact on individual species; timings of works; location and design of compensatory habitats; measures to avoid/reduce disturbance of individual species or destruction of terrestrial habitat, measures to reduce road mortality, and a monitoring program to assess the outcomes of these strategies. The approved strategies shall be subsequently implemented in full within a timescale previously approved in writing by the Local Planning Authority.

Reason

To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with saved policies NE1.1 and NE1.2 and policy SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

3. Condition

No site clearance or vegetation clearance work should be undertaken in the bird nesting season (March – August inclusive) unless it can be otherwise demonstrated that no birds are breeding on the site.

Reason

To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with saved policies NE1.1 and NE1.2 and policy SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

4. Condition

No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall indicate the size, species and spacing of planting, the areas to be grassed and the materials to be used on the hard surfaced areas.

Reason

To ensure the satisfactory appearance of the site in compliance with Policies SIE-1 "Quality Places" and SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

5. Condition

The approved landscaping scheme shall be carried out within 6 months of completion or substantial completion of the development. Any trees, plants or grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size, species and quality unless the local planning authority gives written approval to any variation.

Reason

To ensure the satisfactory appearance of the site in compliance with Policies SIE-1 "Quality Places" and SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

6. Condition

No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

Reason

In order to protect existing trees on the site in accordance with Policies SIE-1 "Quality Places" and SIE-3 "Protecting, Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

6. Condition

No lighting required for the construction of the development shall be installed at the site except in accordance with details which have been first submitted to and approved in writing by the local planning authority.

Reason

To ensure that any lighting is the minimum necessary for its purpose in accordance with Policy SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

7. Condition

No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2005 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Reason

In order to protect existing trees on the site in accordance with Policies SIE-1 "Quality Places" and SIE-3 "Protecting, Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DPD.

8. Condition

No development shall take place until arrangements for an archaeological watching brief and written statement of works for the recording of both known and unknown archaeology as outlined in Report No: CSa/2211/03 have been submitted to and approved in writing by the local planning authority. The brief shall include details of how recording will take place in the event of known and unknown archaeological find. Development shall not proceed except in accordance with the approved brief.

Reason

In order to ensure the protection of any archaeological remains on that part of the site in accordance with Policy SIE-3 "Protecting Safeguarding and Enhancing the Environment", of the adopted Stockport Core Strategy DP

9. Condition

No work (including routine maintenance of vehicles and plant, loading and unloading of vehicles) shall be carried out at the site and no vehicle

movements shall take place to, from, or within the site (i) before 0700 or after 1800 Monday to Friday (ii) before 0800 or after 1300 Saturday and (ii) at any time on Sunday or Bank Holidays.

In the event that work associated with the construction of the development is required outside these hours, the applicant must seek the approval in writing of the Local Planning Authority not less than 28 days in advance of the date in question including dates/times at which the work is intended to take place, details of the nature of the work and the machinery/plant required to carry out that work (unless agreed otherwise in writing by the Local Planning Authority). Work shall only then proceed in accordance with the approved details.

Reason

In order to minimise the impact of the proposed use upon the amenities of the residents of nearby properties in accordance with saved Policy CDH1.2, "Non Residential Development in Predominantly Residential Areas", and Policy SIE-1 "Quality Places" of the adopted Stockport Core Strategy DPD.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

Signed:



Dated: 04/09/2014

Emma Curle - Head of Development Management
BSc (Hons), MRTPI

ADDITIONAL INFORMATION

1. Should contamination be suspected, found or be caused at any time when carrying out the development that was not previously identified, the local planning authority should be notified immediately and development affected or potentially affected by the contamination should stop and an investigation and/or risk assessment and/or remediation carried out to establish the most appropriate course of action. Failure to stop and notify may render the

Developer/Owner liable for the costs of any investigation and remedial works under Part IIA of the Environmental Protection Act 1990.

2. The applicants attention is drawn to the response from Network Rail who request the applicant Liaises with them.

THE FOLLOWING IS STANDARD INFORMATION ONLY

- 1 The drawings determined by this notice may be viewed (usually in electronic form) at Fred Perry House, Edward Street, Stockport, by appointment, and are available on line on the Planning & Building pages of the Stockport Council website.
www.stockport.gov.uk/planningdatabase Planning applications database.
- 2 This decision refers only to the legislation under which the application was made and does not include any decision under any other enactment, by law, order or regulation.
- 3 The applicant's attention is drawn to the provision of Section 63 of the Greater Manchester Act 1981 which specifies requirements for fire brigade access when plans for the erection or extension of a building are deposited with a District Council in accordance with the Building Regulations.
- 4 Where your proposal involves building work, your attention is specifically drawn to the need to check with the Building Inspector with regard to the possible requirement for Buildings Regulations Consent.
- 5 Where applicable, notes on your rights of appeal against the decision are set out on the sheet attached to this decision notice. **The Planning Inspectorate's** details are listed below;

The Planning Inspectorate,
Customer Support Unit,
Room 3/15, Eagle Wing,
Temple Quay House,
2, The Square,
Temple Quay,
Bristol,
BS1 6PN

Telephone: 0303 444 5000
Fax: 0117 372 8181
email: enquiries@planning-inspectorate.gsi.gov.uk
web site: www.planning-inspectorate.gov.uk

APPEALS TO THE SECRETARY OF STATE [OTHER THAN IN RELATION TO ADVERTISEMENTS]

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal; then you can do so online at www.Planningportal.gov.uk/pcs

Alternatively you can use a form you can get from:

The Planning Inspectorate, Registry/ Scanning, Temple Quay House, 2, The Square, Temple Quay, Bristol, BS1 6PN; Telephone: 0303 444 5000;
email: enquiries@planning-inspectorate.gsi.gov.uk
Website: www.planning-inspectorate.gov.uk

For most types of application you have six months to appeal from the date of the attached Decision Notice. However if the decision involved the refusal of planning permission for a householder application then you have 12 weeks to appeal from the date of the Decision Notice. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development, or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any Directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a Direction given by him.

PURCHASE NOTICES

If either the local authority or the Secretary of State refuses Permission to develop land, or grants it subject to conditions, the owner may claim he/she can neither put the land to a reasonable beneficial use in its existing state, nor render the land capable of a reasonably beneficial use by the carrying out of any development that has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her.

These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990.

Information relating to appeals including forms can be obtained from;

The Planning Inspectorate,
Temple Quay House,
2, The Square,
Temple Quay,
Bristol BS1 6PN

Telephone: 0303 444 5000
Web site: www.planning-inspectorate.gov.uk
email: enquiries@planning-inspectorate.gsi.gov.uk

The Planning Portal website: www.planningportal.gov.uk/pcs



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

Place Directorate,
Planning Services,
Stopford House, Piccadilly, Stockport
SK1 3XE

Oil and Pipeline Agency

C/o Agent

Our Ref: DC/055736

Your Ref:

Contact: Suzanne Broomhead

Telephone: 0161 218 1982

Fax:

Email: Planning.DC@Stockport.gov.uk

Web site: www.stockport.gov.uk/planning

09/09/2014

Dear Sir/Madam

Proposal: Realignment/Replacement of Oil Pipeline

Location: LAND SOUTH OF BRAMHALL OIL DEPOT & NORTH OF A5149
CHESTER ROAD / WOODFORD ROAD

I refer to the planning application submitted by you or on your behalf relating to the development detailed above and the recent decision to Grant planning permission.

When planning permission is granted, it is your responsibility to ensure that the development is constructed in complete accordance with the approved plans and details together with the requirement to ensure that all conditions applied to the consent are complied with. If any of the conditions require further approval and/or the submission of further details before development starts or use begins known as pre-commencement planning conditions, the requirements of the condition must be satisfied before a start is made. Failure to construct the development in complete accordance with the approved plans and / or failure to comply with these types of condition may make either the permission null and void or the development unauthorised.

In order to satisfy the requirements of a condition, you should write, enclosing the necessary information, submission fee; currently £97 (£28 for domestic extensions), and specifying the address of the site, planning application number and reference number of the condition(s) in question. Alternatively, you may use the application form available from the above address which also appears on the Council website.

It is important, therefore, that you read the Decision Notice carefully and ensure that the development is being constructed in accordance with the plans and detailed listed in the decision. If necessary, make contact with the Development Control officer at Fred Perry House to seek guidance on how to ensure compliance. Please note that if you wish to make changes to the proposal you may need to submit a new application. The officer referred to above dealt with your application and will be

the first point of contact to assist you in these matters.

In addition I would ask that you give advanced notice to this office on the tear off slip below, of the date when work is to commence on the implementation of the planning permission.

Yours sincerely



Emma Curle - Head of Development Management
BSc (Hons), MRTPI

.....*Please complete and forward to address at the top of this letter.*

PLEASE NOTE THAT IT IS PROPOSED TO COMMENCE THE DEVELOPMENT INDICATED BELOW:

ON THE* *(Insert the date of commencement of the development providing at least 2 working days notice)*

CONTACT: *.....

**Insert contact details of the person or organisation responsible for carrying out the work*

LOCATION: LAND SOUTH OF BRAMHALL OIL DEPOT & NORTH OF A5149 CHESTER ROAD / WOODFORD ROAD

REFERENCE: DC/055736

PROPOSAL Realignment/Replacement of Oil Pipeline