

Mr Sam Rosillo,
URS Infrastructure & Environment Ltd
4th Floor
Bridgewater House
Whitworth Street
Manchester
M1 6LT

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

email: planning@cheshireeast.gov.uk

DECISION NOTICE

Application No: **13/4218M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development

Remodelling of Styal Golf Course incorporating the reconfiguration of six existing holes into five, the development of three new holes on land immediately adjacent to the eastern boundary of the existing golf course, the development of two new ponds and the extension of two existing ponds.

Location

STYAL GOLF CLUB, STATION ROAD, HANDFORTH, CHESHIRE, SK9 4JN

for **Stockport MBC, Cheshire East C, Manchester**

In pursuance of its powers under the above Act, the Council hereby GRANTS planning permission for the above development in accordance with the application and accompanying plans submitted by you subject to compliance with the conditions specified hereunder, for the reasons indicated:

1. The development hereby approved shall commence within three years of the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by s51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in total accordance with the approved plans numbered S20/P/02 RevC, 03/RevC, 04 RevA, 05 RevF, S20/L/03 RevF, 04 RevF, 05 RevF, 21, 6021 2470-HIG-0537 RevP01 and 6021 2470-HIG-0538 RevP01 received by the Local Planning Authority on 4 October 2013, S20/P/07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,

20 received by the Local Planning Authority on 7 October 2013.

Reason: For the avoidance of doubt and to specify the plans to which the permission/consent relates.

3. Notwithstanding the details submitted with the application, prior to the commencement of development, a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes, the proposed numbers and densities and an implementation programme.

Reason: To ensure appropriate landscaping of the site having regard to Policy DC8 of the Macclesfield Borough Local Plan 2004.

4. The approved landscaping plan shall be completed in accordance with the following:-
 - a) All hard and soft landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority.
 - b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936, Specification -for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428(1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
 - c) All new tree plantings shall be positioned in accordance with the requirements of Table A.1 of BS5837:2012 Trees in Relation to Design, Demolition and Construction (Recommendations)
 - d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Country Planning Act 1990 and Policy DC8 of the Macclesfield Borough Local Plan 2004.

5. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. A report of the survey and any mitigation measures required shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard protected species in accordance with the NPPF.

6. The development shall be carried out in accordance with the ecological mitigation outlined in Chapter 11 of the Environmental Statement.
Reason: To safeguard protected species in accordance with the NPPF.
7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.
Reason: In order to ensure the protection of any archaeological remains in accordance with the National Planning Policy Framework.
8. The grassed areas around the ponds shall be maintained as 'fairway' or 'rough' length grass as far as possible.
Reason: To minimise the attraction to grazing geese and ducks which are hazardous to aircraft in the interests of public safety.
9. Potential wildfowl nesting sites are to be avoided and where possible removed from the scheme. This includes features such as islands, narrow peninsulas or marginal reedbeds (narrow fringing is acceptable). The neck of the peninsula leading to the incipient island indicated within the remodelled pond to the north of the fairways for holes 1 and 2 should be a bare minimum of 2m but preferably significantly wider, and should be kept clear for easy foot access. This will allow foxes and other predators to reach any breeding geese. Should geese still attempt to breed on this island, monitoring and possible future control measures should be anticipated (referred to in condition 10 below).
Reason: To minimise the attraction to breeding geese and ducks which are hazardous to aircraft in the interests of public safety.
10. Periodic access to the site shall be permitted to an authorised agent of Manchester Airport to ensure compliance with the recommended mitigation measures and to monitor bird numbers using the site. Agreement to cooperate with Manchester Airport in the removal or exclusion by legal and discrete means of any hazardous wildfowl that may become established on the site in the future is required.
Reason: To ensure that aircraft and public safety is not compromised.
11. Earth works during construction must not become a potential bird attractant. This would be a potential hazard and should be mitigated against. The topsoil that is to be stripped from the site should therefore either be removed

from the site or control measures put in place on the earth bunds to deter birds (such as bird humming wire). The most appropriate means of bird control to be undertaken should be agreed in advance through consultation with the Safeguarding Authority for Manchester Airport and the LPA. In addition, any ponding that occurs on the site during the earthworks / construction phases is to be minimised / actively controlled to ensure that it does not become a potential bird attractant. (Manchester Airport can provide advice and assistance with this matter if required).

Reason: To avoid endangering the safe operations of aircraft through the attraction of birds.

12. A landscape and habitat management plan, including long term design objectives, management responsibilities and maintenance schedules for all areas of the application site, shall be submitted to and approved by the Local Planning Authority prior to first use any part of the development. The management plan shall be implemented as approved.
- Reason: To ensure appropriate landscaping of the site in accordance with Policy DC8 of the Macclesfield Borough Local Plan 2004.

13. Prior to the occupation/use of the "new golf course area" (proposed holes 5, 6 and 7) either:
- a) A scheme for the restoration of the area of the existing golf club being reclaimed for the A6-MARR scheme (hatched BLUE on the plan attached to this decision) shall be submitted to and approved in writing by the LPA. The scheme shall include details of landscaping, planting and ecological mitigation/enhancement and a timetable for implementation. The scheme shall then be implemented in total accordance with the approved details; OR
- b) A contract for the carrying out of the works for redevelopment of the site (the A6-MARR development) has been made in accordance with the proposals which have received planning permission. The Local Planning Authority shall be advised in writing as to the completion of such a contract.
- Reason: The application is made based on the requirement to remodel the golf course to make way for the A6-MARR (A6 to Manchester Airport Relief Road). The condition is required to ensure that an acceptable development results in the event the A6-MARR scheme does not go ahead, based on the information submitted with this planning application. This takes account that the application is a for a remodeling of the existing golf course and not an extension to it.

14. The hours of construction (and associated deliveries to the site) of the reconfiguration of the golf course shall be restricted to 0800 to 1800 hours on Monday to Friday, 0900 to 1400 hours on Saturday, with no work at any other time including Sundays and Public Holidays.

Reason: To protect the amenities of nearby residents and the occupiers of nearby property and to comply with policy DC3 of the Macclesfield Borough Local Plan 2004.

15. Prior to the commencement of development a method statement shall be submitted to and approved in writing by the Local Planning Authority, which outlines the method of construction, details of deliveries to the site during construction, construction access routes to the site, how and where materials will be unloaded and details of where contractor's vehicles will park. The development shall then be constructed in complete accordance with the method statement.

Reason: In the interests of highway safety to minimise disruption to vehicular traffic/pedestrian routes and to protect the residential amenity of local residents and to comply with policies DC3 and DC6 of the Macclesfield Borough Local Plan 2004.

The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

INFORMATIVE The policies and proposals in the Development Plan relevant to this decision are: Macclesfield Borough Local Plan -

- NE11 Nature Conservation
- BE1 Design Guidance
- H13 Protecting Residential Areas
- DC1 New Build
- DC3 Amenity
- DC6 Circulation and Access
- DC8 Landscaping
- DC9 Tree Protection
- DC33 Outdoor Commercial Recreation

DC63 Contaminated land

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of conditions. Please see our Website for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
- (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

This permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) Variation to the approved plans will require the submission of a new planning application.

Dated: 10th February 2014

Signed 

**Authorised Officer for
Cheshire East Borough Council**

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
DECISION NOTICE**

Town and Country Planning Act 1990

FULL PLANNING PERMISSION NUMBER DC055736

RECEIVED

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

RECEIVED

11 SEP 2014



MR ALAN HARDWICK,
FISHER GERMAN LLP
ST HELENS COURT
NORTH STREET
ASHBY DE LA ZOUCH
LE65 1HS

FISHER GERMAN LLP - ASHBY

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

email: planning@cheshireeast.gov.uk

DECISION NOTICE

Application No: **14/3001M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development

Realignment/Replacement of oil pipeline

Location

LAND NORTH EAST OF, 86, WOODFORD ROAD, POYNTON

for **Oil & Pipeline Agency**

In pursuance of its powers under the above Act, the Council hereby GRANTS planning permission for the above development in accordance with the application and accompanying plans submitted by you subject to compliance with the conditions specified hereunder, for the reasons indicated:

General

1. The development hereby approved shall commence within three years of the date of this permission. Written notification of the date of commencement of development shall be sent to the Waste Planning Authority a minimum of 7 days prior to commencement.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in strict accordance with the following documents, except where these may be modified in the conditions below:
- a) Planning application forms dated 18.06.2014
 - b) Ecological Assessment ref: CSa/2211/01 dated March 2014
 - c) Archaeological Appraisal ref: CSa/2211/03 dated March 2014
 - d) Flood Risk Assessment Ref: A6MARR-2-W-05-001-RE-001 dated May 2014
 - e) Design and Access Statement dated June 2014
 - f) Location Plan dated 10/06/2014
 - g) Oil Pipeline Diversion Plan ref: RCS06250PA001
 - h) GPSS Location Plan Extract of Pipeline dated 10/06/2014
 - i) Oil Pipeline Diversions Long Sections Ref: RCS06250PA002
 - j) Confidential Annex – Badgers dated March 2014

Reason: For the avoidance of doubt to specify the plans to which the permission relates.

3. Within 3 months of completion of the pipe laying, all plant and machinery shall be removed from the site and all land disturbed by the development shall be restored in accordance with approved plan ref: RCS06250PA002.

Reason: To protect residential amenity and in the interests of nature conservation in accordance with policy NE11 and DC3 of Macclesfield Borough Local Plan.

Soil handling

4. All topsoils and subsoils disturbed by the development shall be stored in separate mounds which shall:
- (a) Not exceed 3 metres in height in the case of topsoil, or exceed 5 metres in height in the case of subsoil;
 - (b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations;
 - (c) Not be subsequently moved or added to until required for land reinstatement; and
 - (d) Have a minimum 3.0 metre stand off, undisturbed around each storage mound and be located a minimum distance of 3m away from any existing hedge line and outside the outermost spread of the crown of any adjoining trees to be retained.

Reason: To prevent the loss of soil and minimise damage to soil structure during storage, to protect trees and hedgerows and in the interests of residential amenity, and to comply with policies DC3 and DC9 of Macclesfield Borough Local Plan.

5. All topsoils and subsoils shall only be stripped when they are in a dry and friable condition, and no movement of soils shall occur:
 - (a) During the months of October to April (inclusive), unless otherwise agreed in writing with the Local Planning Authority; or
 - (b) When the upper (*insert depth*) mm of soil has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS 1377:1975 – 'British Standard Methods Test for Soils for Civil Engineering Purposes'; or
 - (c) There are pools of water on the soil surface.

Reason: To prevent damage to soils.

6. All topsoil and subsoil shall be permanently retained on site and used to restore the land on completion of the pipeline laying. No other material required in connection with this development shall be imported onto the site.

Reason: To prevent loss of soil and control the scale of the development.

Pollution control and amenity

7. All unloading, handling and storage of construction materials shall only be undertaken within the confines of the working area as identified on approved plan ref: RCS06250PA001.

Reason: To control pollution and in the interests of residential amenity; and to comply with policies DC3, 13, 19 and 20 of Macclesfield Borough Local Plan.

8. Best practicable means shall be taken at all times to ensure that all HGVs leaving the working area defined on plan ref: RCS06250PA001 are in a condition such as not to emit dust or deposit mud or other debris on the highway. Any deposits of dust, mud or other debris deposited or carried onto the public highway as a result of the development shall be removed as soon as practicable.

Reason: in the interests of highway safety, to avoid the deposit of mud on the highway and to comply with policy DC3 of Macclesfield Borough Local Plan

9. All noise generative* demolition / construction works (and associated deliveries to the site) authorised by this permission shall be restricted to the following time periods:

Monday – Friday

08:00 to 18:00 hrs

Saturday

09:00 to 14:00 hrs

There shall be no noise generative* demolition/construction works on Sundays and Public/Bank Holidays without the prior written approval of the Local Planning Authority.

**For information 'Noise Generative' is defined as any works of a construction / demolition nature (including ancillary works such as deliveries) which are likely to generate noise beyond the boundary of the site.*

Reason: In the interests of residential amenity

10. Prior to the commencement of development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall address the environmental impact in respect of dust, vibration and noise on existing residents during the demolition and construction phase. In particular the plan shall detail mitigation measures in respect of;

- Noise and disturbance during the construction phase including earthworks, drilling and piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
- Dust generation caused by construction activities and proposed mitigation methodology.

The measures in the Environmental Management Plan shall be implemented in full for the duration of the development.

Reason: To reduce pollution impacts from the construction activities on the local environment, having regard to policy DC3 of Macclesfield Borough Local Plan.

Drainage

11. No development hereby approved shall commence until a scheme detailing temporary drainage arrangements to be installed on site for the duration of the construction works has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to construction works commencing and retained thereafter until all engineering works have been completed.

Reason: To ensure a satisfactory means of drainage and to comply with policy DC17 of Macclesfield Borough Local Plan.

Nature Conservation

12. Prior to undertaking any works which may cause disturbance to any trees or vegetation between 1st March and 31st August in any year, a detailed survey shall be submitted to check for nesting birds. A report of the survey and any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing; and shall be implemented for the full duration of the construction works.

Reason: To have regard for the Wildlife and Countryside Act 1981 (as amended) and in the interests of nature conservation

13. The development shall be implemented in accordance with the mitigation measures set out in the Ecological Assessment ref: CSa/2211/01.

Reason: to safeguard wildlife in the interests of nature conservation in accordance with the NPPF and policy NE11 of Macclesfield Borough Local Plan.

14. The full specification for all replacement hedgerow and grassland planting shall be submitted to and approved in writing by the Local Planning Authority within one month of development commencing on site. The approved planting shall then be implemented in the next available planting season following completion of the development. Any hedgerow planted in accordance with this condition which is removed, dies, becomes severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by hedgerow of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site and in the interests of nature conservation, having regard to Section 197 of the Town and Country Planning Act 1990 and to comply with Policies NE11 of Macclesfield Borough Local Plan.

Retained Trees

15. (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837 :2012 Trees in Relation to Design, Demolition and Construction (Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall be undertaken on site in connection with the development hereby approved (including soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality and in accordance with policy DC9 of the Macclesfield Borough Local Plan 2004.

Highways

16. Prior to the commencement of development a construction traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. The construction works shall be implemented in accordance with the management plan for the duration of the development.

Reason: In the interests of highway safety to minimise disruption to vehicular traffic/pedestrian routes and to protect the residential amenity of local residents and to comply with policies DC3 and DC6 of the Macclesfield Borough Local Plan 2004.

17. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

Reason: To minimise the adverse impact of noise generated by the operations on the local community, having regard to policies DC3 and DC13 of Macclesfield Borough Local Plan.

INFORMATIVE

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:

- a) Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions.

Informatives

Any facilities for the storage of oils or fuels shall be provided with secondary containment that is impermeable to both the oils or fuels and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks.

All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. They should be aware that the permit may not be granted.

The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of conditions. Please see our Website for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
- (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

This permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) Variation to the approved plans will require the submission of a new planning application.

Dated: 03-Sep-2014



Signed

Authorised Officer for
Cheshire East Borough Council

We enclose our decision notice in respect of the application you recently submitted to us.

You should read the notice carefully. It is your responsibility to ensure that you comply with the terms of any conditions which are attached to it. Where conditions require you to submit further information to us, a fee is likely to be payable. The notice doesn't convey or grant consent for anything other than the application you made under the terms of the Town and Country Planning Act 1990.

If you are aggrieved by our decision to refuse planning 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. You must submit your appeal within;

- **12 weeks of the date of this notice. (in the case of Householder applications made after 6 April 2009), or**
- **6 months of the date of this notice (in all other cases).**

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. 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 which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that we could not have granted planning permission for the proposed development or could not have granted it without the conditions we imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practise, the Secretary of State does not refuse to consider appeals solely because we based our decision on a direction given by him.

Purchase Notices

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

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the town and County Planning Act 1990.