

TOWN AND COUNTRY PLANNING, ENGLAND THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

GRANT PERMISSION

Applicant:	Gateway Energy Centre Limited	Application Ref:	12/01085/FUL
Agent:	Mr Keith Dalton Dalton Warner Davis LLP 21 Garlick Hill London EC4V 2AU	Date Accepted:	29th November 2012
		Date of Decision:	27th February 2013

Development at: Land between the Proposed Gateway Energy Centre and Existing National Grid Sub Station, The Manorway, Corringham, Essex

Proposal: For the development of a high voltage electrical connection comprising an underground and possibly part culverted double circuit 400KV cable system linking the approved Gateway Energy Centre electrical switchyard/s to the existing National Grid Coryton South Substation, together with an extension to the substation installation of electrical equipment (including a 400KV rotating centre post disconnecter, 400KV surge arrestors, 400KV air insulated switchgear/gas insulated switchgear bushings, 400KV gas insulated switchgear circuit breaker, 400KV gas insulated switchgear cable sealing ends) associated development (including transitional bay, marker posts/plates) and access track works.

Planning permission is granted in accordance with the approved plans and specifications and subject to the conditions set out below:

- 1 The development hereby permitted must be commenced not later than the expiration of 5 years from the date of this permission.
Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the details submitted by way of the planning application and accompanying Environmental Report (November 2012) and Ecological Surveys Volumes, as supplemented by the additional "Note on Th70: Manorway Fleet Reedbed", except as varied by the following conditions.
Reason: For the avoidance of doubt and to safeguard and improve natural habitats and features within the site and to mitigate against the loss of natural habitats, with particular reference to those species protected under the Wildlife and Countryside Act 1981.
- 3 Prior to the commencement of the development hereby permitted a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in

writing by, the Local Planning Authority. The CEMP will list the necessary construction procedures for each phase of the development incorporating the construction parameters and mitigation measures set out in the Environmental Report (November 2012), and Ecological Surveys Volumes, as supplemented by the additional "Note on Th70: Manorway Fleet Reedbed" including, but not limited to:

- measures relating to the implementation best practice construction methods (such as lighting schemes and timings of works);
- measures relating to site safety issues;
 - a Construction Transport Management Plan (CTMP) including;
 - a Parking Management Strategy;
 - a Site Access Strategy;
 - a route strategy;
 - details for the submission of access reports;
 - details of the timing of construction traffic movements;
 - an Abnormal Load Strategy;
 - details of wheel washing facilities;
- measures relating to the control of pollution, including:
 - procedures that follow the Pollution Prevention Guidance provided by the Environment Agency to prevent pollution of watercourses by silt or chemicals;
 - procedures for the implementation of good construction site management to avoid / minimise the generation of excessive litter, dust, noise and vibration;
 - procedures to avoid / minimise the potential for fuel and chemical spills; and
 - a Pollution Incident Response Plan;
- measures relating to the control of waste;
- measures relating to the protection of ecology, including:
 - the requirement that briefings and instruction to be given to Contractors regarding the biodiversity issues associated with the site;
 - the requirement that work compounds and access tracks are not located in, or adjacent to, areas that maintain habitat value or are within areas supporting protected species; and
 - the establishment of site fencing to prevent access to areas outside the working width, particularly in areas adjacent to features of ecological interest or value;
 - Environmental Awareness Training Plans;
 - specific ecological / species plans including method statements for Badgers, Great Crested Newts, Reptiles and Water Voles;
- a Contingency and Emergency Response Plan;
- a Habitat Reinstatement, Enhancement and Aftercare Plan;
- a Liaison Plan; and
- Audit Schedule and Procedures.

The CEMP shall satisfactorily address any other matters set out in the planning conditions listed below, as appropriate. The development shall be carried out in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is undertaken in a manner which acknowledges local amenity and highway safety in accordance with Policies PMD1 and PMD7 of the Thurrock LDF Core Strategy and Policies for the Management of

Development DPD (2011), and to safeguard and improve natural habitats, with particular reference to those species protected under the Wildlife and Countryside Act 1981.

- 4 No site construction work associated with the development hereby permitted shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Saturday 0700 - 1900 hours, unless in association with an emergency or with the prior written approval of the Local Planning Authority.
Reason: To protect the amenities of local residents and in the interest of amenity generally.
- 5 Prior to the commencement of the development hereby permitted a scheme of mitigation measures shall be submitted to, and agreed in writing by, the Local Planning Authority to mitigate against the effects of any 24 hour working which may be required as a consequence of the horizontal directional drilling. The scheme of mitigation shall be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of local residents.
- 6 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy to the Construction Environmental Management Plan, detailing how this unsuspected contamination shall be dealt with.
Reason: To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters.
- 7 Prior to the commencement of development hereby permitted details of the design and location of the proposed transitional bay(s) and route marker posts / plates shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the agreed details of the design, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to preserve and enhance the open setting of the Green Belt.
- 8 Prior to the commencement of development, details of the precise alignment of the underground cable route shall be submitted to, and approved in writing by, the Local Planning Authority. The construction of the cable route shall be in accordance with the approved alignment, unless otherwise agreed in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and in order to minimise the environmental impacts of the underground cable.
- 9 Prior to the commencement of development a scheme for the stripping, protection, storage and re-use of topsoil and subsoil shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall proceed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to protect the amenities of surrounding occupiers.
- 10 Prior to the commencement of development, a method statement providing full

details of the proposed use of horizontal directional drilling (HDD) along the route of the underground connection shall be submitted to and approved in writing by the Local Planning Authority. Implementation of HDD shall be in accordance with the approved method statement.

Reason: To protect the amenities of local residents and in the interest of amenity generally.

- 11 Prior to the commencement of development, a Flood Evacuation Plan (FEP) shall be submitted to, and approved in writing by, the Local Planning Authority. The measures approved within the FEP shall be implemented throughout the construction of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper protection of personnel engaged in the construction of the development.

Informatives:-

- 1 (Statement pursuant to the provisions of Article 31(1) of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012, Article 31(1)) - In making this decision the Local Planning Authority has had regard to the NPPF, including paragraphs 186-187. The Local Planning Authority has approached decision making in a positive way and has sought to work positively and proactively to secure developments that improve the economic, social and environmental conditions of the area and resolve issues that further these and LDF objectives.
- 2 The applicant is reminded that under the Wildlife and Countryside Act 1981 (section 1) it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. The RSPB publish a booklet "Wild Bird and the Law". Natural England also produce Guidance Notes relating to Local Planning and Wildlife Law – both of which are useful.

Formally Approved Plans:

Plan Reference	Plan Type	Plan Date
2746/D/1	Application Site Boundary	29 th November 2012
2746/D/2	Site Location	29 th November 2012
MMD-292033-E-DR-TN-XX-1310	Layout Diagram Thames Haven	29 th November 2012
5088247/09.01/1006 Rev.0	Connection Coryton South Extension 400 kV Typical Cable Sections	29 th November 2012

Reasons for Granting Consent:

In granting consent the Council has taken into account all relevant planning considerations and matters arising from comments from statutory consultees and public representations.

Policies that were taken into consideration when determining this application:

- CSSP2 - Sustainable Employment Growth
- CSSP3 - Sustainable Infrastructure
- CSSP4 - Sustainable Green Belt
- CSTP6 - Strategic Employment Provision
- CSTP25 - Addressing Climate Change
- CSTP26 - Renewable or Low-Carbon Energy Generation
- PMD1 - Minimising Pollution and Impacts on Amenity
- PMD6 - Development in the Green Belt
- PMD7 - Biodiversity and Development
- PMD13 - Decentralised Renewable and Low Carbon Energy Generation

Signed:



Head of Major Projects

Date: 27th February 2013

Notice to be sent to an applicant when a Local Planning Authority refused planning permission or grants it subject to conditions.

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you may appeal to the Secretary of State for the Communities and Local Government under section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice. Appeals must be made on the correct Planning Appeal / Householder Planning Appeal / Listed Building Consent Appeal / Certificate of Lawful Use or Development Appeal form which are available from The Planning Inspectorate, Room 3/01 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively, you may telephone the Planning Inspectorate on **01173726372** or email them at enquiries@planning-inspectorate.gsi.gov.uk. When requesting forms from the Planning Inspectorate please ensure you state the appeal form you require.

The Secretary of State can allow a longer period for giving notice of an appeal, but he/she 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/her that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on the direction given by him/her.

NOTE: The Planning Inspectorate have introduced an online appeals service that you may use to make your appeal online. You may find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of the appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only supply information, including personal information belonging to you, that you are

content will be made available in this way. If you supply personal information belonging to someone else, please ensure that you have their permission. More detailed information about data protection and privacy matters is available in the Planning Portal (<http://www.planningportal.gov.uk/>).

Purchase Notices

If either the Local Planning Authority or Communities and Local Government refuse permission to develop land or grant it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she 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/her interest in the land in accordance with the provisions 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 provision of the Town and Country Planning Act 1990.