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Town and Country Planning Act 1990 Planning Permission

Reference: H16-0135-10

Received: 20-FEB-10

Type: FULL

Name: Spalding Energy Expansion Limited
21 Holborn Viaduct
London
EC1A 2DY

Agent: Dalton Warner Davis LLP
21 Garlick Hill
London
EC4V 2AU

Description: Construct and operate an 8 kilometre high pressure natural gas pipeline and extend existing Wragg Marsh above ground installation to support a new minimum off-take connection and a new minimum off-take facility

Location : Land between proposed SEE and Wragg Marsh AGI to the north east of Spalding

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

- 1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the Environmental Statement and approved plans BPA-6851-P-MAP-Rev C, BPA-6731-P-LYT-Rev D, BPA-6732-P-LYT-Rev D, BPA-6733-X-LYT-Rev A, 08157-05-Rev 1, received 20 February 2010, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and limit the impacts to those described in the Environmental Statement.

- 3 The commencement of the development shall not take place until there has been submitted to, approved in writing by, and deposited with the Local Planning Authority a Construction Environmental Management Plan. The Plan shall include details of how all construction activities including those relating to construction traffic, will be controlled and mitigated, address the potential environmental impacts associated with oil/chemical storage, plans for the disposal of waste produced at the construction site, how the environmental impacts of the open cut approach to watercourses will be minimised and confirm whether any crossing points at watercourses along the

route of the pipeline will involve culverting. The construction of the development shall be completed in accordance with the approved plan unless any variation has been approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area.

This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan 2006.

- 4 Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved by the Local Planning Authority.

Reason: To ensure that breeding birds are not adversely affected.

This Condition is imposed in accordance with national guidance contained in Planning Policy Statement 9 'Biodiversity and Geological Conservation'.

- 5 Before development commences, a working design, methods statement and timetable of works to mitigate any undue adverse effects to water vole shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out as part of the development. No development shall take place except in accordance with the agreed details.

Reason: To ensure that water voles are not adversely affected.

This Condition is imposed in accordance with national guidance contained in Planning Policy Statement 9 'Biodiversity and Geological Conservation'.

- 6 Before development commences, a working design, methods statement and timetable of works to mitigate any undue adverse effects to badgers shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out as part of the development. The method statement will contain details of how badgers will be allowed to escape from any trench near known sett(s) or suspected commuting corridors. No development shall take place except in accordance with the agreed details.

Reason: To ensure that badgers are not adversely affected.

This Condition is imposed in accordance with national guidance contained in Planning Policy Statement 9 'Biodiversity and Geological Conservation'.

- 7 No development shall take place within the application area until the applicant has secured the implementation of a programme or archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning

Authority. The development shall be undertaken only in full accordance with the approved written scheme. No variation shall take place without the prior written consent of the Local Planning Authority.

Reason: In order to ensure the preparation and implementation of an appropriate scheme of archaeological mitigation.

This Condition is imposed in accordance with national guidance contained in Planning Policy Statement 5 'Planning for the Historic Environment'.

- 8 Construction work shall only take place between the hours of 0700 to 1900 Monday to Friday, 0700 to 1700 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority or in emergencies.

Reason: To enable reasonable and proper control to be exercised over the methods of construction of the development.

This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan 2006.

- 9 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 agreed Construction Traffic Management Plan shall be complied with for the duration of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the number of traffic movements for the safety of other road users and pedestrians.

This Condition is imposed in accordance with Policies SG1 and SG13 of the South Holland Local Plan 2006.

- 10 Prior to the commencement of development details of wheel washing facilities for construction vehicles shall be submitted to the Local Planning Authority for approval in writing. The approved wheel washing facilities shall be maintained and used for the duration of the construction phase of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that satisfactory measures are in force so as to alleviate any impact dust and dirt may have on the local environment.

This Condition is imposed in accordance with Policies SG2 and SG17 of the South Holland Local Plan 2006.

- 11 Prior to the commencement of development details of the locations of the temporary site

establishment area (SEA), temporary Pipe Storage Compounds (PSC), welfare facilities and access arrangements shall be submitted to the Local Planning Authority for approval in writing. No development shall take place except in accordance with the agreed details.

Reason: As full details have not been submitted with the application and to ensure adequate facilities are available for the efficient construction of the pipeline.

- 12 Before the commencement of the AGI extension hereby permitted, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the AGI extension site, indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development of the AGI extension is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set. This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

Reason For Approval

The proposal is in accordance with national and local policies as set out in:

Planning Policy Statement 1 - "Delivering Sustainable Development".

Planning Policy Statement 4 - "Planning for Sustainable Economic Growth".

Planning Policy Statement 5 - "Planning for the Historic Environment".

Planning Policy Statement 9 - "Biodiversity and Geological Conservation".

Planning Policy Statement 10 - "Planning for Sustainable Waste Management".

Planning Policy Statement 22 - "Renewable Energy".

Planning Policy Statement 23 - "Planning and Pollution Control".

Planning Policy Statement 25 - "Development and Flood Risk".

Planning Policy Guidance Note 13 - "Transport".

Planning Policy Guidance Note 24 - "Planning and Noise".

Policies 1, 2, 3, 4, 5, 18, 19, 20, 26, 27, 28, 29, 31, 32, 33, 35, 36, 38, 39, 40 and 45 of the East Midlands Regional Plan, March 2009.

Policies SG1, SG2, SG3, SG4, SG6, SG11, SG12, SG13, SG14, SG15, SG16, SG17, SG18, EC3, EN1A, LT3 and TC2 of the South Holland Local Plan, 2006.

The issues relating to impacts on local communities are material considerations but not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above. The Council considers that any impacts can be overcome by the above conditions.

Head of Planning & Development

08 JUN 2010

H16-0135-10

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.