



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

Application Number: 11/50286/TTGFUL	Date Validated:	25-Mar-2011
	Target Date:	24-Jun-2011

In pursuance of the powers exercised by them as local planning authority the Thurrock Thames Gateway Development Corporation (the Corporation) give formal notice of their decision, in respect of the following development to:

GRANT PERMISSION

Proposal: To develop an underground gas pipeline, an above ground installation (AGI) and ancillary development (including pipeline route markers, cathodic protection posts, M4 mark posts (for special crossings) and landscaping / biodiversity provision).

Location: Land between the former Shellhaven Refinery (London Gateway site) and St. Clere's Golf Course, west of Butts Lane, Stanford-le-Hope, Essex.

Applicant Contact Details:
Gateway Energy Centre Limited
21 Holborn Viaduct
London
EC1A 2DY

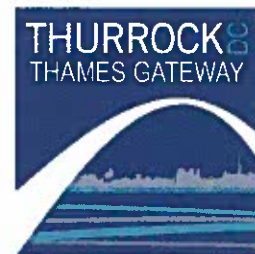
Agent Contact Details (if applicable):
Mr Keith Dalton
Dalton Warner Davis LLP
21 Garlick Hill
London
EC4V 2AU

**This grant of planning permission is subject to the following conditions
(given on the following pages)**

Signed:

Director of Planning & Strategy

Date: 08 March 2012



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MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010**

APPLICATION NUMBER: 11/50286/TTGFUL

GRANT PERMISSION

This grant of planning permission is subject to the following conditions:

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 Statement (March 2011), as supplemented by the Environmental Statement Further Information Document (July 2011), 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 Statement (March 2011), as supplemented by the Environmental Statement Further Information Document (July 2011) including:
 - a) parking of vehicles of site operatives and visitors;
 - b) loading and unloading of vehicles;
 - c) storage of materials;
 - d) wheel washing equipment;
 - e) control of emissions of dust, dirt and artificial lighting;
 - f) a scheme for recycling and disposing of waste;
 - g) measures to avoid potential injury or mortality to individual badgers, water voles, great crested newt, reptiles and nesting birds;
 - h) minimisation of noise and vibration;

- i) a pollution incident response plan;
- j) provision for drainage and water quality mitigation.

The CEMP shall satisfactorily address any other matter 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 BE1 and BE2 of the Thurrock Borough Local Plan 1997, and to safeguard and improve natural habitats, with particular reference to those species protected under the Wildlife and Countryside Act 1981.

4. Prior to the commencement of the development hereby permitted a Construction Transport Management Plan (CTMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CTMP shall accord with the mitigation measures proposed in the Environmental Statement (March 2011), and shall include the following details:

- a) Parking Management Strategy;
- b) Site Access Strategy;
- c) Route Strategy;
- d) Details for the submission of Access Reports;
- e) Details of the timing of construction traffic movements;
- f) Abnormal Load Strategy.

The development shall be carried out in accordance with the approved CTMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety or amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surrounds and provides for pedestrian and vehicular movements as required by Policy BE1 of the Thurrock Borough Local Plan 1997.

5. No groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that investigation and recording of any remains takes place prior to the commencement of development in accordance with the requirements of PPS5 (Planning for the Historic Environment).

6. The applicant shall give 48 hours notice of the commencement of development to the Local Planning Authority and afford access at all reasonable times to any archaeologist or suitably qualified person nominated by the Local Planning Authority and shall enable that person to observe the excavations and record items of interest and finds.

Reason: To ensure that the archaeological history of the site is recorded in accordance with the requirements of PPS5 (Planning for the Historic Environment).

7. With the exception of horizontal directional drilling, 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.

8. 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.

9. Prior to the commencement of the development hereby permitted, a Site Waste Management Plan in accordance with the Site Waste Management Plan Regulations 2008 shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Environment Agency. The development shall be carried in accordance with the agreed Site Waste Management Plan unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order that the development is constructed in an environmentally sustainable manner.
10. 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.
11. No construction works associated with horizontal directional drilling shall occur until a method statement, including details of any necessary remediation, has been submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include the results of initial sampling and assessment to be undertaken at the horizontal directional drilling entry and exit points to identify any potential contamination and also any further intrusive soil surveys and risk assessments arising as a result of the initial sampling and assessment. The horizontal directional drilling shall be carried out in accordance with the agreed method statement, unless otherwise agreed in writing by the Local Planning Authority
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.
12. Prior to the commencement of development hereby permitted an Ecological Management Plan scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme, taking account of the measures recommended in the Environmental Statement (March 2011) shall address the reinstatement and enhancement of any habitats damaged by the proposed development and will provide details of any additional planting and measures to enhance local biodiversity. The area affected by the development shall be confined to the agreed construction corridor, as detailed in the Environmental Statement (and supplementary reports). The Ecological Management Plan shall identify a core area of botanical significance adjacent to the temporary construction access routes.
Reason: To safeguard and improve natural habitat 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.
13. No construction works associated with horizontal directional drilling, nor pressure testing and commissioning shall occur until a noise management scheme has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in

accordance with the agreed detailed noise management scheme, unless otherwise agreed in writing by the Local Planning Authority. The noise management scheme is to be prepared and construction work carried out in accordance with applicable British Standards for noise and vibration control on construction and open sites.

Reason: In order to protect the amenity of local residents.

14. Prior to the commencement of development hereby permitted a Landscaping and Greengrid Strategy shall be submitted to, and approved in writing by, the Local Planning Authority, as set out in the Environmental Statement (March 2011), as supplemented by the Environmental Statement Further Information Document (July 2011) including:
- a) provision of landscaping at the site of the proposed above ground installation
 - b) further landscaping and biodiversity works in the vicinity of the proposed above ground installation
 - c) measures to minimise effects on existing landscape features and vegetation.

The development shall be carried out in accordance with the agreed detailed Landscaping and Greengrid Strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and improve natural habitat 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.

15. Prior to the commencement of development hereby permitted details of the above ground installation including details of the access, layout, amount and siting of buildings, plant and equipment, materials, landscaping, fencing, external lighting and CCTV equipment, together with pipeline route markers, cathodic protection posts and M4 marker posts for special crossings) as described in the Environmental Statement (March 2011), as supplemented by the Environmental Statement Further Information Document (July 2011) and the Design and Access Statement 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.

16. 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.

17. Prior to the commencement of development, details of the precise alignment of the underground gas pipeline shall be submitted to, and approved in writing by, the Local Planning Authority. The construction of the pipeline 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 gas pipeline.

18. 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.

These are the policies that were taken into consideration when determining this application:

- BE1 - Design of New Development
- GB1 - ~The Green Belt in Thurrock
- E8 – Oil Refineries
- LN2 – Landscape Improvement Areas
- LN3 – Landscapes of Local Importance
- LN15 – Sites of Importance for Nature Conservation
- East of England Plan Policy SS1 – Achieving Sustainable Development
- East of England Plan Policy ENG1 – Carbon Dioxide Emissions and Energy Performance

In determining this application the Local Planning Authority have taken account of the Development Plan policies listed above, and given due weight to other material planning considerations. The policies referred to above are contained in the Thurrock Borough Local Plan 1997 which can be viewed at the Civic Offices, Grays.

INFORMATIVES

1. This notice relates to the requirements for planning permission under the Town & Country Planning Act 1990 (as amended). You may require permission under the Building Regulations before commencing this development.
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 absolutely certain that nesting birds are not present. The RSPB publish a booklet "Wild Birds and the Law". Natural England also produces Guidance Notes relating to Local Planning and Wildlife Law – both of which are useful.

TOWN AND COUNTRY PLANNING ACT 1990

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.