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NOTICE OF DECISION - GRANT OF PLANNING PERMISSION

Dong Energy (UK) Ltd
c/o RPS Planning And Development Ltd
Mr Simon Gamage
20 Western Avenue
Milton Park
Abingdon
Oxfordshire
OX14 4SH

Reference No: 14/01587/F

Application Registered: 11 November 2014

Parish: Walpole Cross Keys

Details: **REMOVAL OF CONDITIONS 5, 6, 7, 8 AND 10 AND VARIATION OF CONDITIONS 2, 3, 4, 9 AND 11 ATTACHED TO PLANNING PERMISSION 10/00966/EXF: Installation of 11km of underground electrical cables, extension of an existing substation, ancillary access roads, construction laydown areas and transformer delivery swept access at Land To the East of Sutton Bridge And To the North West of Walpole St Peter Wisbech Cambs**

The Town and Country Planning Act 1990 (as amended)
The Town and Country Planning (Development Management Procedure) (England) Order 2010

Permission is granted for the carrying out of the development referred to above in accordance with the application and plans submitted **subject to compliance with the following conditions:**

1. The development hereby permitted shall be begun before 27 July 2015.

2. Prior to the commencement of any development on the onshore cable route, a detailed scheme to minimise disturbance through noise, dust, vibration and smoke during the construction process shall be submitted to and approved in writing by the Local Planning Authority. The construction process shall be carried out in complete accordance with the scheme approved.

3. The development of the onshore cable route shall be carried out in complete accordance with the measures set out in the Flood Risk Assessment contained within the Environmental Statement forming part of planning permission 07/00184/F unless otherwise agreed in writing by the Local Planning Authority.

4. Prior to the commencement of any development of the onshore cable route, the following additional information shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the King's Lynn Consortium of Internal drainage Boards:
(1) Details of cable laying techniques for drainage ditches to be crossed together with the depth of cables below bed levels;
(2) Locations and constructional details for any temporary hard standing areas for base drilling operations and building areas together with access points;
(3) Details of phasing of the proposed works together with measures to be taken to ensure the flow of levels of water in the existing drainage system are maintained.

   The works shall be carried out in accordance with the details agreed.

5. Prior to the commencement of any on site works on the onshore cable route, a Construction Management Plan incorporating a work based Travel Plan shall be implemented in accordance with details to be submitted to and agreed in writing with the Local Planning Authority in consultation with the Local Highway Authority.

6. Prior to the first operation of the development a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained.

7. The development hereby permitted shall be carried out in accordance with the following approved plan received in the current application and the plans received in the original application 07/00184/F:

* Route of cabling - OS plan Ref JNP2157 scale 1:50000 – received 1st June 2010
* Onshore Planning Statement received 5th February 2007
* Revised drawing 01515D0004-05 received 12th February 2007
* Ornithological Addendum received 22nd March 2007
* Letter dated 29th May 2007 regarding Cable Alternative Routes Study

The Reasons being:

1. To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. In the interests of amenity of local residents in accordance with the NPPF.

3. To ensure that the development does not increase the risk of flooding or be at risk of flooding in accordance with the NPPF.

4. To ensure that the site is adequately drained, to avoid pollution and to prevent the increase risk of flooding in accordance with the NPPF.

5. In the interests of highway safety and to ensure that the development is as sustainable as possible in accordance with the NPPF.

6. In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.

7. For the avoidance of doubt and in the interests of proper planning.

Executive Director, Environment and Planning
On behalf of the Council
18 December 2014

Please note that any conditions that may be attached to this decision notice form an integral part of the permission. Failure to comply with any conditions could lead to enforcement action or the need to submit a further formal application.

In accordance with the NPPF, in determining this application for planning permission, the Borough Council has approached it in a positive and proactive way, and where possible has sought solutions to problems to achieve the aim of approving sustainable development. As such the development hereby approved is considered to represent sustainable development.

The case officer who dealt with this application was Mrs N Osler, telephone number 01553 616402.

Notes relating to decisions on planning applications:

1. This permission refers only to that under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to The Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990. Appeals must be made within 6 months unless subject to an enforcement notice (see below). (Appeals must be made on a form which is available from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, telephone 0303 4445000). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (*), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority is based on a decision given by him.

   Appeal time limits where the same development is subject to an enforcement notice

- 28 days from the date of the refusal or the expiry of the period which the local planning authority (LPA) had to determine the application, where the enforcement notice is served before the application is submitted;
- 28 days from the date of the refusal or the expiry of the period which the LPA had to determine the application, where the enforcement notice is served before the decision on the application is reached or the determination period has expired; or
- 28 days from the date the enforcement notice is served, where the enforcement notice is served after the decision or expiry of the period which the LPA has to reach a decision on the application, unless the effect would be to extend the period beyond the usual time limit for cases not involving an enforcement notice.
- These time limits apply where an enforcement notice has been served no more than two years before the date of the application or where it is served on or after the date of the application, regardless of whether an appeal was lodged against the enforcement notice and provided the notice is not withdrawn prior to the expiry of the time limits outlined above.

3. If permission to develop land is refused or granted subject to conditions, whether by the local authority or by the Secretary of State of the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has or would be permitted, he may serve on the Council or the county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

4. In certain circumstances, a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

   (*) The Statutory requirements are those set out in Section 76(6) of the Town and Country Planning Act 1990 namely section 70 and 72(1) of the Act.

5. Time Limits for Appeals

   Householder planning applications against refusal or to remove/amend conditions = 12 weeks
   Minor Commercial and Advertisement Consent Appeals = 12 weeks
   All other appeals = 6 months

   For more information please see website: http://www.planningportal.gov.uk/planning/appeals

SOUTH HOLLAND DISTRICT COUNCIL

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FILE COPY

Town and Country Planning Act 1990

Planning Permission

Reference: H18-0341-10 **Received:** 24th April 2010 **Type:** PERMISSION RENEWAL

Name: Centrica RBW Ltd
3 The Square
Stockley Park
Uxbridge
UB11 1BG
UB11 1BG

Agent: RPS Planning and Development
Mallams Court
18 Milton Park
Abingdon
Oxon OX14 4RP
OX14 4RP

Description: Installation of 11km of underground electrical cables (and alterations and extensions to Walpole substation within Kings Lynn and West Norfolk) to link with offshore turbines (renewal of H18-0122-07)

Location : Land to east Sutton Bridge and north west of Walpole St Peter

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 following approved plans:
Vol.1 Environmental Statement Offshore - Chapters 1-5, Vol.1 Environmental Statement Offshore - Chapters 6-8, Vol.2 Environmental Statement Onshore, together with Appendices A2.1 - A2.22, Environmental Statement Non-Technical Summary, Booklet and DVD, dwg. nos. 6218-700-PA-085B, 01515D4302-02, 6218-700-PA-088D, 6218-700-PA-086A, C295-GA006, C295-GA002, C295-GA003, C295-GA004, C295-GA008, C295-GA010, 01515D2208-03, 01515D2209-03 and 01515D2210-02, received 25 January 2007.
Onshore Planning Statement, received 5 February 2007.
Revised drawing, dwg. no. 01515D0004-05, received 12 February 2007.
Ornithological addendum, received 22 March 2007.
unless otherwise agreed in writing by the Local Planning Authority. (As approved under H18-0122-07).

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Reason: For the avoidance of doubt and in the interests of proper planning.

3 Prior to the commencement of development arrangements need to be made with the Historic Environment Officer at Lincolnshire County Council to undertake an Archaeological Field Walking Survey, combined with a Geophysics Survey, along the entire length of the proposed cable route. The works should be undertaken in accordance with this agreed scheme.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site.
This Condition is imposed in accordance with Planning Policy Statement 5 'Plannning for the Historic Environment'.

4 A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority and the construction process shall be carried out in accordance with the scheme so approved.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

5 Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

Reason: In the interests of highway safety during the construction process.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

6 The development hereby permitted shall be carried out in general accordance with the measures set out in the Flood Risk Assessment contained within the Environmental Statement forming part *of this planning application, unless otherwise agreed in writing by the Local Planning Authority.*

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with advice contained in Planning Policy Guidance Note 25 'Development and Flood Risk'.

7 Prior to the commencement of development the following additional information shall be submitted to and approved by the Kings Lynn Consortium of Internal Drainage Boards:

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(1) Details of cable laying techniques for drainage ditches to be crossed, together with the depth of cables below the bed levels.
(2) Locations and constructional details of any temporary hardstanding areas for base drilling operations and building areas, together with access points.
(3) Details of the phasing of the proposed works, together with measures to be taken to ensure that the flow and levels of water in the existing drainage system are maintained.

In addition, prior to the commencement of any work, the consent of any riparian owners must be obtained, and the appropriate development contribution paid to the Board. The works should only be carried out in accordance with the approved details.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies SG11 and SG13 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 and Supplement on Climate Change'.
Planning Policy Statement 5 'Planning for the Historic Environment'.
Planning Policy Statement 7 'Sustainable Development in Rural Areas'.
Planning Policy Statement 9 'Biodiversity and Geological Conservation'.
Planning Policy Statement 22 'Renewable Energy'.
Planning Policy Statement 25 'Development and Flood Risk'.
Policies SG1, SG4, SG13, SG18 and LT3 of the South Holland Local Plan 2006.

There are no material considerations that indicate against the proposal.

There is one site of archaeological interest that has already been highlighted in the desk-top study, the WWII crash site. This type of site has extra protection from the MOD and a licence should be sought before any intrusive groundwork is undertaken in this area. These licences are issued by the Central Casualty Section a part of the RAF Personnel Management Agency.

If you wish to contact them they are at Ministry of Defence, PMA(CS) 1b1a (RAF), RAF Innsworth, Gloucestershire, GL3 1EZ (website www.raf.mod.uk/ptc/pmacasualty.html).

Investigation should be undertaken to ascertain whether there is the likelihood of human remains as if there is, it is unlikely that consent to disturb would be given.

Prior to the commencement of any access works within the public highway you should contact the Lincolnshire County Council Divisional Highways Manager on 01522 782070 for application, specification and construction information. Arrangements also need to be made for the maintenance at all times of Public Rights of Way.

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Head of Planning & Development
20th July 2010 **H18-0341-10**

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.