

Mrs Rebecca Nedeljkovic
Stockport MBC
Fred Perry House
Piccadilly
Stockport
SK1 3XE



**STOCKPORT METROPOLITAN BOROUGH COUNCIL
DECISION NOTICE**

Town and Country Planning Act 1990

**Full Application Planning Application Number
DC/086979**

Applicant Details: Stockport MBC Rebecca Nedeljkovic Stockport MBC Fred Perry House Piccadilly Stockport SK1 3XE	Agent Details: Mrs Rebecca Nedeljkovic Stockport MBC Fred Perry House Piccadilly Stockport SK1 3XE
Location Public Open Space Off Kingston Grove And Harrow Drive, Heaton Moor Stockport Stockport SK4 4SA	Description Of Development Importation of topsoil to cover the existing disused all weather sports pitch to provide a usable, turfed, public open space

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 The development hereby permitted shall be carried out in accordance with the following approved plans/drawings:

Site Clearance Plan (Drawing number : D_9003_3000_002)
received by the Local Planning Authority on the 31st October 2022

Proposed Typical Section (Drawing number : D_9003_3000_004)
received by the Local Planning Authority on the 23rd January 2023

Proposed Works Plan (Drawing number : C_3000_003 Rev B)
received by the Local Planning Authority on the 18th July 2023

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:

Saved UDP Policies

NE3.1 Protection and Enhancement of Green Chains
EP1.7 Development and Flood Risk
UOS1.3 Protection of Local Open Space
L1.1 Land for Active Recreation

Core Strategy DPD

CS5 Access to Services
SIE-1 Quality Places
SIE-3 Protecting, Safeguarding and Enhancing the Environment

- 2 No materials shall be imported to the site to form the landscaped or areas of open space until a methodology for the testing and validation of materials to ensure they are suitable for use is submitted to and approved in writing by the local planning authority. The method statement should be completed by competent, appropriately knowledgeable, qualified, trained and experienced person(s).

The methodology statement to be submitted shall specify but not be limited to:-

(i) Quantities of materials to be removed from and imported to the development site.

(iii) the proposals for sourcing and testing all materials imported to the site including testing schedules, sampling frequencies and actual and allowable contaminant concentrations (as determined by appropriate risk assessment in accordance with the document "Model Procedures for the Management of Land Contamination" (CLR11)).

(iii) Validation method to verify the volume and location of imported material used in landscaped areas.

Reason - To ensure that any unacceptable risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in order to comply with Policy SIE-3 Protecting, Safeguarding and Enhancing the Environment of the Stockport Core Strategy DPD.

- 3 The site shall not be brought into use until the approved verification report for the approved volumes of materials used in areas of open space and landscaping is submitted to and approved in writing by the local planning authority.

Reason - To ensure that any unacceptable risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in order to comply with Policy SIE-3 Protecting, Safeguarding and Enhancing the Environment of the Stockport Core Strategy DPD.

- 4 No earthworks or remediation shall commence on any part of the site until a method statement dealing with how the works will take place has submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details, which shall include, but not be limited to, the following information:
- o details of the routing of earth carrying vehicles to and from the site and access and egress arrangements within the site including details of signage, monitoring and enforcement;
 - o details of the site preparation, earthworks and remediation stages of the works and the likely number and type of vehicle movements involved;
 - o details of provisions for any recycling of materials, the provision on site of a storage/delivery area for all vehicles, plant, site huts, site facilities and materials;
 - o details showing how all vehicles associated with the earthworks and remediation are to be properly washed and cleaned to prevent the passage to mud and dirt onto the highway;
 - o the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from the earthworks and remediation;
 - o a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
 - o noise mitigation measures for all plant and processors;
 - o details of contractors compound and car parking arrangements;
 - o screening and hoarding details;
 - o delivery and collection times for vehicles associated with earthworks and remediation;
 - o details of a community liaison contact for the duration of all works including a complaints procedures and complaint response procedures;
 - o prior notice and agreement procedures for works outside agreed limits and hours;
 - o details of contractors membership of the Considerate Contractors Scheme and
 - o Provision of an emergency contact number

Reason - To ensure the earthworks and remediation are managed in a safe manner and do not adversely affect highway operation and safety or prejudice the amenities of the occupiers of the adjoining residential properties, in accordance with Policies Development Management T-3 Safety and Capacity on the Highway Network, SIE-1 Quality Places and SIE-3 Protecting, Safeguarding and enhancing the Environment. The methodology for undertaking earthworks and remediation needs to be approved in advance of any works taking place.

Signed:

Dated: 25th July 2023



Emma Curle - BSc (Hons) MRTPI
Chief Planning Officer
For and on behalf of the Deputy Chief Executive

ADDITIONAL INFORMATION

- 1 Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 38 and 47 of the revised NPPF published by the Ministry of Housing, Communities and Local Government in July 2021.

- 2 Any works which can be heard outside the site boundary must only be carried out between:

Monday to Friday 7.30 am - 6.00 pm

Saturday 8.00 am - 12:30 pm

Sundays, Public and Bank Holidays - No noisy working audible from the site boundary

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 online on the Planning & Building pages of the Stockport Council website: www.stockport.gov.uk/planningdatabase
2. 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 this 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 the conditions may make either the permission null and void or the development unauthorised.
3. 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.
4. 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.
5. 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.
6. 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
website: 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:

<https://www.gov.uk/appeal-planning-decision>

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