

**ESSEX COUNTY COUNCIL**

**Town and Country Planning Act 1990 (as amended)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
ORDER 2015**

In pursuance of the powers exercised by it as County Planning Authority, Essex County Council has considered an application to carry out the following development:

**Temporary use of Woodhouse Lane by non HGV vehicles to provide access for visitors and staff to the Rivenhall Integrated Waste Management Facility Information Hub and construction of temporary traffic management measures at Woodhouse Lane, Kelvedon, CO5 9DF**

and in accordance with the said application and the plan(s) accompanying it, hereby gives notice of its decision to GRANT PERMISSION FOR the said development subject to compliance with the following conditions and reasons:

1. The development hereby permitted shall be begun before the expiry of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

*Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be carried out in accordance with the details of the application dated 4 January 2022, together with the covering letter From RPS dated 4 January 2022, email from RPS dated 20 January 2022 and the following drawing entitled "Site Location Plan – Temporary Access" dated November 2021 Drawing no. 12037-0009-02 and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Waste Planning Authority, except as varied by the following conditions:

*Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with WLP policy 10, BCS policy CS5 and BLP policy RLP 36.*

3. Prior to commencement of the development details shall be submitted to and approved in writing by the Waste Planning Authority to show the following:
  - a) Measures to ensure Public Right Of Way Footpath 8 Kelvedon) shall remain clear and unobstructed at all times; and
  - b) Signage warning drivers of the presence of pedestrians over that length of Footpath 8 (Kelvedon) affected by the proposal.

The development shall be carried out in accordance with the approved details.

*Reason: To protect highway efficiency of movement and safety and the Public Right of Way, in accordance with policy DM1 and DM11 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and WLP policy 10.*

4. The access from Woodhouse Lane shall not be used outside the following hours:

0700 hours to 1900 hours Monday to Friday  
0700 hours to 1300 hours Saturdays

and at no other times, including on Sundays, Bank or Public Holidays, unless previously notified and approved by the Waste Planning Authority.

Without prejudice to the foregoing the access from Woodhouse Lane shall only be used for the purposes specified in the application.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with WLP policy 10 and BLP policy RLP 36.*

5. The access from Woodhouse Lane shall not be used by Heavy Goods Vehicles to access the IWMF development as permitted by ESS/34/15/BTE or any subsequent amending permissions.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with WLP policy 10, BLP policy RLP 36 and BCS policy CS5.*

6. Use of the access from Woodhouse Lane for staff and visitors shall only be permitted until the 31 December 2026 or upon completion of the construction of the IWMF and the associated permanent access road from the A120, whichever is the sooner.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with WLP policy 10, BLP policy RLP 36 and BCS policy CS5.*

## **Reason for Approval**

**Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against the following policies of the development plan:**

## **Development Plans**

### **WASTE LOCAL PLAN (WLP) 2017**

Policy 10 - Development Management Criteria

### **BRAINTREE DISTRICT COUNCIL LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY (BCS) adopted 2011**

CS5 Countryside

### **BRAINTREE DISTRICT LOCAL PLAN REVIEW (BLP) 2005**

RPL 36 Industrial and Environmental Standards

RPL 90 Layout and Design of Development

## **Statement of Reasons**

It is considered that the route via Woodhouse Lane is justified as it would be a simpler and safer route for visitors and staff going to the Information Hub, avoiding potential conflict with quarry and construction traffic on the temporary access road. It is considered subject to a condition limiting hours of use, there would be no adverse impact upon amenity in the local area in accordance with WLP policy 10 and BLP policy RPL 36.

As the proposed private road from Woodhouse Lane is existing and works to maintain the route would be on the existing alignment of the road, there would be no additional impacts in terms of archaeology, ecology and/or loss of agricultural land. The proposals are therefore not considered to be in conflict with WLP policy 10 or BCS policy CS5.

It is not considered that the proposed number or nature of proposed vehicles, (specifically not including HGVs) would give rise to highway safety and capacity issues, such that the proposals are not contrary to WLP policy 10.

Subject to a condition to ensure the PRow remains unobstructed and that signage is provided, it is not considered that the number and nature of vehicle would give rise to adverse effects on the PRow that would warrant refusal.

**There are no other policies or other material considerations which are overriding or warrant the withholding of permissions.**

## **THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)**

The proposed development would not be located adjacent to a European site.

Therefore, it is considered that an Appropriate Assessment under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 is not required.

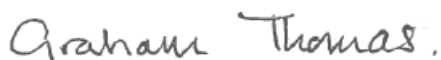
**STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure)(England) Order 2015.

Dated: 28 April 2022

COUNTY HALL  
CHELMSFORD

Signed

A handwritten signature in dark ink that reads "Graham Thomas." The signature is written in a cursive, slightly informal style.

Graham Thomas - Head of Planning Service

**IMPORTANT - ATTENTION IS DRAWN TO THE NOTES ON THE NEXT PAGE**

## NOTES

### TOWN AND COUNTRY PLANNING ACT 1990

#### NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT 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 can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision that relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- Alternatively, if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> .If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000
- The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.