



## TENDRING DISTRICT COUNCIL

### Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

**AGENT:** Mrs Rebecca Lock  
Dalcour Maclaren  
Unit 1 Staplehurst Farm  
Weston On The Green  
OX25 3QU

**APPLICANT:** Mr Walkington-Mayo  
Affinity Water Limited  
Tamblin Way  
Hatfield  
AL10 9EZ

#### TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 19/01597/FUL

**DATE REGISTERED:** 11th December 2019

Proposed Development and Location of the Land:

**Proposed new building to house dosing and monitoring equipment, construction of a new delivery area and erection of a small access kiosk. Water Works Clacton Road Horsley Cross Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions;

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of 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/documentation:

195462\_PLN\_SP\_1.1 received 22 October 2019

195462\_PLN\_SP\_3.1 received 22 Oct 2019

195462\_PLN\_EL\_4.1 Rev \_A received 11th December 2019

Email confirming details of external lighting for kiosk (dated 10th February 2020 from CG, Dalcourhmacclaren)

PO19625-NM-16-XX-DR-M-0002 Revision P01 received 11th December 2019

PO19625-NM-00-ZZ-DR-M-0002 Revision P01 received 11th December 2019

PO19625-NM-01-00-DR-C-0010 Revision P01 received 11th December 2019

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

- 3 Tree and hedgerow protection measures in accordance with the submitted Ecological Report (Maydencroft Ltd March 2019) shall be implemented throughout the construction of the development to ensure no damage occurs to the veteran Oak tree and hedgerows.

Reason - In the interest of protection of landscape character and biodiversity.

- 4 The section of hedgeline removed during construction shall be immediately reinstated following completion of the development and planted with mixed native species. The

plants should be maintained and cared for appropriately to ensure their longevity. If any new plants die within two years of being planted, these should be replaced.

Reason - In the interest of protection of landscape character and biodiversity.

**DATED:** 11th February 2020

**SIGNED:**



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Catherine Bicknell  
Head of Planning

**IMPORTANT INFORMATION :-**

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

EN6 Biodiversity

COM31 Water Supply

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**INFORMATIVE 2:**

The clearance of scrub should be done outside the bird nesting season i.e. in the period September to February. If this is not possible all areas to be cleared should first be checked for active nests by an appropriately qualified Ecologist or Natural England. In the event that nesting activity is identified, the clearance works in the vicinity will need to cease until the bird has finished nesting and the young have fledged.

**INFORMATIVE 3:**

Where possible, impacts to suitable reptile habitat (rank semi-improved grassland, grass/scrub interfaces) should be avoided. However where suitable habitat is to be impacted or removed, precautionary measures will be implemented. This will involve the phased vegetation clearance within the area to be impacted, under supervision by an appropriately qualified Ecologist. A full method statement for this work will be produced by the Ecologist.

**INFORMATIVE 4:**

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available online or from the District Council.

**The attached notes explain the rights of appeal.**

## NOTES FOR GUIDANCE

### WHEN PLANNING PERMISSION IS REFUSED OR GRANTED 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.
- If you want to appeal, then you must do so within the set time frame as outlined below:
  - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- 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 permission for the proposed development or could not have granted it without the conditions 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.

#### ENFORCEMENT

- If this is a decision on a planning application relating 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.

- 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 (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.