

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	14 th Nov 2019
Planning Development Manager authorisation:	TF	15/11/19
Admin checks / despatch completed	CC	15.11.19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	VNO	15/11/19

Application: 19/01390/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Galloper Wind Farm Ltd

Address: Land adjacent Existing Operating & Maintenance Building Harwich
International Port Ltd Parkeston Quay

Development: Single storey room of modular construction to act as gym.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

02/00530/FUL	Erection of telecommunications base station to provide part of the network coverage of the public safety radio communications service. One 25m monopole mast and equipment cabin in secure compound.	Approved	13.05.2002
02/00710/FUL	25m Telecommunications Monopole to support telecommunications antennas. Equipment compound, equipment cabinet and ancillary development in accordance with plans 00202972-111, -112, -113, -114	Approved	21.06.2002
16/01897/FUL	An O&M building split into three main areas (warehouse space, space for office staff and space for offshore technicians). The building will be a two storey high portal frame structure. A helipad and hangar. A new floating berthing facility for Crew Transfer Vessels (CTV) in the north-west end of Bathside Bay. External storage and parking areas. An access road.	Approved	13.09.2018

19/01390/FUL

Single storey room of modular construction to act as gym.

Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

COM19 Contaminated Land

HAR1 Bathside Bay

HAR16 Port Development

QL3 Minimising and Managing Flood Risk

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

SPL1 Managing Growth

SP1 Presumption in Favour of Sustainable Development

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PPL1 Development and Flood Risk

Local Planning Guidance

Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three

'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is situated on the southern shore of the Stour Estuary; it is on land which is currently within the operational footprint of Harwich International Port (towards the eastern end). To the west and south of the site is Harwich International Port, which is industrial in its nature with terminal buildings and large areas of hardstanding. The terminal buildings together with the railway platforms are situated to the west of the site. To the east of the site lies a large grain store and warehouse, which are closest buildings to the application site. The site and surrounding area is flat and is in a prominent location with the Stour Estuary to the north of the site. Following the approval of application 16/01897/FUL, the site is occupied by an Operational and Maintenance Building with associated facilities for the Galloper Wind Farm which is situated off the coast approximately 40 km to the east of Harwich. The facilities allow offshore technicians to arrive on site, change, prepare for work, collect personal protective equipment, tools and equipment and wait for boarding the crew transfer vessels and head offshore.

Proposal

The application proposes a small rectangular building with a nominal elevation above natural ground level. The building has a footprint just under 55sqm with a predominantly flat roof of 3.3m high. The building would provide an on-site gymnasium for the offshore technicians. Externally the building would be finished in cedar timber cladding with grey powder-coated window/door framed and trim to roof edge.

Principle of Development

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form.

The site is within an area identified as 'Port Development' (Policy HAR16) and partially within the area of Bathside Bay (Policy HAR1). Policy HAR1 deals with the allocation of part of the site and the adjacent land for a strategic employment site known as Bathside Bay. Planning permission has been granted and remains extant until 2021, the development is yet to be implemented. Policy HAR1 states that 'no new planning permission will be granted unless it is for substantially similar development'. This proposed development is on part of the Bathside Bay site; however, it is a small part of the overall site. It is considered that this development would not prejudice the Bathside Bay development coming forwards as Harwich Port as landowner would retain control over both sites.

Policy HAR16 of the Saved Local Plan states that the Council will support proposals for the upgrading of on-site port facilities at Harwich International Port. The proposal is not directly related to the Harwich International Port facilities, however, the Port has provided space for renewables

activities across its existing quays and storage areas, supporting the implementation of Round 2 offshore wind farm developments and this proposed will continue to facilitate support of the renewables sector.

Paragraph 17 of the NPPF states that planning should 'support the transition to a low carbon future in changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)'. Whilst the proposal is not for the development of renewable energy it is a proposal that is necessary to ensure the operation of a renewable energy project.

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The new building is likely to be reasonably well associated with the existing developed land and whilst the built form is unlikely to improve the quality of the local landscape character it is equally unlikely to be significantly detrimental. The proposed scale of the building would have a subordinate relationship with the main operational building. External materials, being cedar-cladding would result in a pleasantly-soft contrast to the attractive coloured finish of the main building.

Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The site is located within the port area, where there are no nearby residential properties, therefore the proposed buildings, structures and pontoon will not result in any adverse impact on residential amenity.

Highways and Parking

The proposed development neither generates an additional need for parking nor decreases the existing parking provision at the site.

Flood Risk

Tendring District is surrounded on three sides by water with the majority of the population living in coastal or riverside settlements. In recent years there has been an increase in the frequency and scale of river flooding nationally, and climate change is expected to increase the risk of coastal and river flooding in the future as a result of sea level rise and more intensive rainfall. Reducing

vulnerability to flood risk now and throughout the lifetime of development is therefore vital to maintaining community safety and achieving long-term quality of life for residents in the District.

The Council will ensure that flood risk is taken into account at all stages in the planning process, to avoid inappropriate development in areas at risk of flooding. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of development outweigh the risks of flooding.

The site is located within Flood Zone 3a, an area defined as having a high probability of flooding. The flood maps also show that site is located in an area benefiting from the flood defences. The proposed development is categorised as 'less vulnerable'. The Environment Agency's flood risk map indicates that the risk of flooding to the site is 'low'. The overall risk of surface water flooding to the site is 'low'. The flood risk from other sources including underground water, sewer and reservoir is low.

The proposed building is considered to be an extension to the main building occupied by the Galloper Wind Farm Limited. The Environment Agency has issued a guidance on 'Householder and other minor extensions in Flood Zones 2 and 3'. This guidance is for domestic extensions and non-domestic extensions where the additional footprint created by the development does not exceed 250m². As the proposal is significantly under this figure, the Environment Agency's guidance for minor extensions is an appropriate route for flood mitigation.

For the proposed development the floor level of the proposed extension will be set no lower than the existing level of the property (i.e. adjacent building occupied by Galloper Wind Farm Limited), and flood proofing of the proposed development will be incorporated where appropriate.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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: 1176-MBA-XX-00-DR-A-00000-SO-01, 1176-MBA-V1-GF-DR-A-10110-SO-01, 1176-MBA-V1-RP-DR-A-10111-SO-01, 1176-MBA-XX-XX-DR-A-30000-SO-01, 1176-MBA-V1-XX-DR-A-30100-SO-01 received 16th September 2019 and Flood Risk Assessment received 16th October 2019.

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

8. Informatives

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.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO