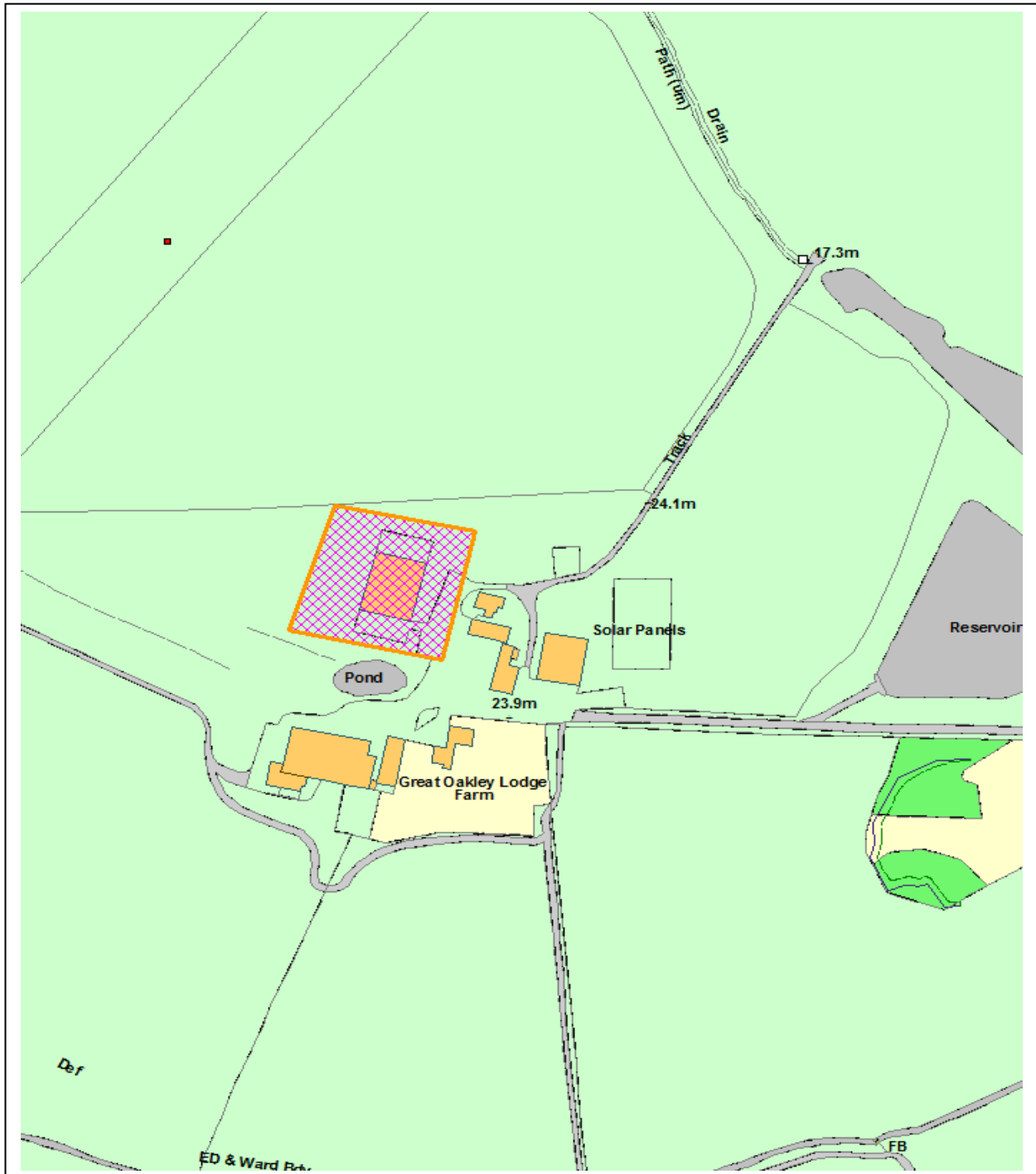


PLANNING COMMITTEE

8 AUGUST 2017

REPORT OF THE HEAD OF PLANNING

**A.6 PLANNING APPLICATION - 17/00587/FUL - GREAT OAKLEY LODGE,  
HARWICH ROAD, GREAT OAKLEY, CO12 5AE**



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<b>Application:</b>	17/00587/FUL	<b>Town / Parish:</b> Great Oakley Parish Council
<b>Applicant:</b>	Mr Hugh Morris - Galloper Wind Farm Ltd	
<b>Address:</b>	Great Oakley Lodge Harwich Road Great Oakley	
<b>Development:</b>	Temporary helipad facility including a new temporary porta-cabin, a new fuel storage tank and refuelling facility, lighting and additional car parking.	

## 1. Executive Summary

- 1.1 The application is before Members as it has been called-in by Councillor Mike Bush.
- 1.2 Galloper Offshore Wind Limited (GWFL) is applying for a new time limited planning permission at Great Oakley Airfield to temporarily allow associated helicopter movements required from the middle of November 2017 for up to a maximum of 24 months from the commencement of operations.
- 1.3 Galloper Offshore Wind Limited (GWFL) seeks to develop a site specific base in Harwich, with its own helipad and a pontoon for crew transfer vessels, for which the planning application was submitted on the 18th November 2016 under planning reference 16/01897/FUL. However, ahead of this being developed, a temporary helipad site facility is required from the middle of November 2017 until approval has been received for the permanent base and the facility has been constructed. This is envisaged to be 2 years from November 2017.
- 1.4 Great Oakley Airfield currently has consent for a limited number of helicopter movements (3 take-offs per day), under Planning Permission 12/00405/FUL. A maximum of 20 helicopter movements per day is proposed however in practice the level of helicopter use is anticipated to be less than half of this and a monthly maximum equivalent to 10 movements per day is proposed (310 per month Aug-May inclusive and 45 movements per month in June-July). A movement of the helicopter is defined as a take-off or landing.
- 1.5 The NPPF and local planning policy seek to balance the needs of business with protecting against significant undue effects.
- 1.6 During the course of the application and following objections from Natural England and the RSPB an amended Flight Avoidance Plan has been submitted. The plan shows the main sensitive wildlife sites being avoided. Subsequently Natural England and the RSPB have now removed their objections.
- 1.7 It is considered that the central issue is the impact upon the locality (people and place) of noise disturbance which may be caused by helicopters using the airfield. The impacts of additional use by helicopters for a 2 year temporary period would be limited and the proposal can be made acceptable by the imposition of conditions. The application is therefore recommended for approval.

**Recommendation: Approve**

**Conditions:**

1. Temporary Permission for 2 years only commencing 1st November 2017 after which the site shall be reinstated to its former condition.
2. Accordance with approved plans.
3. Accordance with Flight Avoidance Plan (version dated 12th June 2017). A copy of the Flight Avoidance Plan shall be installed prominently in the cabin/office/club house and in Pilot's Handbook.
4. Use of Helicopters to accord with protocol in the Great Oakley Airfield Pilot Handbook, (2012).
5. No more than 310 Galloper Offshore Wind Limited helicopter movements per month (1<sup>st</sup> Aug – 31<sup>st</sup> May) with the daily maximum being 20 movements.
6. No more than 45 Galloper Offshore Wind Limited helicopter movements per month (1<sup>st</sup> June – 31<sup>st</sup> July) with the daily maximum being 20 movements.
7. Times of flight operations being in accordance with the table included at section 1.2.4 of the submitted Planning Application Supporting Statement (updated June 2017).
8. No additional lighting installed other than that stipulated on approved plans.
9. No helicopter with a higher noise rating than a Bell 206 Long Ranger shall be used at any time.
10. Other than for necessary routine/servicing and maintenance the site shall not be used as a base for serving, maintenance or repair of helicopters.
11. Records of take-offs/landings of helicopters shall be kept and made available to LPA upon request.
12. Permitted use shall not include helicopter/gyroplane flying training.
13. Programme of monitoring helicopter flight impacts on SPAs in liaison with RSPB.

2. **Planning Policy**

**NPPF National Planning Policy Framework  
National Planning Practice Guidance**

**Tendring District Local Plan 2007**

QL7 Rural Regeneration

QL11 Environmental Impacts and Compatibility of Uses

COM22 Noise Pollution

ER7 Business, Industrial and Warehouse Proposals

EN11a Protection of International Sites: European Sites and Ramsar Sites

EN11b Protection of National Sites: Sites of Special Scientific Interest, National Nature Reserves, Nature Conservation Review sites, Geological Conservation Review sites

EN11c Protection of Local Sites: Local Nature Reserves, County Wildlife Sites, Regionally Important Geological/Geomorphologic sites

EN23 Development with the Proximity of a Listed Building

TR1a Development Affecting Highways

TR10a General Aviation

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PP6 Employment Sites

PP13 The Rural Economy

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

CP1 Sustainable Transport and Accessibility

**Local Planning Guidance**

Tendring District Council's Economic Development Strategy

**Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF 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 216 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 16<sup>th</sup> June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. As this plan is yet to be examined, its policies cannot carry the full weight of adopted policy. However, because the plan has reached publication stage its policies can carry some weight in the determination of planning applications. 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 216 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.

**3. Relevant Planning History**

02/02235/FUL	Change of use of agricultural land to use as grass airstrip for private flying	Approved	19.02.2003
05/01152/FUL	Variation of conditions 2, 3, 4 & 6 of planning consent 02/02235/FUL to enable;  - a maximum of 30 take-offs in any one day, (without exceeding the current annual allowances). - visiting aircraft to land and take off from the site, whilst still being limited to the overall restrictions on the numbers of movements	Approved	13.01.2006

controlled by condition 2, as may be modified, (currently only those 'based' at the site can land and take-off).

- gliding to take place on 3 days per year.

In addition, access improvements at the junction with Harwich Road.

06/00770/FUL	Variation of Condition 2 of planning permission 05/01152/FUL to enable the Local Planning Authority to authorise additional flights (in excess of 30 per day) on special occasions.	Approved	22.06.2006
12/00405/FUL	Variation of condition 5 of planning permission T/APP/P1560/A/94/435398 to allow helicopters to operate from the aerodrome.	Approved	30.01.2013
12/00406/FUL	Variation of condition 6 of planning permission T/APP/P1560/A/94/435398 to allow flying training from the aerodrome.	Approved	30.01.2013
13/00521/FUL	Portacabin for use as flying school reception and briefing room.	Approved	
17/00587/FUL	Temporary helipad facility including a new temporary porta-cabin, a new fuel storage tank and refuelling facility, lighting and additional car parking.	Current	

#### 4. Consultations

Civil Aviation Authority	No comments received
Essex Bridleways Association	No comments received
ECC Highways Dept	The Highway Authority has assessed the amended documents and does not wish to make comment further to those already submitted.
Natural England	Based on the information provided in support of the application, including the incorporated mitigation measures, it is our view that the proposal is unlikely to have an adverse effect on integrity of Hamford Water Special Protection Area (SPA) and Ramsar site or the Stour and Orwell Estuaries SPA and Ramsar site. We also consider that the proposal is unlikely to adversely affect Hamford Water or the Stour Estuary Sites of Special Scientific Interest (SSSIs).

We welcome that a Flight Avoidance Plan (version dated 12th June 2017) has now been submitted which highlights the sensitive areas

(the SPAs and 1 km buffers around them) will be avoided. We also welcome that the flight path has been amended to avoid overflying the majority of potential supporting SPA habitat north of Hamford Water.

On this basis, we have no objection to the development provided the Flight Avoidance Plan is fully integrated into the proposals and secured through an appropriate planning condition or obligation.

The Ramblers Association No comments received

Royal Society For The Protection of Birds

Further to recent correspondence with Mr Hugh Morris, the Senior Consenting and Permitting Advisor at RWE Generation UK and receipt of their Flight Avoidance Plan map dated 9 June 2017 (ref: UI794621) the RSPB removes its objection subject to the following condition being adopted:

The Flight Avoidance Plan dated 9 June 2017 is registered and adopted by aircraft used in the service and maintenance of the Galloper Offshore Wind Facility.

The RSPB's acceptance of this condition, relates entirely to this case alone, and is without prejudice to our position on any other current or future proposals elsewhere or to our standing objection on other planning considerations currently sitting with the Council.

Environmental Health

Having read the application details and also the noise statement for the temporary use as a helipad to service the wind farm, I contacted RWE for further information which has now been provided in these documents. I note that the proposed number of predicted flights has now also been reduced to 310 a month.

Looking at the new amended flight path and predicted flight numbers, which takes the aircraft further from residential properties, I have compared this to the original noise report for the use of the site to have helicopter flights to and from there, although on a reduced number.

Pollution and Environmental control have no objections to this application as long as the number of flights and the flight path are conditioned in any approval given to the operator.

Regeneration

The Council's Regeneration Team fully supports this application for a temporary helipad at Great Oakley Lodge Airfield to service the construction and operational requirements of the Galloper Wind Farm. This application is ancillary to proposals to establish an Operations and Maintenance (O&M) Base at Harwich International Port (which include plans for a permanent helipad), for which the Regeneration Team has already expressed its full support.

This application includes proposals for a temporary office and waiting room, as well as fuel storage arrangements, and will create 6.2 FTE jobs. It is understood that these jobs will transfer to the applicant's permanent base at Harwich International Port, should this element of their primary application (O&M Base) be approved.

The operational activity associated with the Galloper Wind Farm provides Harwich with a significant opportunity to grow its status as a Centre for Offshore Renewable Engineering.

ECC Highways Dept

This Authority has assessed the highway and transportation impact of the proposal and would not wish to raise an objection to the above subject to the following;

Public Rights of Way - The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpaths no11 and 29 (Great Oakley) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

Tree & Landscape Officer

The application site comprises of an area of grass, an area of made ground and concrete aprons either side of an existing barn.

No trees or other significant vegetation will be affected by the proposed development.

In terms of the impact of the development on the local landscape character it is considered that the new structures would be relatively well associated with the existing farm buildings. Therefore the development would not have a significant adverse impact on the character or appearance of the area.

In order to screen the proposed structures and car parking area from the Public Rights of Way in the vicinity of the application site it would be desirable to secure soft landscaping to partially obscure views of them from the footpaths. This could be by way low level hedgerow planting.

## **5. Representations**

5.1 Great Oakley Parish Council outline their following concerns;

- new independent noise survey is required.
- if granted there should be no further extensions to the 2 year temporary period.
- existing number of movements approved under 2012 permission should be included as part of the overall movements.
- operations should be limited to 7am to dusk.
- reduced operations should take place in summer months.
- flightpaths should be revised to avoid settlements and wildlife corridors.
- helicopters should take off vertically to 1000ft before moving off and return approaching at 1500ft to reduce impact upon local residents.
- improvement to track leading to site should be undertaken.

5.2 Harwich Town Council recommend refusal due to the helipad not being fit for purpose due to the unsuitability of flight paths and immediate access for emergency services.

5.3 The application has been called in to Planning Committee by the Local Ward Councillor Mike Bush. He provides the following reasons/concerns;

- The original application was based upon a Bellringer 206 Long Ranger and as such the condition imposed was that no helicopter noisier than a Bellringer 206 Long Ranger should be used at Great Oakley airfield. Increased noise is a significant concern and the original application may have been refused outright had enabling planning condition not been included to protect local residential amenities from noise disturbance.

- In the event that the variation is considered then a new full noise assessment must be carried out by a qualified and ideally independent expert based upon the helicopters proposed for usage by this application.

- Number of helicopter flights – The existing permission includes planning condition 6 limiting helicopter take-offs to no more than three in any one day in order to protect residential amenities from noise disturbance from helicopter take-offs. Application 17/00587/FUL seeks permission to increase helicopter movements. As an enabling condition, this condition should not be varied or replaced as without this enabling condition, planning application 12/00405/FUL would likely have been refused.

- Hours of Helicopter Operation – The existing permission limits helicopter take-offs and landings to being within the hours of 08:30 and 21:00 via planning condition 7 of planning permission 12/00405/FUL in order to be consistent with planning conditions existing on previous planning applications approved and to prevent unacceptable noise disturbance to residential amenities by way of helicopters landing and taking off. Application 17/00587/FUL seeks permission to extend take-off and landing hours from 07:00 through to 21:00 Monday to Friday with weekend operations in response to urgent issues, again without planning condition 7 on application 12/00405/FUL, which was an enabling condition, that planning application would likely have been refused. As such, the permitted times for take offs and landings for helicopter usage at Great Oakley airfield should not be varied or replaced.

- Fuel Safety – There are concerns regarding health and safety given the narrow track to and from the site to be used for fuel deliveries and given that two bungalows have been built at the entrance to the site since the previous helicopter application was approved. There are concerns about the safety of the access to and from the site for regular fuel deliveries, application 17/00587/FUL would constitute a significant increase on current deliveries to the site. Health and safety risks to the community will be significantly increased as the B1414 is used by EPC to transport highly hazardous chemicals on a daily basis. A full risk assessment should be carried out to determine impact and consequences of increased traffic movements of multiple vehicles simultaneously transporting highly hazardous products through the Oakley villages.

5.4 22 letters of objection have been received outlining the following concerns;

- Quiet rural location where residents want peace and quiet. Helicopter's noise will be unacceptable.
- Helicopter movements 14 hrs a day is unacceptable.
- A two year permission cannot be considered temporary.
- Fuel tanker deliveries along rural lanes is unacceptable.
- Better alternatives in Clacton and Harwich areas.
- No benefit to the local community.
- Out of character with the local environment
- Questionable green credentials for a renewable energy company utilising helicopters.
- Flight path crosses valuable wildlife areas.
- Helicopters cause more noise due to hovering and circling prior to landing.
- Helipad is close to Primary School and Doctor's Surgery causing disruption.
- Possibility of temporary permission becoming permanent.
- No measurements of noise taken under proposed flight path.



- Wildlife concerns put before local residents in respect to the amended flight path.
- New flight path crosses residential areas in Dovercourt causing noise and disturbance and health and safety risks.
- Rural villages will be impacted as it impacts upon current tranquillity.
- Disruption to clinicians at local GP's surgery.
- Need for a new independent noise assessment assessing background levels along flight path.
- Condition should be imposed limiting flights over and the above the 2012 limits to Galloper Helicopters only and only when it's not possible to use Crew Transfer Vessels.
- Flights should take place Monday to Friday only.

## **6. Assessment**

The main planning considerations are:

- Site Context
- Proposal
- Planning History/Background
- Policy Considerations (including regeneration aspects, residential amenity/noise concerns, environmental/conservation interests, visual impact, accessibility/highway considerations and impact upon existing airstrips).

## Site Context

- 6.1 The application site is located at Great Oakley Lodge which is situated to the north of the village of Great Oakley. The land at Great Oakley Lodge is currently utilised as an aerodrome and consists of several buildings including a Grade II Listed property and barn. The application site itself comprises of a square piece of land located centrally within the airstrip to the south of grass runway areas. The site encompasses the existing hanger, concrete aprons, existing grass helipad area, car parking and other hard-standings. Access to the site is taken from the B1414 Harwich Road via the existing drive. The main built up area of Great Oakley is situated approximately 730m to the south along Harwich Road.

## Proposal

- 6.2 Galloper Offshore Wind Limited (GWFL) is applying for a new time limited planning permission at Great Oakley Airfield to temporarily allow associated helicopter movements required from the middle of November 2017 for up to a maximum of 24 months from the commencement of operations.
- 6.3 It is the intention for Galloper Offshore Wind Limited (GWFL) to develop a site specific base in Harwich, with its own helipad and a pontoon for crew transfer vessels, for which the planning application was submitted on the 18th November 2016 under planning reference 16/01897/FUL. The proposed permanent base is within Harwich International Port. However, ahead of this being developed, a temporary helipad site facility is required from the middle of November 2017 until approval has been received for the permanent base and the facility has been constructed. This is envisaged to be 2 years from November 2017.
- 6.4 GWFL is an offshore wind farm located off the coast of Suffolk where foundation installation started in 2016. The current development will have an electrical generating capacity of approximately 336 Megawatt and the project represents an investment of approximately £1.5 billion. GWFL is a Nationally Significant Infrastructure Project authorised by the Galloper Wind Farm Order 2013.
- 6.5 Crew transfer vessels are the main means of transferring staff to the wind farm and the helicopter is used when sea conditions are unsuitable for transferring staff, or other factors dictate that a rapid transfer is necessary.
- 6.6 Great Oakley Airfield has consent for a limited number of helicopter movements, under Planning Permission 12/00405/FUL, however the GWFL proposal would exceed the consented movements and conditions relating to the permanent siting of a helicopter at the site. The helicopter will be used to transfer staff for regular maintenance activities when it is not possible to use the crew transfer vessels or a rapid transfer is required. A worst case scenario of 20 helicopter movements per day is proposed when the helicopter is required to operate, however in practice the level of helicopter use is anticipated to be less than half of this and a monthly maximum equivalent to 10 movements per day is proposed. A movement of the helicopter is defined as a take-off or landing.
- 6.7 The application therefore proposes 310 movements per month between 1<sup>st</sup> Aug – 31<sup>st</sup> May (maximum of 20 movements per day), which equates to on average 10.5 movements a day. During June and July, a much reduced level of activity is anticipated because during this period, normal operations are suspended to allow special maintenance to take place. As such between 1<sup>st</sup> June – 31<sup>st</sup> July 45 movements per month are proposed (maximum of 20 per day).
- 6.8 The proposed time of flights operations are proposed as below;

Month	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Earliest take off	07:00	07:00	07:00	07:00	07:00	09:00	09:00	07:00	07:00	07:00	07:00	07:00
Latest landing	18:00	18:30	20:30	21:00	21:00	17:00	17:00	21:00	20:30	19:30	17:30	17:00

6.9 To utilise the existing hangar and helipad the following facilities/upgrades are required;

- A temporary porta-cabin to provide an office and canteen
- A temporary fuel bowser unit, being a fixed fuel storage unit and refuelling system, on a concrete slab
- A hard standing around the porta cabin and fuel bowser
- Additional car parking for three cars and a mini bus
- Lighting of the helipad, hangar apron and porta-cabin and car parking area
- An extension to the existing concrete apron on the northern side of the hangar
- An illuminated wind sock on the roof of the existing hangar

#### Planning History/Background

#### Original Planning Permission

6.10 In August 1994, temporary planning permission for “Continued use of grassland for purposes of recreational flying and as a base for three light aircraft, use of caravan for meteorological equipment and safety equipment” was granted on appeal (Planning ref. 93/00773/FUL & Appeal ref. T/APP/P1560/A/94/435398), for the period up to January 1996. In allowing the planning appeal and quashing the related enforcement notice, the Appeal Inspector imposed seven conditions. Although, from the Inspector’s decision letter, the reason for the temporary period was clearly to allow the noise impact of the use to be assessed more comprehensively, the precise reasons for the remaining 6 conditions are not specified and are unclear. Those conditions appear to be based largely upon accommodating the applicant’s proposal, excluding any not-applied-for wider uses, including flying training and by helicopters, rather than any evidence that wider uses would be harmful. The Council’s concerns at that time were that the use of the land for general flying by three light aircraft had an unreasonable impact on the locality by reason of noise, nuisance and loss of amenity caused by low flying aircraft in close proximity to residential property.

6.11 The Appeal Inspector’s opinion was that the central issue at that time was “whether the continued use of the airstrip on the scale proposed is likely to cause undue disturbance by reason of noise and intrusion to the quiet enjoyment of the occupiers of dwellings in the neighbourhood”. In allowing the appeal, the Inspector therefore accepted that there would be a degree of disturbance from flying activity but that this would not amount to undue disturbance.

#### 6.12 Summary list of subsequent related planning permissions

November 1995 - permanent renewal of temporary planning permission (95/01206/FUL).

December 1996 - to allow up to 4 aeroplanes to be based at the airfield (96/01267/FUL).

December 1998 – vary conditions 3 and 4 of the original planning permission (98/01284FUL) to allow 5 take-offs/day and 10 aeroplanes (until 31 December 1999).

November 1999 - to allow the number of take-off movements to be increased from 5 to 10 in any one day (99/01430/FUL) (until 31 December 2001).

April 2001 – variation of planning condition 3 of 99/01430/FUL to allow up to 10 take-off movements in any one day on a permanent basis (01/00319/FUL).

February 2003 – change of use of agricultural land to use as grass airstrip for private flying (second runway) (02/02235/FUL). No more than 10 take-offs/day in total and 10 aeroplanes.

January 2006 - to allow a maximum of 30 take-offs in any one day; visiting aircraft to land and take off (not only those 'based' at the site); and gliding to take place on 3 days per year (05/001152/FUL). No more than 3650 take-offs/year. No more than 30 aircraft based at airfield.

January 2006 – building for aircraft storage (05/01153/FUL).

January 2006 – use of building for aircraft support room (05/01154/FUL).

June 2006 – to allow additional flights (in excess of 30 per day) on special occasions (06/00770/FUL).

January 2013 – variation of condition 05 of T/APP/P1560/A/94/435398 to allow helicopters to operate from the aerodrome (12/00405/FUL)

January 2013 - variation of condition 6 of planning permission T/APP/P1560/A/94/435398 to allow flying training from the aerodrome (12/00406/FUL)

- 6.13 Planning permission 12/00405/FUL concerns the use of helicopters on the application site. However, the limitations of the existing consent would not allow the type of operation required by GWFL. The 2012 consent was primarily aimed at emergency situations including use of the site by the Air Ambulance, Police and Trinity House helicopters. The 2012 consent would remain unaltered by these proposals.
- 6.14 The 2012 consent contained several restrictions including; no helicopter being permanently based at the airfield for over 28 days, the maximum number of daily take-offs not exceeding three in total and no helicopter landing or taking off from the airfield outside 8:30am – 21:00pm. The GWFL application seeks a separate consent operating outside the restrictions of the 2012 application for a temporary period of 2 years from first use, which is to be in Mid-November 2017.

#### Policy Consideration

- 6.15 The NPPF gives advice on promoting sustainable transport and paragraph 33 states that when planning for airfields, "plans should take account of their growth and role in serving business, leisure, training and emergency service needs".
- 6.16 The NPPF includes advice on noise, including paragraph 123, which states, among other things, that "Planning policies and decisions should aim to: avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; and recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established".
- 6.17 The NPPF recognises that businesses will often create noise and makes clear that noise should be avoided which gives rise to significant adverse effects. In other words, the government accepts that some adverse effects may arise. In order to justify the refusal of planning permission on noise grounds, it would therefore be necessary to demonstrate,

convincingly, not just that there were concerns over noise, but that significant adverse effects would result. There is a need to weigh up not imposing unreasonable restrictions against ensuring that there would be no significant adverse impacts.

- 6.18 The main planning issues concern the acceptability of the proposal having regard to the provisions of the Tendring District Local Plan (2007) 'saved' Policy TR10a – General Aviation. This sets out seven criteria against which the application should be assessed and these are considered, in turn, below. The policy is reproduced below in full, for ease of reference (although the Development Plan should be considered as a whole):

**Policy TR10a – General Aviation**

**Proposals for new development relating to any existing operational airfield or proposals to establish a new flying site will be considered on their merits having regard to the following criteria:**

- a. **Air travel needs of residents, business and air sports users;**
- b. **The economic and employment advantages arising to local and regional businesses;**
- c. **The impact upon public health and safety and residential and other noise sensitive properties in the immediate vicinity (i.e. under flight paths and circuits) by virtue of noise and disturbance;**
- d. **The impact on environmental and nature conservation interests;**
- e. **The impact on the landscape such as visual amenity and lighting;**
- f. **The accessibility of the site in relation to transport; and**
- g. **Development proposals will not be allowed where they would compromise the existing use of the districts' airfields or airstrips.**

**a & b) Air travel needs of residents, business and air sports users / the economic and employment advantages arising to local and regional businesses.**

- 6.19 It is a Council priority to support the needs of local/national businesses. In this instance GWFL have identified a need for a temporary use at the application site associated with the Gallapor Offshore Wind Farm, which is a Nationally Significant Infrastructure Project. It is GWFL's intention to establish a permanent base at Harwich International Port which will create a significant number of jobs. However, until this facility is up and running the ability to use the application site, as a helicopter facility on a temporary basis is essential to the overall project. As such this proposal is one of relatively few schemes that is proposing investment in a Nationally Significant Infrastructure Project that could support existing employment uses and their development in the Tendring Area. The Council's Economic Development Strategy identifies as one of its five key objectives the need to target growth sectors which are best placed to support growth and job creation within Tendring's economy. The strategy therefore focuses attention upon the opportunities afforded by Offshore Wind Energy. This therefore has to be given significant weight in assessing the proposal against other material planning considerations.

- 6.20 The Council's Regeneration Team endorse this view by providing the following comments;

The Council's Regeneration Team fully supports this application for a temporary helipad at Great Oakley Lodge Airfield to service the construction and operational requirements of the Galloper Wind Farm. This application is ancillary to proposals to establish an Operations and Maintenance (O&M) Base at Harwich International Port (which include plans for a permanent helipad), for which the Regeneration Team has already expressed its full support. This application includes proposals for a temporary office and waiting room, as well as fuel storage arrangements, and will create 6.2 FTE jobs. It is understood that these jobs will transfer to the applicant's permanent base at Harwich International Port, should this element of their primary application (O&M Base) be approved. The operational activity associated with the Galloper Wind Farm provides Harwich with a significant opportunity to grow its status as a Centre for Offshore Renewable Engineering.

**c) The impact upon public health and safety and residential and other noise sensitive properties in the immediate vicinity (i.e. under flight paths and circuits) by virtue of noise and disturbance.**

- 6.21 Public health and safety in this context includes considerations of noise impact and also the additional use of the airfield by helicopters, including having regard to the public footpath which crosses the farm. The proposed helicopter landing area is to be sited away from the footpath, to the west of the main group of buildings, whereas the footpath runs to the east of the buildings. A large number of objections have been received citing noise as a major local concern.
- 6.22 As part of the previous 2012 planning application a detailed noise survey was commissioned to inform the selection of candidate helicopters and to assess the impact upon residents. Due to this assessment still being relevant the applicant has not undertaken a new noise report but has submitted updated information relevant to the current proposal. The Council's Environmental Health endorses this approach.
- 6.23 As such to inform consideration of the noise issue, a updated report titled 'Great Oakley Helicopter Noise Assessment' has been submitted. The report confirms the following information;
- The location of the proposed temporary helipad is the same as that approved under permission 12/00405.
  - The helicopter to be used under the new permission will be the helicopter referred to in the existing 2012 permission (Condition 14) or one with a lower noise rating
  - The flight path proposed for the helicopter is to the north east of the airfield, close to that shown in the Pilot's Hand Book.
  - The total annual number of flights has been reduced to less than 44% of the total originally applied for as part of the planning application under consideration, through applying a maximum number of movements per month.
- 6.24 The Great Oakley Airfield Pilot Handbook published June 2012 (Issue 2) includes a Flight Protocol Map which identifies Great Oakley, Little Oakley and Wix as Residential Settlements, each of which is annotated as a "Flight Avoidance Zone". The proposed helicopter flight path to and from the airfield (in addition to the two runway circuit patterns shown) will avoid those residential areas. It will be conditioned that this document remains in force.
- 6.25 The updated noise report provides for a worst case prediction and assessment of the increased noise levels resulting from the maximum additional number of daily flights and using the helicopter with the highest noise rating (Bell 206 Long Ranger or equal to it). Under these conditions the assessment concludes that the overall average noise levels for take-off, overflight and landing will be below the official guidelines for the onset of annoyance.

6.26 The Council Environmental Health Team have reviewed the submitted information and provide the following comments;

- Having read the application details and also the noise statement for the temporary use as a helipad to service the wind farm, I contacted RWE for further information which has now been provided in these documents. I note that the proposed number of predicted flights has now also been reduced to 310 a month. Looking at the new amended flight path and predicted flight numbers, which takes the aircraft further from residential properties, I have compared this to the original noise report for the use of the site to have helicopter flights to and from there, although on a reduced number. Pollution and Environmental control have no objections to this application as long as the number of flights and the flight path are conditioned in any approval given to the operator.

6.27 Overall noise from flying activities is not constant, nor fixed in terms of location, and aircraft/helicopters of different types from other locations may also fly overhead. Whilst noise from helicopters differs from that of fixed-wing light aircraft and helicopters are designed to be able to hover, in practice they would arrive, land and take-off and depart in relatively short periods of time, thereby minimising any such local noise disturbance in that sense.

6.28 As such the regulated use of the land and application of the Flight Protocol set out in the Pilot Handbook along with the proposed Flight Avoidance Plan would be able to safeguard local amenity. Helicopters would follow direct routes to and from the airfield, away from noise sensitive properties as far as practicable. Once reaching the residential area of Dovercourt/Harwich the helicopter would be at an altitude of 500m (1640ft). At this height the impact upon local residents would not be significant or adverse. Public safety would also be safeguarded by ensuring that the helicopter landing site is located away from the public footpath which crosses the airfield and farm.

**d) The impact on environmental and nature conservation interests.**

6.29 The application site does not lie within a sensitive area for biodiversity. However, there are such sensitive areas to the north, east and south of the site. These include sites of international, European, national, regional and local importance, including: two internationally important sites - the Stour and Orwell Estuaries and Hamford Water Ramsar Sites; two European sites - the Stour and Orwell Estuaries and Hamford Water Special Protection Areas; Hamford Water National Nature Reserve; Sites of Special Scientific Interest (SSSI); and Local Nature Reserves.

6.30 Natural England objected to the original flight plan due to insufficient information to allow adverse effects on the integrity of Hamford Water Special Protection Area (SPA) and Ramsar site or the Stour and Orwell Estuaries SPA and Ramsar site to be ruled out. They also considered that there was insufficient information to rule out adverse effects on Hamford Water or the Stour Estuary Sites of Special Scientific Interest (SSSIs).

6.31 The RSPB also originally objected to the intended flight paths, as they considered the applicant had not provided sufficient information to Tendring District Council as the competent authority in relation to the impact upon Hamford Water Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar and the Stour and Orwell Estuaries SPA/SSSI/Ramsar. The RSPB were particularly concerned that the altitudes of the proposed flightpaths were too low and may adversely affect the waterbird assemblages of these internationally designated sites.

6.32 In response to these objections the applicant entered into discussions with both Natural England and the RSPB. The result of these discussions was the submission of an amended

flight avoidance plan showing the proposed helicopter flight path. The revised avoidance plan shows the areas to be avoided and other restrictions, including the following;

- The residential settlements around Great Oakley from the Pilot's Handbook
- A 'No Fly Zone' over the Bramble Island Top Tier COMAH site
- A 1km buffer around Hamford Water and the Stour and Orwell Estuary SPAs
- A Flight path and limit of deviation avoiding the SPAs and buffers, routed to the north of the corridor shown in the application and a limit of deviation either side of the path.

6.33 Upon receipt of the revised Flight Avoidance Plan Natural England and the RSPB were re-consulted and both withdrew their previous objections. The RSPB requests that a programme of monitoring to be conducted by the applicant to understand the effects of the helicopter flights on the feature species of the SPAs to inform the flight path management. This will be secured via condition.

6.34 Natural England welcome the amended Flight Avoidance Plan and confirm that the sensitive areas (the SPAs and 1 km buffers around them) will be avoided or overflown at a minimum height of 1070m. They also welcome that the flight path has been amended to avoid overflying the majority of potential supporting SPA habitat north of Hamford Water.

6.35 In view of the withdrawal of the statutory consultee's objections through the submission of an amended Flight Avoidance Plan, it is considered that the development would safeguard nature conservation.

**e) The impact on the landscape such as visual amenity and lighting.**

6.36 The proposal will have limited impact upon the wider landscape in terms of visual amenity. Most of the required infrastructure is already in situ. The proposed additional infrastructure would be minor and largely screened in views from the Public Right of Way by the existing hanger. The Council's Tree and Landscape Officer has commented that in terms of the impact of the development on the local landscape character the new structures would be relatively well associated with the existing farm buildings. As such the development would not have a significant adverse impact on the character or appearance of the area. He also states a desire to see a soft landscaping scheme implemented to screen the additional infrastructure. However, given that this proposal is for a 2 year temporary period only it is not considered reasonable or necessary to request a landscaping scheme.

**f) The accessibility of the site in relation to transport**

6.37 The site is accessible from the B1414 Harwich Road at Great Oakley village. The B1414 runs between Harwich/Dovercourt and Little Clacton and is accessible to local centres of population. A bus route runs through the village and there are bus stops nearby in Harwich Road.

6.38 Fuel will be delivered to the site by road tanker which will refuel the proposed fuel bowser. The applicant has confirmed that for the maximum number of flights per month, using the type of helicopter under consideration and the size of bowser proposed, the fuel consumption could be met by a single road tanker delivery per month.

6.39 There is no objection to the proposal from the ECC Highways Authority.

**g) Development proposals will not be allowed where they would compromise the existing use of the districts' airfields or airstrips.**

6.40 This criterion does not apply directly to the proposal, which relates to use of the airfield itself. However, it reinforces the Council's aim to protect the existing airfield from proposed



uses which would be harmful to its operation. Investment in the existing airfield is one way to help ensure its continued use.

### Conclusions

- 6.41 It is considered that the central issue in essence is that of noise disturbance. However, the saved local plan highlights the need to strike the right balance between potentially conflicting interests. This recognises that the wishes of the airfield owner, operators and users to vary the operation of the airfield have to be considered alongside those of others, who do not wish the use to develop as proposed.
- 6.42 It is inevitable that some noise and disturbance will result from use of the airfield by the additional helicopter movements. The noise created by helicopters is also greater than that from other aircraft which use the airfield. However, the predicted noise levels are not so great that they would be harmful to public health. Whether the noise impact likely to result from the proposal would amount to undue disturbance or be significant, in NPPF terms, or be otherwise unacceptable, so as to warrant the refusal of planning permission is therefore a matter of judgement. Officers have considered the evidence and merits of the case and consider that any adverse impacts can be suitably mitigated by condition.
- 6.43 It is considered that the proposal accords with Development Plan policy and the Council's Economic Development Strategy and that, on balance, the increased use of the airfield by helicopters associated with the Galloper Offshore Windfarm for a 2 year temporary period could be accommodated without overriding harm being caused to local and residential amenities or to any other planning interests. It is considered that granting planning permission subject to conditions would strike a reasonable balance between supporting business and public services and protecting local and residential amenities.

### Background Papers

None