

TENDRING DISTRICT COUNCIL

EPC UNITED KINGDOM PLC

REPRESENTOR'S ID – 1021465

Matter 8

Policy PPL15

January 2021

Prepared By:

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SECTION 1 INTRODUCTION

- 1.1 **Instructions:** These representations have been prepared by Leith Planning Limited on behalf of EPC United Kingdom PLC (hereafter referred to as EPC-UK); attention has been focussed on those aspects of the Inspectors Matters, Issues and Questions which impact on the operation of their site at Bramble Island, Harwich (otherwise known as Great Oakley Works).
- 1.2 **The Site:** EPC-UK has for many years operated as a major hazard site for the manufacture and storage of explosives at their factory at Bramble Island. The site is located within the boundary of Tendring District Council.
- 1.3 **Invitation:** Leith Planning Ltd has made representations to each consultation stage of the emerging Local Plan. Whilst we have worked collaboratively with the Local Authority in relation to the policies pertinent to Bramble Island, we are grateful to have been invited by the Planning Inspector to attend the Local Plan Examination.
- 1.4 **Statement Content:** This statement will briefly deal with the relevant Matters, Issues and Questions raised by the Inspector for Matter 8, as they relate to the on-going use of our clients' site at Bramble Island, and its long term protection from inappropriate development which may encroach onto the site and affect its long term viability.
- 1.5 **Statement of Common Ground:** Whilst we have drafted responses to the questions set by the Planning Inspector as detailed below, we can confirm that after extensive negotiations with the officers at Tendring Local Plan, our previous objections have now been addressed by the Council, and we are in a position to support the provisions of draft Policy PPL15.

SECTION 2 **MATTER 8**
DRAFT POLICY PPL15

2.1 In preparing this Hearing Statement due regard has been paid to the content of our earlier representations, and more specifically the Inspector's Schedule of Matters, Issues and Questions with particular attention being made to the following, namely:

"8.5 Ardleigh Reservoir Catchment Area (PPL13), Safeguarding of Hazardous Substance Site, South East of Great Oakley/South West of Harwich (PPL15)

Are the Council's proposed modifications to these policies necessary for soundness?"

2.2 **Comment:** As set out at Section 1, throughout the preparation of the Tendring Local Plan, Leith Planning, EPC-UK and the officers at Tendring Council have sought to work closely together to secure an appropriate planning policy framework in relation to the site known as Bramble Island, Harwich. This has concluded with the drafting of planning policy PPL15 which is noted to read as follows:

"Policy PPL15 – Safeguarding of Hazardous Substance Site, South East of Great Oakley/South West of Harwich

The hazardous substance site located at Bramble Island to the south east of Great Oakley and south west of Harwich is surrounded by a safeguarding area, within which certain proposals for development will be subject to consultation with the operator of the site. This may result in restrictions being imposed or planning permission being refused, if safety issues arise or the development could materially affect the proper functioning of the hazardous substance site.

During the continued operation of Bramble Island as a high hazard site, planning permission within the area subject of the Health and Safety Executive licence will be granted where:

- a) The new development is required to ensure appropriate operations of the site;
- b) Development would not extend the area affected by the safeguarding zone;
- c) It can be demonstrated that there would be no harmful effects upon the national, European and international designations which exist; and
- d) The proposal would comply with all other relevant national and local planning policies."

2.3 It is noted that the Inspector is querying the impact of the amendments to these policies on the soundness of the Plan. In relation to Bramble Island given the need for the imposition of consultation/safeguarding zones to be included on the Proposals Map, we remain of the view that there is a need for a suitably worded supporting policy to set out

the context and importance of such provisions, to ensure that the Plan can be found to be justified and consistent. It is our view that the policy as worded clearly sets out the details of suitable development options in the vicinity of this major hazard site, in order to protect public safety, but also the future viability of the existing operation. As set out in earlier representations it is imperative that new developments in and around our client's site do not impinge on the safeguarding zones, as this could result in material impacts to the site licence and the future viability of the business. It is therefore deemed to be a necessary addition to the Plan.

- 2.4 We can therefore confirm that the policy and allocations set out within the plan are supported by EPC, and we would welcome the Inspector's support for their inclusion.
- 2.5 Given that ourselves and the local authority are understood to be in agreement on addressing the planning matters associated with Bramble Island, and based on our understanding that there have been no objections to the plan in relation to draft policy PPL15, we do not therefore now consider it necessary for us to attend the Examination. However, should the Inspector wish for us to attend in order to address any specific queries with the site, or should there be any objectors seeking to attend the hearing in relation to Policy PPL15 please do let us know and we can make the necessary arrangements.