

**A07**

**F/TH/23/0953**

PROPOSAL: Erection of a Fixed Boat Landing Platform.

LOCATION: Vattenfall Land At Port Of Ramsgate Royal Harbour Approach  
Ramsgate Kent

WARD: Central Harbour

AGENT: Mr Doug Moulton

APPLICANT: Mr John Newsome

RECOMMENDATION: Approve

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.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 8151-RIC-XX-XX-DR-Z-1101 Rev P01,, 8151-RIC-XX-XX-DR-Z-1102 Rev P01 and, 8151-RIC-XX-XX-DR-Z-1103 Rev P01 received 13 July 2023.

**GROUND;**

To secure the proper development of the area.

3 The development hereby approved shall be carried out in accordance with the submitted Construction Environment Management Plan received 13 July 2023.

**GROUND;**

In order to protect the environment and safeguard protected species, in accordance with advice as contained within the NPPF.

4 No piling works in the construction of the development hereby approved shall be completed during the bird overwintering period (September to March inclusive).

**GROUND;**

In order to safeguard protected species that may be present, in accordance with advice as contained within the NPPF.

5 Soft start piling shall be used in accordance with the details included within the Construction Environmental Management Plan received 13 July 2023.

**GROUND;**

In order to protect the environment and safeguard protected species, in accordance with advice as contained within the NPPF.

6 Prior to works commencing on site, a pre-commencement breeding bird survey must be carried out by a qualified ecologist within the port and harbour area. If any breeding birds are present and are judged by the ecologist to be disturbed by the construction work, all works must cease until all observed young have fledged.

**GROUND;**

In order to safeguard protected species, in accordance with advice as contained within the NPPF.

7 A Marine Mammal Observer shall oversee the development in accordance with the details included within the Construction Environmental Management Plan received 13 July 2023.

**GROUND;**

In order to safeguard protected species, in accordance with advice as contained within the NPPF.

**INFORMATIVES**

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Please be aware that your project may also require a separate application for Building Control. Information can be found at: <https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates,

unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

### SITE, LOCATION AND DESCRIPTION

The site is located on the northern side of Ramsgate Port and to the south of the existing Vattenfall office building. The applicant has indicated that a pontoon was previously sited in this location but has been removed as it was no longer fit for purpose. There are a number of other berths, pontoons and structures located within Ramsgate Port and close to the site.

### RELEVANT PLANNING HISTORY

PA/TH/22/0132 - Application for prior approval for the installation of a 119m long berth following the removal of existing berth 4/5 under Part 18 Class A of Town Country Planning (General Permitted Development) Order 2015. Prior Approval Granted 19 May 2022

F/TH/14/0254 - Erection of two storey side and rear extensions to existing buildings, with alterations to parking layout to increase vehicle parking. Granted 23 May 2014

### PROPOSED DEVELOPMENT

The proposed development is the erection of a fixed boat landing platform. It would comprise 15 steel tubular columns piled into the harbour floor with a platform above measuring 11.5m by 22m. The platform would be freestanding and the deck would be fixed at the same height as the harbour. A transition plate would cover the space between the harbour and the platform. Two hydraulic cranes would be situated on the outside of the platform to service the platform and boats.

### DEVELOPMENT PLAN POLICIES

SP11 - Ramsgate

SP26 - Landscape Character Areas

SP28 - Protection of the International and European Designated Sites

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP30 - Biodiversity and Geodiversity Assets

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment

SP37 - Climate Change

SP43 - Safe and Sustainable Travel

SP44 - Accessible Locations

GI01 - Protection of Nationally Designated Sites (SSSI) and Marine Conservation Zones (MCZ)

GI02 - Locally Designated Wildlife Sites

GI03 - Regionally Important Geological Sites (RIGS)

QD01 - Sustainable Design

QD02 - General Design Principles  
QD03 - Living Conditions  
HE01 - Archaeology  
HE02 - Development in Conservation Areas  
HE03 - Heritage Assets  
CC01 - Fluvial and Tidal Flooding  
CC02 - Surface Water Management  
CC03 - Coastal Development  
SE06 - Noise Pollution  
SE08 - Light Pollution  
TP01 - Transport Assessments and Travel Plans  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

### NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper.

No responses have been received.

**Ramsgate Town Council** - No objection

**Ramsgate Heritage and Design Forum** - No objection

### CONSULTATIONS

**Environment Agency** - We have no objection to this proposal, although we do offer the following comments in respect of the proposed development.

The frontage is under the jurisdiction of Thanet District Council and, therefore, a Flood Risk Activity Permit will not be required from us, in this instance.

The Local Planning Authority should be satisfied with the flood warning and evacuation plan as outlined in the Flood Risk Assessment.

**KCC Biodiversity** - Updated comments received 03 November 2023

We advise that sufficient information has been provided.

The site is adjacent to the Thanet Coast and Sandwich Bay SPA and Ramsar and the Sandwich Bay to Hacklinge Marshes SSSI and when we previously commented we raised concerns that no ecological information had been submitted as part of the application.

A shadow HRA has been submitted which has assessed the impact on the above listed designated sites. We have reviewed the submitted information and we are satisfied that the

proposal is unlikely to have an adverse impact on the designated sites due to the mitigation proposed. The mitigation proposed includes the following:

A soft start method to the piling is to be implemented, whereby piling power is gradually increased incrementally, minimising noise and vibration disturbance on wildlife in the area.

Piling will be carried out outside of the wintering bird season.

Best practice measures will be implemented to avoid/minimise the risk of pollution during the construction.

We advise that the measures must be included within the construction management plan.

We advise that TDC must adopt the shadow HRA as part of the planning application.

### Breeding Birds

It is possible that breeding birds (not associated with the designated sites) may be present within the Ramsgate Harbour area. The works will be carried out during the breeding bird season and therefore there is a risk that the works may disturb breeding birds and their young. We advise that prior to works commencing a pre commencement breeding birds survey is carried out and if breeding birds are recorded within the site the following approach is carried out:

Works are delayed until all the young have fledged Or

Breeding birds are monitored to ensure that the works are not causing a disturbance and if so works are ceased until all the young have fledged.

We recommend that if planning permission is granted the above approach is included within the construction management plan.

### *Initial comments received 14 September 2023*

The site is adjacent to the Thanet Coast and Sandwich Bay SPA and Ramsar and the Sandwich Bay to Hacklinge Marshes SSSI and no ecological information has been submitted as part of the application.

The design and access statement refers to an Environmental Assessment which was submitted to the Marine Management Organisation in support of the marine licence application however this has not been submitted as part of the current application. We advise that the ecological assessment and a shadow Habitat Regulations Assessment is submitted as part of the current application.

We have commented on a number of applications within the Ramsgate Harbour area and we are confident that appropriate information to assess the impact of the proposal and identify can be provided.

As part of application PA/TH/22/0132 it was identified that noise and vibration due to the piling was a potential impact on the designated sites and the associated species (in

particular Little Tern). The HRA submitted as part of that application made the following recommendations:

'Vibratory piling techniques must be used in the first instance, should impact piling be required soft-start procedures must be used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration must be a period of not less than 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.'

The construction management plan submitted as part of this application does indicate that a similar method will be undertaken and it has confirmed that the piling works will be carried out outside of the wintering bird season. Therefore it does appear that the design of the construction has been informed by the conclusions of an ecological assessment and the shadow HRA. But until we have reviewed both documents we are unable to fully assess the impact of the proposal.

We advise that there is a need for this information to be submitted to ensure that TDC can be satisfied that the proposal will not have an adverse impact on the designated sites as detailed within article 6(3) of the Habitats Directive which states that: "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

**KCC Highways** - It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

**KCC Minerals and Waste** - The County Council has no land-won minerals or waste management capacity safeguarding objections or comments to make regarding this matter.

**Marine Maritime Organisation** - Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence.

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

local planning authority name,  
planning officer name and contact details,  
planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

#### Environmental Impact Assessment

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/ukxi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately.

## Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

## Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.

The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.

The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.

The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.



The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions - including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play - particularly where land based resources are becoming increasingly constrained.

**Natural England** - *Updated comments received 30 October 2023*

European/International Sites

We can confirm that the proposed works are located adjacent to Thanet Coast and Sandwich Special Protection Area (SPA), Thanet Coast and Sandwich Bay Ramsar and Thanet Coast Special Area of Conservation (SAC).

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the Applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions, in accordance with Regulation 63 of the Regulations. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority. We previously advised on 12 September 2023 that you obtain the following information to fulfil this duty:

Habitats Regulations Assessment (HRA) already undertaken by the MMO for the marine licence obtained, applying the coastal concordat.

Appropriate assessment We note that your authority, as competent authority under the provisions of the Habitats Regulations, has provided a shadow Appropriate Assessment of the proposal.

Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

The Appropriate Assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that the in-combination assessments are up to date and all identified mitigation measures are appropriately secured in any permission given, namely:

Mitigation:

Any piling activities must be limited to 10 days duration in total.

Reason:

To avoid disturbance to the designated non-breeding and breeding birds, interest features of Thanet Coast and Sandwich Bay SPA and Ramsar.

Mitigation:

The use of non-percussive piling techniques, such as vibro-piling, should be prioritised. If any percussive piling is required, then soft start procedures must be followed as follows: Soft-start procedures must be used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration must be a period of not less than 20 minutes, and no more than 40 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.

Reason:

To avoid disturbance to the designated non-breeding and breeding birds, interest features of Thanet Coast and Sandwich Bay SPA and Ramsar.

*Initial comments received 12 September 2023*

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

European/International Sites

No assessment has been provided of the potential impacts that the proposal will have on the Thanet Coast Special Area of Conservation (SAC) or Thanet Coast and Sandwich Bay Special Protection Area, (SPA) designated for their chalk reef and overwintering and breeding bird populations respectively.

Likely significant effect, appropriate assessment required

Natural England's advice is that this proposed development may contain (or require) measures intended to avoid or reduce the likely harmful effects on a European Site, which cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment (noting the recent People Over Wind Ruling by the Court of Justice of the European Union).

For this reason, we advise that on the basis of the information supplied that the application may have a likely significant effect on these sites. These measures therefore need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment, in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

These measures and any further mitigation measures can be considered during an appropriate assessment, to determine whether a plan or project will have an adverse effect on the integrity of the European site.

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of the People Over Wind ruling. In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.

We advise you to obtain the following information:

Habitats Regulations Assessment (HRA) already undertaken by the MMO for the marine licence obtained, applying the coastal concordat.

**TDC Conservation Officer - No objection**

### COMMENTS

The application is reported to members as the site is located in an area owned by Thanet District Council.

### **Principle**

The site is located within Ramsgate Port where policy SP11 of the Thanet Local Plan applies. This policy states that; "The Council supports further development at Ramsgate Port which would facilitate its improvement as a port for shipping, increase traffic through the port, and introduce new routes and complementary land based facilities including marine engineering, subject to:-

- a demonstrable port-related need for any proposed land based facilities to be located in the area of the port, and a demonstrable lack of suitable alternative inland locations; and
- compatibility with the character and function of Ramsgate waterfront and the Royal Harbour as a commercial leisure facility; and
- an acceptable environmental assessment of the impact of the proposed development upon the harbour, its setting and surrounding property, and
- the impact of any proposed land reclamation upon nature conservation, conservation of the built environment, the coast and archaeological heritage, together with any proposals to mitigate the impact.

Land reclamation will not be permitted beyond the western extremity of the existing limit of reclaimed land.

Development will only be permitted under this policy where it can be demonstrated that it will not adversely affect any designated nature conservation sites through any pathway of impact, including increased visitor pressure. Development proposals must comply with the requirements of SP28, SP29 and GI01."

The proposed use is port related, would appear to increase traffic through the port, and would be located adjacent to the existing Vattenfall buildings. Therefore subject to the

assessment of the environmental impacts the principle of development is considered acceptable.

### **Character and Appearance**

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

Policy SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets.."

Policy HE02 of the Thanet Local Plan requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Policy HE03 of the Thanet Local Plan states that; "Proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss to, the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework."

The site is also located within the Ramsgate and Broadstairs Cliffs Landscape Character Area as defined by policy SP26 of the Thanet Local Plan. This policy states that "Proposals on the coast should respect the traditional seafront architecture of the area, maintain existing open spaces and should ensure that recreational and wildlife opportunities are not compromised by development. Proposals should maintain and enhance the setting of sandy bays, low chalk cliffs and associated grassland and long sweeping views of the coastline."

The proposed boat landing would have a limited projection above the height of the harbour and have a similar appearance to the other berths and landings that are currently visible in Ramsgate Port. The proposed boat landing is considered to be a structure that would be expected to be seen in this location. The site is also located a significant distance from Ramsgate Harbour with its various listed structures and the Conservation area. This proposal is therefore not considered to result in any significant harm to the character and appearance of the area in line with policies HE02, HE03, QD02 and SP26 of the Thanet Local Plan and the National Planning Policy Framework.

## **Living Conditions**

The site is located within Ramsgate Port approximately, 127m from the base of the cliff. The proposed landing would be set at the same level as the port and the only part of the development that would extend above this level are the proposed hydraulic cranes. These cranes would be used to move items from the platform to the boats and would have a maximum radius of 6m.

Given the position within the port, away from the cliff with the residential properties above and the scale of the platform, this development is not considered to result in any significant harm to the living conditions of the neighbouring property occupiers in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

## **Transportation**

The site is located within Ramsgate Port, away from the boundaries with the highway. The proposed boat landing would provide access for three boats and crew that provide maintenance and servicing to the offshore wind farms. The platform would be accessed through the existing Vattenfall car park, which the applicant has indicated would be utilised by employees, visitors and during construction. The landing and boats that it would serve appear to be limited in scale and the applicant has indicated that this development would consolidate the existing vessel transition facilities used by Vattenfall and London Array. Given the scale of the proposed boat landing, the existing operations in the area and its location, this development is not considered to result in any significant increase in vehicular movements or harm to highway safety.

## **Biodiversity**

The site is located within a working port and the proposed platform would be sited in a similar location to a pontoon that was previously in place. The site itself is therefore considered to represent limited potential for biodiversity.

The site is adjacent to the Thanet Coast and Sandwich Bay SPA and Ramsar, the Sandwich Bay to Hacklinge Marshes SSSI, and Thanet Coast Special Area of Conservation (SAC). The operation of the platform would be similar to the existing uses in the port, however the construction has the potential to result in impacts upon these designated sites and protected species.

The applicant has submitted a shadow Habitat Regulations Assessment (HRA). This assessment concludes that potential effects on the qualifying features of a designated site have been identified including hydrological, noise/vibration, light pollution and physical disturbance. However, only construction related pollution/run-off and noise/vibration, may result in a likely significant effect. The report goes on to say that best practice construction mitigation measures are required in order to confirm no residual effects and have been included as part of a construction management plan.

KCC Biodiversity and Natural England have reviewed the application and the additional information that was submitted during the application process. Both of these consultees

agree with the conclusions of the HRA and have raised no objections to the application subject to conditions limiting the duration of piling to 10 days, using vibro piling and soft start piling, piling to be completed outside of wintering bird season, best practices used to avoid/minimise the risk of pollution during the construction and a pre-commencement breeding bird survey to be completed.

These conditions are considered to be reasonable and necessary with the exception of the limit on the duration of piling. No information has been given as to why a shorter or longer time would be more or less harmful and therefore it is considered that this condition would not meet the tests of being reasonable. It is in the applicant's interest to complete works as quickly as possible and given that the piling would be limited to outside of the wintering bird season along with the other restrictions it is considered that adequate protection is in place.

An application for a Marine Management Organisation Marine Licence has been submitted and approved by the Marine Management Organisation.

The Council intends to adopt the HRA assessment and subject to the conditions outlined by KCC Biodiversity and Natural England, it is considered that the proposed development would have no significant impact upon biodiversity in the area.

### **Other Matters**

The site is located in flood zone 3 due to its position within the harbour, however the proposed boat landing is considered to be a water compatible development. Tidal flooding is the primary source of flood risk, however it is not considered that there are any more suitable locations for such a development and this proposal would not significantly increase the risk of flooding either during construction or operation.

The development has been screened for an Environmental Impact Assessment (EIA). This screening concludes that due to the nature, siting and scale of the development it is not considered to be so environmentally sensitive as to require an EIA. This assessment has also considered the cumulative effects of the development and the extant permissions for similar facilities adjacent to the site.

### **Conclusion**

The siting, and design and appearance of the proposed platform is considered to be appropriate for the port location, and subject to the mitigation measures set out within the Appropriate Assessment and as requested by consultees including KCC Biodiversity and Natural England, this proposal is not considered to result in any significant impacts upon the environment or adverse effects upon the integrity of the designated sites. Therefore it is recommended that the Planning Committee approve the application and adopt the Appropriate Assessment at Annex 1.

### List of Appendices

Annex 1: Appropriate Assessment

**Case Officer**  
Duncan Fitt

TITLE:

F/TH/23/0953

Project

Vattenfall Land At Port Of Ramsgate Royal Harbour Approach Ramsgate  
Kent

