

## REPORT TO THE AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	29 October 2014
<b>Application Number</b>	14/00153/FUL & 14/02535/LBC
<b>Site Address</b>	RAF Yatesbury Jugglers Lane Yatesbury Wiltshire SN11 8YA
<b>Proposal</b>	Restoration & Conversion of Former RAF Base & Residential Development Consisting of 46 Dwellings
<b>Applicant</b>	Mr Jamal Khanfer
<b>Town/Parish Council</b>	CHERHILL
<b>Division</b>	CALNE SOUTH AND CHERHILL (Cllr Hill)
<b>Grid Ref</b>	405288 171404
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Mark Staincliffe

### **Reason for the application being considered by Committee**

The application has been called in by Cllr Hill, in order to consider issues such as scale of development, visual impact upon the surrounding area, relationship to adjoining properties, design/general appearance, highway impact & car parking.

### **1. Purpose of Report**

To DELEGATE authority to grant planning permission to the Area Development Manager, subject to planning conditions and the signing of a Section 106 agreement.

To DELEGATE authority to grant listed building consent to the Area Development Manager, subject to conditions and the signing of a Section 106 agreement.

### **2. Report Summary**

The main issues in the consideration of this application are as follows:

- Principle of development
- Impact on the character and appearance of the area
- Highway implications including sustainability
- Access
- Design and Layout
- S106 Contributions & Viability

- Impact on the Listed Buildings

### 3. Site Description

The site is a former RAF base and began as a Royal Flying Corps airfield in the First World War, was abandoned before being refurbished as a civilian flying school in 1935-6 and then taken over by the RAF before the outbreak of the Second World War. It remained in RAF hands until 1965, used mainly for training rather than for flying. Since being sold by the MOD the site has remained largely unused and unoccupied.

There have been many buildings of different periods on site and approximately 40 buildings remain on site. Three hangars on the site were given Grade II\* listing in 1989, and at the same time, most of the airfield was designated a Conservation Area. Another building within the site, Officers' Mess & Offices, was also listed but Grade II status. Since the previous application was granted planning permission at appeal two of these hangars have been demolished and removed from site.

It is important to note that when considering the previous application at appeal, the planning inspector acknowledged that the site not only had national significance but also international significance.

### 4. Planning History

N/04/03635/CAC	DEMOLITION OF BUILDINGS IN ASSOCIATION WITH PROPOSED CHANGE OF USE/RESTORATION AND RESIDENTIAL DEVELOPMENT
N/04/03634/LBC	Change of Use and Alterations to Existing Buildings to Provide Forty One Residential Units and Nine Live/Work Units
N/04/03636/FUL	Change of Use of Existing Buildings to Provide Forty One Residential Units and Nine Live/Work Units and the Erection of Twelve New Dwellings
N/06/00367/COU	Change of Use of Existing Building To Provide 41 Residential Units & 9 Live/Work Units
N/06/02567/CAC	Demolition Of Porta Cabins And Single Storey Lean To
N/06/02566/COU	Change Of Use Of Building And Adjoining Land To Create 29 Live/Work Units, Communal Work Space, Play Space, Parking, Village Shop, Landscaping And Associated Works
N/08/01199/COU	Alterations to Building 04, 05, 37 & 38 to Reduce the Number of Residential Units by Ten & to Limit the Internal Alterations Necessary to these Buildings
N/08/01251/LBC	Internal and External Alterations Associated with Residential Conversion of Buildings 4, 5 37 and 38

N/10/00214/CAC	Demolition of Portacabins and Single Storey Lean To (Renewal 06/2567/CAC)
N/11/03229/CAC	Demolition of Derelict Hangar 3
N/11/03230/LBC	Demolition of Derelict Hangar 3
14/02535/LBC	Restoration & Conversion of Former RAF Base & Residential Development Consisting of 46 Dwellings

A previous application relating to this proposed scheme was granted at appeal and a viability assessment has now been submitted in connection with the new application. The previous appeal was as a result of a call-in by the Secretary of State. North Wiltshire District Council and English heritage supported the scheme.

### **5. The Proposal**

The application seeks planning permission and listed building consent for the erection of five new detached dwellings. The applicant considers these five dwellings to be enabling development and the construction of them will finance the restoration and re-use of hangar 02, a Grade II\* listed building. Revenue generated from the sale of the dwellings will also be used to offset the significant costs of restoring and converting the remaining Listed and curtilage listed buildings within the site.

The application also proposes the following:

- Conversion of the 'Teaching Block' into 7 dwellings
- Conversion of the 'Officer's Mess/Flight Offices' into 8 dwellings
- Conversion of the 'Officer's Accommodation Block', with minor extension into 6 dwellings
- Conversion of the 'NCO Accommodation Block' into 5 dwellings
- Conversion of the 'Squash Courts' into 2 dwellings
- Conversion of the 'Sick Bay' into 1 dwelling
- Conversion of the 'Rest Hut' into 1 dwelling
- Conversion of the 'Lecture Hall' into site manager's office
- Conversion of the 'Power House' into 2 dwellings
- Conversion and extension of the 'Garage' into 4 dwellings
- Conversion and extension of the 'Workshop' into 3 dwellings
- Conversion and extension of the 'Fire Engine Garage' into 2 dwellings

The proposed development also includes a comprehensive landscape scheme including the reintroduction of the hanger apron and public open space.

The restored hangar will be a mixed use building consisting of community use, shop, and B1 office used. It will be a flexible space with the ability to alter and change the room size & configuration to meet the needs of the local community and businesses.

## **6. Planning Policy**

The adopted policies relevant to the application remain those saved under the North Wiltshire District Plan (NWLP) 2011. As the site lies outside of the development framework boundary, the relevant policies are as follows:

C1 (Sustainability Core Policy)  
C2 (Community Infrastructure Core Policy)  
C3 (Development Control Core Policy)  
H4 (Residential Development in the Open Countryside)  
NE15 (The Landscape Character of the Countryside)  
HE1 (Development in Conservation Areas)  
HE4 (Development, Demolition or Alterations to Listed Buildings)  
HE7 (Enabling Development- Historic Environment)

Turning to the emerging Core Strategy, which due to its advanced status will be a material consideration in the determination of the application, the following policies are relevant:

CP1 (Settlement Strategy)  
CP2 (Delivery strategy)  
CP8 (Spatial strategy: Calne Community Area)  
CP43 (Providing affordable homes)  
CP45 (Meeting Wiltshire's housing needs)  
CP48 (Supporting Rural Life)  
CP57 (Ensuring high quality design and place shaping)  
CP58 (Ensuring the conservation of the historic environment)

Regard should also be paid to the content of the National Planning Policy Framework, and the overarching objectives of Paragraph 14, which sets out the presumption in favour of sustainable development.

## **7. Consultations**

### Rights of Way

Juggler's Lane runs just outside the site, along the north side of it. This is part of the National Cycle Network and will also be a key link for residents to reach Cherhill on foot/cycle.

Two comments on this link:

1. Only 1 link is proposed out of the site onto the lane. To make access more convenient for residents there should also be a second link at the eastern end of the site, I'd suggest one should be provided along the east side of the allotments

2. The nearest primary school to the site is located in Cherhill. The distance to the school is under 3 miles which means children won't qualify for free transport. Currently the only other option is along the A4. Jugglers Lane will therefore be a vital link to the school. The bottom of Jugglers Lane sometimes suffers minor drainage issues. This is not a significant concern for the current usage of the path (generally leisure). However, the introduction of residents here will require a higher standard of link to the local facilities. We therefore require a contribution of £3000 to improve the drainage on Jugglers Lane to encourage sustainable access to nearby facilities

#### Archaeology

I am minded to advise on the need for an archaeological condition to be attached to any grant of consent. The condition should cover the survey and recording of any archaeological, military or built heritage features with the red line area (including the pill box), as well as a watching brief on any ground works associated new the development. The standard archaeological condition can be used to cover these elements.

#### Housing

Policy H6 Affordable Housing in Rural Locations is relevant to this proposal. Policy H6 states the Council will seek to negotiate an element of affordable housing to meet local needs on **all housing developments**, within the Framework boundaries of the villages not the subject of Policy H5. The Council will negotiate about 50% of the dwellings to be affordable subject to local needs and site characteristics.

Additional comments- I confirm that our affordable housing requirement is 30%, to be provided as an on-site contribution, unless there are exceptional circumstances that do not make this possible. I note that a previous application relating to this proposed scheme was granted at appeal and I also note that a viability assessment has now been submitted in connection with the new application. As an off-site financial contribution is only acceptable in exceptional circumstances it will be more appropriate to wait until the outcome of this viability assessment before discussing any possible off-site financial contribution. As it stands currently, and until the viability assessment outcome is known our affordable housing requirement is a 30% on-site provision.

#### Conservation

I support this proposal but would like to find a way to condition the pod area/layout and materials used. A s106 agreement is also required to ensure that the historically important buildings are

#### Drainage

No objection

#### Ecology

I'm satisfied that although the development will impact upon a number of protected species, I consider that such impacts could be satisfactorily mitigated through the use of appropriately worded planning conditions to secure the following:

- Implementation of the ecological mitigation measures set out in the submitted 'Protected Species Survey and Impact and Mitigation Report (Sedgehill, 2013)'
- Submission, approval and implementation of a sensitive lighting scheme to limit light spill
- Any landscape management plan for the site to be submitted and approved by the LPA should demonstrate that nature conservation and protected species have been taken into consideration.

Subject to these conditions, the application could be granted in accordance with Circular 06/2005.

#### Highways

I am satisfied that the proposals will not have an unacceptable affect on the local highway network. There has previously been a requirement for improvement to the Jugglers Lane/C139 junction and a suitable scheme was previously agreed. I consider that this requirement should remain and can be covered by a suitable condition.

#### Cherhill Parish Council

Cherhill Parish Council are in support of the principle of developing this site, are keen to see no further loss of the Historical Heritage that still remains and support the use of a brownfield site for residential development. We must, however, take account of major concerns identified by the residents of Yatesbury who attended the meeting. We therefore object to the application as it stands

#### Public Open Space

The POS requirement for this dwelling mix is 2355m<sup>2</sup> of which 195m<sup>2</sup> should be play provision. I note from the landscape proposals that onsite provision is proposed. The developer needs to confirm the quantum and form of the onsite POS provision.

#### Education

Based on 46 open market units, all at above one bed size and with no affordable housing, the need for 14 primary and 10 secondary places is generated. There is some existing capacity but 1 or 2 places at the current capital cost multiplier of £16,768 each will be required.

#### Wessex Water

No objection. Should planning permission be granted the following planning condition is required:

*The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker.*

*A drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing*

*The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed in writing with the local planning authority.*

#### English Heritage

Whilst this application by no means offers the ideal solution for the site through this residential conversion, it does, we believe, offer a future that should secure the long-term maintenance of the remaining designated heritage assets, in particular, Hangar 02. Crucially, this solution does not involve as much new development on the site as the previous scheme and provides a more viable use of the surviving Grade II\* listed Hangar.

After many years of decline, disuse and problematic planning applications, we hope that this application marks a turning point in the fate of RAF Yatesbury and that it can look forward to a brighter future. We recommend that the future of the one remaining hangar should be assured at the outset of any works that may be agreed and that robust mitigation measures are put in place to limit visual impact and light pollution.

## 8. Publicity

The application was advertised by neighbour letter, site notice and press advert.

9 objections 7 letters of support and an objection was also received from CPRE.

Summary of key points raised:

- Principle of development and land supply
- Impact on site character and appearance
- Impact on highway safety and safety of horses
- Impact on ecology and wildlife
- Impact on listed building
- Light pollution
- Design of Parking
- Unsustainable development
- Site is an eyesore. Redevelopment required
- Development will help regenerate the community
- Wonderful site and great opportunity
- Opportunity to save this site from ruin
- Need to respect the character of the dwellings
- Will assist in improving internet speed

### RAF Yatesbury Association

Support

### CPRE (summary of comments)

The physical reality is now very different. One hangar (046) in practical terms no longer exists, one hangar (03) is on the point of total collapse and hangar (02) is a new structure built to match the previous model which collapsed years ago. It is stated that hangar 03 has been granted demolition consent and hangar 02 will need assessing before determining whether it merits listing as Grade 2\*.

The majority of the smaller buildings are in a state of severe deterioration, the two listed services blocks stabilised but also substantially deteriorated. In sum, the site has lost its former integrity and is greatly diminished in terms of historical merit.

The site lies within the North Wessex Downs Area of Outstanding Natural Beauty. This designation brings with it special policies and implicit understanding of what is considered appropriate development in open countryside in the 21<sup>st</sup> century.

We do not see how a housing site, facing the long ranging northern views from the National Trust land at Oldbury Castle, comprising all the features accompanying residential areas such as street lighting, parked cars and constant vehicle movement could give a sense of local character or identity (rural) nor contribute to environmental benefits. The present buildings have been absorbed into the countryside as their exteriors faded and are now in

keeping with the surrounding landscape. If wider social and cultural benefit is to be drawn from the site then the most appropriate use would be an open air, and/or, roofed museum of aviation history.

It is stated by the applicant that enabling development principles should apply. We do not agree.

Under a previous application (04/03636/FUL&04/03634/LBC) enabling development had been agreed on the basis of saving the site and all the listed buildings as a whole. In order to restore all 3 listed hangars, and the 2 listed service blocks, a degree of enabling development was deemed necessary.

The outcome of that application was that 1 hangar was rebuilt using some original material. The present application should be determined on its own merits and in no way influenced by a financial shortfall suffered under a previous application.

There are no proposals for a community hall, a sports or leisure area, a small shop, a cafe or even an open recreational ground. There are no Live-Work units or area designated for small workshops.

Unsustainable location. Object to any Highway measures which introduced urbanisation of the junction or the lanes by means of hard engineering and signage. The large number of new traffic movements generated by the site would have to conform to measures which are compatible to a rural area.

#### North Wessex Downs AONB

Object

### **9. Planning Considerations**

#### Principle of development

Having regard to policy H4 of the adopted North Wiltshire Local Plan 2011 (Residential Development in the Open Countryside), the housing element of the proposal is not supported by current planning policy. The adopted policy excepts only wholly affordable housing schemes and agricultural/forestry dwellings from the presumption that residential development is kept within the settlement framework boundary.

In principle, major residential development outside the framework/settlement boundary as defined in the emerging Core Strategy should likewise be permitted only on an exceptional basis, either as a wholly affordable housing scheme or as identified through a neighbourhood plan or site allocations Development Plan Document (DPD).

At present, neither Calne or the surrounding areas have an adopted or draft neighbourhood plan, although it is understood that there is local intent to commence preparation. Likewise, a suitable DPD may be prepared in future but is too distant to inform reliably at the present time. In the immediacy, therefore, it is necessary to take a reasonable view on the individual merits of the scheme in lieu of a neighbourhood plan or DPD, in order to address housing need in the near future.



Core Policy 2, the key housing delivery strategy of the emerging Wiltshire Core Strategy, states as follows:

*“Within the limits of development, as defined within the proposals maps, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.*

*Development outside of the limits of development will only be permitted where it has been identified through community-led planning policy documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development. This development must be adjacent or well related to the limits of development.”*

As a matter of fact, the application site is not ‘adjacent’ or ‘well related’ to the physical limits of the nearest settlement boundary and not in a location which would minimise the need to travel. The development does not therefore conform with the NPPF, local plans or Core Strategy in terms of sustainable development.

#### Sustainability

There are few facilities in the locality to serve the site, other than the small local shop, and community facility proposed by this scheme. This would help improve community cohesion but it is considered likely that the site will be fairly heavily dependent on the car for most journeys. Nonetheless, the site lies on a Sustrans National Cycle Route which gives a safe and convenient access for cyclists and pedestrians to local villages and to Calne. There is a very limited, on demand, local bus service, more development here would make it more likely that the service remains and improves.

Though there are factors that would indicate a certain compliance with the NPPF, Core Strategy and Local plan, it must be concluded that on balance the proposal is not a form of sustainable development. This factor must weigh against the proposal.

#### Housing Land Supply

The recent appeal decision at Abberd Lane, Calne confirmed that the housing requirement in the adopted Local Plan is not up to date. Recent case law (Gallagher Estates Ltd v Solihull MBC [2014]) has clarified that where there is no Local Plan, which is effectively the case here in respect of housing supply, then the housing requirement for a local planning authority for the purposes of paragraph 47 of the NPPF is the full Objectively Assessed Need. The issue of the weight which can be attributed to emerging CS Policy C2, against which the Council considers it can demonstrate a five year housing land supply, does not arise. In these circumstances paragraph 14 of the NPPF provides that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies taken as a whole.

The Council’s inability to demonstrate a five year land supply and the fact that the proposal will provide much need housing must way in favour of the proposed development.

#### Economic Benefits

The proposed development would have economic benefits. As a project, it would generate a significant amount of investment and economic activity, contributing to the national economic recovery of the immediate area. During the construction phase it would create jobs and a demand for local services. After completion, the new residents would bring additional

spending power to the local area including the new shop and community facility. Paragraphs 18 and 19 of the NPPF gives significant weight to the need to support economic growth, and Section 143 of the Localism Act 2011 requires that regard is paid to local financial considerations. These matters count in favour of the proposed development.

#### Effects on the character and appearance of the area

It is acknowledged that the proposed development is in the open countryside and beyond the settlement framework boundary of this village. That would be the case with any development on this brownfield site. Loss of the countryside to development does not necessarily amount to significant harm. In this case, the site is developed and the buildings remain in a semi derelict state, it is relatively well contained in landscape terms and any refurbishment will be a distinct improvement on the existing situation. Permission has also been granted for a development of far greater scale than the proposal currently under consideration.

Although the site is in open countryside there is a special justification for new dwellings. The new houses would be contained within the boundary of the site and close to existing buildings. The siting and location of these buildings will conserve the natural beauty of the surrounding AONB landscape. The restoration of the semi derelict buildings would enhance the quality of the landscape and setting of the listed buildings. The proposal would therefore safeguard the architectural and historic interest of the area and improve the visual amenity of the area. These factors must weigh in favour of the proposed development.

#### Traffic and Highway Safety

The highway officer has confirmed that the existing access is safe and no objection is raised to the proposed access. An initial objection was raised in relation to lack of parking within the site. The applicant has clarified the level of parking within the site. This meets the councils requirements, for the avoidance of doubt a condition will be added to any permission requiring the parking layout and allocation to individual dwellings and uses.

#### Public Consultation

At the time of writing, and as explained above, there is no adopted or emerging neighbourhood plan or site allocations development plan document (DPD) in respect of the Calne Housing areas. In lieu of such a document, it is reasonable to consider the representations of local residents, and to ascribe to these due consideration, however, public feeling to a development should not be the determining factor in the determination of this application. Although not proactively identified through a neighbourhood strategy, the provision of community benefits is a material consideration in this instance.

It is also noted that a limited amount of community engagement has taken place independent of the Council. These response and discussions have resulted in the provision of allotments, public open space within the site, a local shop and a community centre.

In summary, whilst it is acknowledged that the site has not been brought forward strictly in accordance with the provisions of the emerging Wiltshire Core Strategy, it is considered that the planning merits of the scheme, physical conditions of the site, meeting an identified need for housing and local reception, use of brown field land over a green field site and the provision of community facilities must be considerations in favour of the development.

#### Previously Developed Land

As set out earlier in the report- The site has previously benefited from a planning permission to redevelop the site for housing. It has an extensive history relating to military use. The site

is classed as previously developed land. Preference is given to the use of previously developed land and this is acknowledged by Paragraph 2.2 of the Core Strategy and in national guidance contained within the NPPF and NPPG. Preference should be given to land such as this for the provision of dwellings providing it conforms to other planning policies.

It is considered that bringing forward this land would not prejudice the Council's position in relation to other sites that are located outside of the Framework Boundaries of other settlements within Wiltshire. Each application should be considered on their own merits. The fact that this is previously developed land and will relieve pressure on the development of green field sites is a factor that must weigh in favour of the proposed development.

### Ecology

The information relating to ecology has been reviewed and the Council's ecologist is satisfied that the ecological interest of the site are relatively limited and the potential impacts are not considered to be contrary to policy or likely to breach relevant legislation. Therefore no objection in relation to ecology has been raised and no further survey work or conditions are required.

### Design and layout

Whilst layout is principally dictated by the existing buildings on site it is still important to ensure that the layout is high quality with good levels of residential amenity. The density of development clearly lends itself to a well-landscaped scheme and the approach to open space is particularly pleasing, enhancing the environment of future occupants and serving as a buffer between the residential units and the surrounding countryside.

Details relating to the means of enclosure and the location of some residential gardens needs to be confirmed, however, this can be secured and adequately addressed by way of condition. Parking provision within the site is also acceptable, however, details such as the hard landscaping for these areas will have to be controlled by way of condition. The layout allows natural surveillance to take place, but not in such a way as to undermine the residential amenities of future occupants.

No objection has been raised by English Heritage in relation to the design of the additional residential units and the conversions. Whilst the design of some buildings is dictated by the existing structure, others have resulted in a very sympathetic works which are considered to preserve the character and appearance of the existing buildings and setting of the listed buildings.

The new dwellings are different to the previously approved properties, however, they are considered to be a significant improvement. They have been designed so as to ensure that they are not visually prominent and sit comfortably within this sensitive location.

### Enabling Development

The principle of enabling development on this site was established in the determination of the previous planning application. The circumstances are different as fewer new dwellings are now proposed, fewer hangers are being restored and the development was considered against different national planning policies.

The new policy context is the NPPF, at Paragraph 140 it states:

*Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.*

The above clearly sets out the tests to be applied for allowing enabling development. In considering the enabling development for this scheme a balanced approach must be taken and the development considered against the NPPF and policy guidance by English Heritage on Enabling Development whereby “*the public benefit of securing the future of a significant place through such enabling development decisively outweighs the disbenefits of breaching other public policies*”.

It is acknowledged that allowing new dwellings within the open countryside and extensions to converted buildings is not in strict accordance with the Council's planning policies. However, officers of the Council and English Heritage are in agreement that the financial information indicates that the preservation of this internationally significant heritage asset cannot take place without the new development. This complies with the NPPF and justifies the departure from Policy. The development is therefore in accordance with Paragraph 140 of the local plan.

#### Impact on Listed and Curtilage Listed Buildings

When determining planning applications the NPPF requires local planning authorities to take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

It is important to note that the site originally had 3 Grade II\* listed aircraft hangers, two of which have fallen down and will not be retained. These two hangers, which the previous planning inspector acknowledged were of not only national but international significance, have been lost forever. Delay or lack of action in making a positive decision could result the loss of this final hanger.

The subdivision of Hangar 02, whilst quite intensive, respects the principal significance of the spatial qualities of the interior and involves very little external alteration. The use of pods to provide contained spaces for a number of different uses including a commercial office should have the potential to generate an income for its future upkeep and a better solution than that allowed by the previous permission. Although some of the uses could result in a poor income return, as suggested by the financial viability statement, the conditions suggested would give sufficient flexibility to allow various income generating uses to take place within the building.

The planning conditions below require more details on how this scheme will work and English Heritage are happy with this approach. In addition, it provides reassurance that any alterations internally, and particularly fire regulations, will be properly investigated.

English Heritage, in their original comments to the Council acknowledged that the new dwellings would bring a residential character to this part of the site, however, the impact of the new development will be minimised by the proposed intervening landscaping and the fact that numerous original listed buildings and cartilage listed buildings will remain and be restored.

Officers and English Heritage have looked at this impact from viewpoints around the airfield, as well as close up and consider that if a high-quality landscaping scheme can be provided then the (any?) limited harm will be minimised and will be outweighed by the benefit of bringing the whole site back into use. It is concluded that the proposed development will lead to less than substantial harm to the significance of the designated heritage assets. In accordance with the NPPF officers have considered this harm and consider the public benefits of the proposal, including securing a long term use for the listed buildings and the large heritage asset far outweighs any harm.

Finally, given the extent of repairs identified and the enabling development proposed, a legal agreement will be required if consent is granted. This will require further works to the hangar to be undertaken and require the conversion of the building to ensure that the proposed uses and long term preservation of the building is achieved. As set out below, the scheme for Hangar 02 will carry a requirement for a schedule of repairs to be agreed in advance and undertaken in association with the conversion works.

The retention of restoration of this internationally significant heritage asset must weigh in favour of the scheme.

#### Viability

The applicant is of the opinion that the scheme is unviable given the level of contributions requested by the Council, the significant costs in restoring the buildings, even with enabling development and has submitted a viability assessment. This seeks to demonstrate that the application is unviable and no financial contributions are required. This has not yet been fully assessed by the Council. However, should the Council conclude that the scheme is viable the applicant has agreed to provide the requested amounts or part thereof. The report's conclusion is likely to be provided to members as a late item.

It is important to note that the previously approved permission was not subject to any financial contributions due to viability concerns. It is therefore unsurprising that the applicant has continued with this approach.

Government guidance states that the deliverability of the development may be compromised by the scale of planning obligations and other costs; if this is the case a viability assessment may be necessary. A site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. The NPPF states that in making decisions, Council's will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations. Flexibility in securing financial contributions is acceptable in principle and should not result in a default refusal

#### Other Uses

At the previous Inquiry the CPRE and Wiltshire Historic Buildings Trust argued that there were other ways of preserving these buildings. This included the site being used as a museum the Wiltshire Historic Buildings Trust taking on the project. No other viable use for

the buildings or alternative way of preserving them has been advanced since the last appeal. This is a material consideration in the determination of the application.

#### S106 contributions

At the present time, given the complicated nature of the scheme, the precise wording for the heads of terms in relation to the phasing of the development has not been agreed. However, it is necessary to ensure that the hanger is restored and developed as a matter of urgency and any 106 agreement will ensure that the new housing is phased to coincide with the restoration/redevelopment of the Hanger.

As set out above, the applicant is of the opinion that the scheme is unviable and has submitted a viability assessment. This seeks to provide no financial contributions. This has not yet been fully assessed by the Council. However, should the Council conclude that the scheme is viable the applicant has agreed to the following requested contributions:

- 30% affordable housing
- Provision of a of 2136m<sup>2</sup> of public open space, to be adopted and maintained by a management company funded by the occupiers of the site
- Allotment Provision
- Off-site financial contribution towards primary school places and secondary school places at primary level- £33,536
- £3000 to improve the drainage on Jugglers Lane
- £1500 per dwelling for sustainable transport measures

Should the application be considered unviable the applicant has agreed the following heads of terms:

- Provision of a minimum of 2136m<sup>2</sup> of public open space, to be adopted and maintained by a management company funded by the occupiers of the site
- On site allotment provision to be adopted and maintained by a management company funded by the occupiers of the site

## **10. Conclusion**

The proposed development is located within the open countryside and the North Wessex Downs AONB. Whilst near the Village of Yatesbury it is not a sustainable location for housing. This factor must count against the proposal.

On the other hand the site contains a unique collection of historic military aviation buildings. Previously three Grade II\* listed buildings were on site, sadly two of these have now fallen down. The conversion of the existing buildings on site would not generate sufficient profit to

restore the remaining hangar, enabling development is therefore required. Much of the special interest of the buildings lies in their group value. It is therefore vital that any development includes the repair of all the buildings and not just the one that will generate profit for the applicant.

The construction of the new dwellings on site would, in strict policy terms, be contrary to the NPPF. However, this is deemed necessary to fund the restoration of the hangar and is legitimate enabling development. This development will not have an adverse impact on the setting of these listed buildings. Prior to the issuing of permission a s106 agreement will be signed to ensure that the hanger is restored and converted.

Whilst the site is in an AONB, it is part of a conservation area set up to preserve and enhance the airfield site. The proposal would succeed in achieving this goal. It is considered that the objections on grounds of conflict with sustainable development and transport policies are far outweighed by the overriding public benefit of the repair of these significant group of listed buildings. For the reasons set out above there is a clear and compelling case in favour of the development. Failure to support this application could result in the permanent loss of a piece of the Nations significant and proud military history.

## **RECOMMENDATION**

14/00153/FUL- To DELEGATE authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement and the conditions set out below:

The heads of terms for the s106 agreement will be dependent on the outcome of the viability assessment. Irrespective of the above a s106 agreement will be required to control the restoration works to the hangar and the phasing of the enabling development.

- 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 provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 3 No development shall commence on site until details of the following matters have been submitted to, and approved in writing by, the local planning authority:

Walls, fences gates and other means of enclosure  
ground surfacing materials  
finished floor levels of all buildings  
finished levels across the site  
any external chimneys, vents or other ventilation equipment  
Refuse/recycling provision on the site  
Cycle parking facilities

Development shall be carried out in accordance with the approved details prior to the development being occupied / brought into use

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4 No works shall commence on site until details of all new or replacement rainwater goods (which shall be of metal construction and finished in black) and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

- 5 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include
- a) location and current canopy spread of all existing trees and hedgerows on the land;
  - b) full details of any to be retained, together with measures for their protection in the course of development;
  - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities
  - d) car park layouts;
  - e) other vehicle and pedestrian access and circulation areas;
  - f) all hard and soft surfacing materials;
  - g) external lighting to all areas including lumination levels and light spillage in



accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)",

h) Signage

The development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6 No development shall commence on site until a scheme to deal with any contamination of the site has been submitted to, and approved in writing by, the local planning authority. The scheme shall include an investigation and assessment to identify the extent of any contamination, the measures to be taken to avoid risk to the public, buildings and the environment when the site is developed, and a programme for implementation. No parts of the development shall be occupied until the measures approved in the scheme have been implemented and a completion report has been submitted to the local planning authority.

REASON: To avoid harm to the health and well being of future occupiers and to ensure that the site is free from contamination.

- 7 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 8 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the date of first occupation of the last unit]

- 9 No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.

- 10 No development shall commence on site until provision has been made for open space, allotment and amenity areas in accordance with a plan to be submitted to and approved in writing by the local planning authority.

REASON: To ensure a satisfactory provision of open space and community space throughout the development in the interests of the amenity of future residents.

- 11 The development hereby permitted shall not be first brought into use/occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 12 No dwelling shall be occupied until the parking spaces together with the access thereto, have been provided in accordance with the approved plans.

REASON: In the interests of highway safety and the amenity of future occupants.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1 shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 14 The Hanger, as shown on the approved plans shall be used for the following purposes and for no other purpose (including any other purpose within the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 15 No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item associated with the use of the hanger shall be placed, stacked, deposited or stored outside any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area and setting of the listed building.

- 16 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Large scale details of all internal and external works to the hangar including vertical

and horizontal cross-sections through the building to openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;

- (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);
- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Full details of proposed meter and alarm boxes;
- (vi) Large scale details of proposed eaves and verges (1:5 section);
- (vii) Full details of proposed internal service routes;
- (viii) A full schedule and specification of repairs including:
  - (ix) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects
  - (x) proposed timber and damp proof treatment
  - (xi) proposed method of cleaning/paint removal from historic fabric
  - (xii) a full schedule of internal finishes to walls, ceilings and floors
  - (xiii) Full details of external decoration to render, joinery and metalwork; and
  - (xiv) Full details and samples of external materials.

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

17 No development shall commence within the site until:

- a) The survey and recording of any archaeological, military or built heritage features within the red line area (including the pill box), has been submitted approved in writing by the local planning Authority; and
- b) A watching brief on any ground works associated new the development.

REASON: To enable the recording of any matters of archaeological interest.

18 The development hereby permitted shall be carried out in accordance with the following approved plans:

1219/37/02\_92  
1219/37/02\_93  
1219/38/02\_101  
1219/39/02\_110  
1219/40/02\_121  
1219/41/02\_131  
1219/NH/02\_140  
1219/NH/02\_141  
1219/DT/02\_150  
1219/DT/02\_152  
1219/DT/02\_153  
1219/DT/02\_154  
1219/DT/02\_155  
1219/DT/02\_156  
1219/DT/02\_157  
1219/DT/02\_158  
1219/ 02\_001  
1219/ 02\_002 Revision A  
1219/NH/ 02\_141  
1219/04/ 02\_013  
1219/04/ 02\_014  
1219/05/ 02\_022  
1219/05/ 02\_023  
1219/05/ 02\_024  
1219/07/ 02\_030  
1219/21/ 02\_051  
1219/23/ 02\_071  
1219/27/ 02\_081

Landscape Strategy

Arboricultural Impact Assessment

Design & Access Statement

REASON: For the avoidance of doubt and in the interests of proper planning.

- 19 The site shall be used for [INSERT] and for no other purpose (including any other purpose in Class [INSERT] of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the hangar shall be used solely for purposes within Classes A1, A2, A3, B1(a), B1(b), D1 & D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

14/02535/LBC- To DELEGATE authority to grant listed building consent to the Area Development Manager, subject to the signing of a Section 106 agreement and the conditions set out below:

The heads of terms for the s106 agreement will be dependent on the outcome of the viability assessment. Irrespective of the above a s106 agreement will be required to control the restoration works to the hangar and the phasing of the enabling development.

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed

Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No works shall commence on site until a full schedule and specification of the proposed hangar repair and reinstatement works, including a schedule of surviving fittings to be repaired/reinstated and finishes to walls, ceilings and floors. The schedule is to be supported large scale drawings to show proposed alterations to all features. Works shall be carried out in accordance with the approved details.

Reason: To ensure the preservation of the Grade II\* Listed Building.

- 3 No works shall commence on site until a full schedule and specification of the proposed hangar conversion works has been submitted to and approved in writing by the local planning authority. The schedule is to be supported by large scale drawings to show proposed alterations to all features including means of fixing, flues and internal services. Works shall be carried out in accordance with the approved details.

Reason: To ensure the preservation of the Grade II\* Listed Building.

- 4 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 5 No works shall commence on site until details of all new external window and door joinery and/or metal framed glazing have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

- 6 No development shall commence on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 7 No development shall commence of site until full details of proposed flues, means of providing ventilation, meter, alarm and letter boxes, internal services have been submitted to and approved in writing by the local planning authority.

REASON: In the interest of protecting the historic fabric of the listed buildings.



