

## **18/00524/FUL**

**Retrospective application for the temporary siting of a portable aircraft engineer's office and document storage cabin at The Airfield, Bagby, North Yorkshire YO7 2PH for Mr M Scott.**

**The application is report to Planning Committee as it is inherently linked to the consideration of that application 16/02240/FUL**

### **1.0 PROPOSAL AND SITE DESCRIPTION**

- 1.1 The proposal seeks to gain temporary approval for the siting of a cabin used as an office and document store for an aircraft engineering business operating at the Airfield.
- 1.2 The site of the temporary cabin is to the north east and close to Hangar B, on the south side of the east-west runway. The cabin is positioned upon an area of hard-surface previously occupied by a fuel tank; a footway connects the cabin and Hangar B. A power supply to the cabin is taken from Hangar B. The cabin is 3.06m wide, by 10.27m long and 2.7m high comprising two small offices, an entrance space incorporating copying space and store. The cabin was brought to site in one piece and is noted in the application to be a standard unit of galvanised steel frame covered in plastic coating with paint finish to doors and windows.
- 1.3 The application 16/02240/FUL is inherently linked to this proposal as it seeks approval for the use of Hangar B for the purposes of an aircraft engineering business and proposes the formation of a small office within the Hangar B, which would provide an alternative to the current arrangement that this application seeks to regularise. The agent for the application writes in respect of the formation of the office:

*It is hoped that this would be within the next 6-12 months. However, given there is an uncertainty of if and when planning permission is granted for application (16/02240/FUL) and the change of use of Hangar B, this application applies for the temporary siting of the cabin for 24 months to allow for planning permission to be obtained and building works undertaken to regularise the use. The cabin would then be removed the Site.*

- 1.4 Full details of the context of the site of Bagby Airfield is set out in the report 16/02240/FUL and to avoid repetition the reader is directed to that Planning Report.

### **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 An enforcement case 17/00253/CAT3 relates to the arrival of a portable office building at the site initially located to the west side of the Maintenance Hangar. The location of the portable office building has been moved during the period between the submission and validation of this application.
- 2.2 The full planning history of Bagby Airfield is set out in the report 16/02240/FUL and to avoid repetition the reader is directed to that Planning Report.

### **3.0 RELEVANT PLANNING POLICIES**

3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP15 - Rural Regeneration  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policies DP1 - Protecting amenity  
Development Policies DP18 - Support for small businesses/working from home  
Development Policies DP25 - Rural employment  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation  
Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
Development Policies DP9 - Development outside Development Limits  
National Planning Policy Framework - published 24 July 2018  
National Planning Practice Guidance

#### 4.0 CONSULTATION

4.1 Bagby and Balk Parish Council – No comments received.

4.2 Public comments – None received.

#### 5.0 OBSERVATIONS

5.1 The main issues for consideration in this application are: (i) the principle an office use on a site outside the Development Limits of a settlement; (ii) the visual impact of the development; and any matters of (iii) highway safety or (iv) residential amenity arising from the use of the development. It is also necessary to consider the issue of Environmental Impact Assessment.

##### Principle

5.2 The policies of the Local Development Framework and the NPPF that are relevant to development at Bagby Airfield are set out in the report 16/02240/FUL and whilst details pertinent to this case are as set out below the reader should also take account of the details within that Planning Report.

5.3 Policy CP15 relating to rural regeneration sets out that new development outside of the Development Limits of settlements will be supported where it, amongst other things, relates to the retention or expansion of appropriate business. In all cases development should be designed to be sustainable consistent with other policies of the plan and not conflict with the environmental protection policies and provide mitigation and compensation to address harmful implications. Policy DP25 provides further support for employment development and requires development to satisfy five criteria. These are tested as follows:

i. The development is small in scale

5.4 The proposed cabin at 31.4sqm is small and no additional jobs are noted to be provided by the development.

- ii. It comprises conversion and re-use or replacement of existing rural buildings of sound construction, or appropriate extensions of building or existing uses which are otherwise acceptable in terms of other LDF policies
- 5.5 The office replaces a smaller office space that had been used within the former engineer's workshop. The CAA licencing requirement for improved file storage and the relocation of the aircraft engineering business to Hangar B made the continued use of the office within the former engineer's workshop impractical. The proposal does not meet the requirement of this criterion.
- iii. The development is not capable of location within a settlement with Development Limits, by reason of the nature of the operation or the absence of suitable sites
- 5.6 The close functional relationship between the Airfield, the aircraft engineering business and the office and file storage make the development incapable of location within a settlement with Development Limits.
- iv. It is supported by an appropriate business case which demonstrates that support will be provided to the local economy, which in turn would help sustain rural communities
- 5.7 The business case is central to the consideration of the proposal. The justification for the siting of a portable office building and records storage is made by the Applicant's agent following consideration of the suitability of the previous facilities by the CAA. Record keeping is essential to demonstrate the airworthiness of the aircraft that have been maintained by the aircraft engineer. The extent of records required to be maintained by the operator of the aircraft maintenance business is substantial and exceeds the space available within the former aircraft engineering office.
- 5.8 The operation of the aircraft engineering business requires staff. The employment of staff based locally contributes to the local economy. Purchases of office supplies and aviation supplies for the aircraft engineering business may provide other contributions to the local economy but these have not been quantified. From the evidence of history, without appropriate office and file storage space the CAA licence requirements would not be met and the permit to operate an aircraft engineering business may be withdrawn. The loss of CAA licence would restrict the function of an aircraft engineer and would be expected to harm the local economy.
- 5.9 The application notes that the portable building is only required for the purposes of the maintenance operation. It is noted in the application that if the proposal for the use of Hangar B is refused the portable building would no longer be required.
- v. The development would not adversely impact on the economy of the Service Centres
- 5.10 As noted above, the business location is tied to the existence of the Airfield. There is no evidence that office and store would cause any harm to the economy of any Service Centre.
- 5.11 It is considered that the proposal meets the requirements of CP15 and DP25 except in respect of criterion ii; however as a temporary use for about 12 months that would subsequently be replaced by the re-use of part of an existing building, which would meet the requirement of criterion ii, there is no significant harm caused by the breach of the criterion.
- 5.12 However, it is noted in the report on application 16/02240/FUL that an Enforcement Notice prevents use of Hangar B for aircraft engineering. The issue is dealt with in that report but it should be noted and understood that this application seeks

permission for a building ancillary to an unauthorised activity. The impact of the temporary siting of the cabin is considered in the remainder of this report.

#### Visual impact

- 5.13 The application documents note that the portable building is only required for the purposes of the maintenance operation. It is noted in the application that if the proposal for the use of Hangar B (part of application 16/02240/FUL) were refused the portable building would no longer be required.
- 5.14 The visual impact of the development is to be assessed in the light of LDF Policies CP16 and DP30. The structure is in the open landscape of the Airfield; however reference to the position of the cabin and the vantage points available to the public is relevant. The cabin is visually related to the scale, design and materials of Hangars A and B against and alongside which it is viewed. There are very limited opportunities for public views of the cabin due to the distance from public vantage points, the intervening trees, hedgerows, landform and other buildings. It is notable that there is no public comment and no comment from others of any visual impact of the proposal. Any visual impact would in any event be limited to the temporary period for which permission is sought and at the end of the period the removal of the cabin would fully remove that impact.

#### Highway safety

- 5.15 The office and store form part of the relocation of a business within the Airfield and there is no evidence that it has generated additional vehicle movements. As such it does not have any significant impact on highway use or safety.

#### Residential amenity

- 5.16 The use of the office and store would not give rise to any harm to amenity of neighbours; nor is there any evidence of any impact while the building has been in place and in use. The office and store are ancillary to the use of Hangar B by an aircraft engineer. The use of Hangar B as an aircraft engineers does result in aircraft movements and those aircraft movements give rise to noise in the environment and the engineering works may give rise to noise. The approval of the cabin as an office and store would temporarily support the aircraft engineering business. However this is not an application for the use of Hangar B for the purposes of an aircraft engineer, that proposal is for consideration in the application 16/02240/FUL and the report for that application gives consideration to the noise impacts of that use.

#### Environmental Impact Assessment (EIA)

- 5.17 The development of the siting of a temporary portable aircraft engineer's office and document store is not EIA development. It falls below the thresholds for EIA development. However, the development is to be considered cumulatively with the EIA development in the application 16/02240/FUL for which an Environmental Statement (ES) was required under the EIA Regulations 2011.
- 5.18 The ES for 16/02240/FUL is reported at section 6 of the report under the Regulations of 2011 as the proposal was made before 16 May 2017. The EIA Regulations 2017 would be applicable to this application, as it was made after 16 May 2017.
- 5.19 The ES submitted with application 16/02240/FUL and environmental information in publicly held records has been assessed and the conclusion reached that the development in this application would not result in significant effects individually or cumulatively.

## 6.0 RECOMMENDATION

6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:

1. The planning permission for the siting of a temporary portable aircraft engineer's office and document store is valid until 8 March 2020.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 1452-27 and 28 received by Hambleton District Council on 9 March 2018 unless otherwise approved in writing by the Local Planning Authority.

The reasons are:

1. To ensure that the development is not retained beyond the period necessary in order to complete the works to provide a permanent replacement office and document store and thereby preclude the creeping expansion of the Bagby Airfield infrastructure without control and due consideration of the impacts of the Development Plan by the Local Planning Authority.
2. To ensure extent of the development permitted is defined by the relevant details of siting, size of structure and appearance particularly so that no harm is caused to the landscape as sought by the Local Development Framework Policies CP16 and DP30.