

# DM 06/14

Development Management Committee: Thursday, 13 November 2014

**RENDESHAM – C10/3239 – CHANGE OF USE OF BUILDINGS AND LAND AND MOVING A SECTION OF FENCE: FORMER RAF BENTWATERS, BENTWATERS PARK, RENDESHAM FOR BENTWATERS PARKS LIMITED AND STANSALL PROPERTIES LIMITED**

Report by Head of Planning and Coastal Management

## EXECUTIVE SUMMARY

1. This planning application is for the regularisation of existing uses (land and buildings) that do not have the benefit of planning permission, combined with proposals to use buildings and land not currently in use at the site. The application also includes a phased master plan, a biodiversity management plan and an environmental statement. The proposed development is accompanied by an environmental statement because the development is Schedule 2 development under the (1999 and) 2011 Town & Country Planning Environmental Impact Assessment Regulations.
2. The application was previously considered by Development Control Committee on 7<sup>th</sup> September 2012 where a report made an initial recommendation in favour of the application subject to further negotiations and resolutions and subject to those being reported back to the committee for determination of a final recommendation. This report forms the final recommendation on the application and it follows a recent period of reconsultation based on a range of updates to the application.
3. The main update to the application consists of the expansion of the amount of flying of aircraft proposed for the site. Previously the application covered the storage and flying of one Spitfire from the site. The applicants amended the application to reflect a situation more in line with the current circumstances on the site, those being the storage and flying of up to 8 aircraft and the use of the site for flying in association with businesses based on the site. Therefore the application proposes to utilise the existing runway for 960 aircraft movements a year with no more than 40 movements per week.
4. This element of the updated application has attracted widespread publicity with extensive consultation responses received and approximately 1288 representations received, both in objection and support. This report focuses of the consideration of the flying element of the application, along with other updates and resolutions. In particular the impact of aircraft activity on the

Area of Outstanding Natural Beauty (AONB), residential amenity, Special Protection Areas (SPAs) and local wildlife have been considered thoroughly.

5. The addition of increased aviation from the site has been judged as small scale at the level hereby proposed and the level of harm resulting from this inclusion into an already major development within the AONB is not seen as carrying sufficient material weight in isolation to warrant refusal. Extensive consideration has been given to conditions and guidance in relation to aircraft utilising the site and these both satisfy statutory consultees and would mitigate any potential impacts.
6. The report finalises the consideration of ongoing matters regarding highways improvements, rights of way leading around the base and long term monitoring and suitable conclusions to these elements have been reached. This report addresses the requests of the Development Control Committee raised under the 2012 meeting and the report is structured to specifically respond to outcome of the previous committee meeting. The previous report forms appendix II to this report and should be read in conjunction with this report which offers a consideration of the updates and a final conclusion and recommendation.
7. The recommendation is of approval subject to a section 106 agreement, the signing of accompanying rights of way agreements and a range of conditions.

**Wards Affected:**

Rendlesham, Hollesley with Eyke, Melton and Ufford, Orford and Tunstall, Wickham Market

Philip Ridley  
Head of Planning and Coastal Management

**BACKGROUND PAPERS:**

Development Control File Reference No's. C96/1421, C02/1730, C08/2152 & C06/1410

Reference:

---

For further information, please contact Ben Woolnough, Senior Planning and Enforcement Officer on (01394) 444733 or email [ben.woolnough@eastsoffolk.gov.uk](mailto:ben.woolnough@eastsoffolk.gov.uk)

## 1. INTRODUCTION

- 1.1. The application was originally received on 21<sup>st</sup> of December 2010 and included the following documents:
- Phased Master Plan
  - Environmental Statement (Volumes 1-4)
  - Planning Statement
  - Transport Statement
  - Conservation Statement
  - Archaeology Desk Based Assessment
  - Flood Risk and Foul Sewage Assessment
  - Phase 1 and 2 Environmental Risk Assessment
  - Bio-diversity Management Plan
  - Open letters from Mr W J Kemball regarding rights of way and from Stansall Properties Limited regarding Phase 2 development proposals.
- 1.2. Further documents and plans were received 28<sup>th</sup> February 2012 to update the application submission, with an Addendum to the Planning Statement and building use schedule, Master Plan, further comments from Highways Consultant, including revised trip rate calculations; suggested conditions.
- 1.3. The phased Master Plan includes information on the proposals as well as other contextual information. It also provides information as to future developments which although not part of this application are envisaged within the next 5 years, and may therefore be considered within the EIA assessment process. These later phase proposals remain outwith this application and are to be determined via separate submissions. These later stage proposals may then involve applications for the erection of new buildings for B1 and B8 uses and provision of improved landscaping scheme in the area adjacent to the main entrance on land under the control of Stansall Properties Limited; the provision of 2 areas of photovoltaic cells to be sited at ground level on 2 sites of up to 8 hectares each at either end of the runway parcels on land under the control of Bentwaters Parks Limited; and the use of some of the area of hardstanding near the control tower for B8 storage.
- 1.4. The Phase 1 proposals which are the subject of this application involve the regularisation of existing uses of land and buildings at the site combined with proposals to use land and buildings not currently in use. The application includes the relocation/erection of fencing at the western end of the site in order to accommodate a proposed public right of way. Originally proposed as a footpath, the western route has been amended to a bridleway.
- 1.5. The site was formerly the Technical Base area of USAF Bentwaters which closed in 1993. It lies on the eastern side of the A1156 and B1069 which link the site to the A12 via Eyke, and Melton, to the south; and the A12/A1094 north, via Tunstall and Snape. The site is within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty. Part of the area is a designated County Wildlife Site. To the south, (outside the site) lies part of the Sandlings designated SSSI, SPA etc. The Whitmore Wood County Wildlife Site/Ancient Woodland lies to the west with the Grade I Listed Wantisden Church adjacent to the north-east of the base perimeter; and the Grade II listed Ivy Lodge on the opposite side of the B1069 north.
- 1.6. **The application was considered at Development Control Committee on 7<sup>th</sup> September 2012 and the respective report is included within this report as**

**Appendix II.** The report recommended the application favourably subject to further negotiations and resolutions and subject to the report being reported back to the committee for determination of a final recommendation. The minutes of that meeting are included as Appendix I. **In summary the committee concluded by agreeing the following:**

- A) The Committee was willing to exclude Condition 2 (Removal of Permitted Development Rights).
  - B) Condition 16 (Flying): wording to be more flexible to allow for occasional use of airstrip by businesses on the premises but not to allow people to operate freight haulage by air. Exclude other aircraft being operated from the site as a routine aviation business but incidental to management of business on the site. Runway to be kept clear 24/7.
  - C) To require contributions for the full extent of Eyke traffic calming measures and crossings and bus stop at Rendlesham plus £10,000 contribution towards community enhancements at Rendlesham.
  - D) Simultaneous progression of Rights of Way application to be energetically pursued. Care to be taken over wording and what can be achieved around footpaths and bridleways.
  - E) Revised building use schedule to be submitted to the Council in accordance with condition 25 on page 173 together with an amount of money to facilitate an appropriate monitoring regime.
  - F) Traffic monitoring to be at the cost of the applicant.
- 1.7. Following this meeting, discussions commenced between the applicant and officers over the amount of flying occurring and proposed on the site. The previous understanding that the site was being used for flying of a Spitfire only had been proven inaccurate and in fact the site was being used for the storage of 8 aircraft, 7 of which were being flown from the site.
- 1.8. Over the 18 months between the September 2012 committee and the submission of the February 2014 update to the application, the applicant was addressing the methods of submitting the required updates and amendments and later commissioning the required update to the Environmental Statement. The updated submission was made on 28<sup>th</sup> February 2014. The submission consisted of:

- *Updated planning statement*
- *Revised environmental statement volumes 1 to 4*
- *Revised masterplan drawing*
- *Supplementary traffic assessment documents – which support earlier submissions and should be read in conjunction with them*

***Rights of way creation agreements*** consisting of:

- *Draft bridleway creation agreement*
- *Draft footpath creation agreement*
- *Supporting documentation*

1.9. This report primarily focuses on consideration of the update in addition to the consideration applied to the broader application in the 2012 committee report. The update consists of the following changes to the use of the site:

- **The proposed use of Building 668 has been changed from ‘processing and storage of wood products’ to ‘Spitfire propeller workshop, parts and tool store associated with 669.**
- **The proposed use of building 669 has been changed from ‘houses one spitfire’ to ‘aviation workshop and hangar for 8 heritage display aircraft in association with 668’.**
- Building 45 proposed use class widened from B8 to B8 or B2 to address long term issues with the letting of this building.
- Buildings 842 and 843 descriptions (not proposed uses) updated to Office and Storage for UK Salvage.
- Area 2054 added to building use schedule as storage and display yard for 842 and 843. UK Salvage Ltd, who operate from building 842 and 843, also have a yard for displaying and storing the reclamation materials they sell. This yard was not previously included in the masterplan. It is now included as a Sui generis use and numbered 2054. The area includes the existing yard as occupied and used since 2006 and an area for future expansion which UK Salvage would like to action as soon as the masterplan is approved.
- Addition of areas for Calor gas tanks numbered 2047-2053 in the building use schedule. The 3Ms group which manages the agricultural operations on part of the Bentwaters site had previously installed Calor gas tanks close by a number of buildings. The gas tanks require planning permission and the Health and Safety Executive has inspected the site and requires evidence of planning permission. As such the gas tanks are included in this application by way of regularisation. The buildings they relate to are 74, 687, 688, 694, 1601, 1602 and 1603. As the gas tanks are not a distinct commercial land use they have been included in the building use schedule for reference as ancillary uses and given reference numbers 2047 – 2053.
- As a result of C/11/2861 (Amarinth replacement office building) Building 07 (85m<sup>2</sup>) has been demolished and replaced with a new office building (which is 428.5m<sup>2</sup>).
- Buildings 587 and 199 no longer need to be demolished to make way for the bridleway.

In addition the revised Environmental Statement takes into account:

- The publication of the National Planning Policy Framework. With the core presumption in favour of sustainable development the effect is expected to be positive.
- Adoption of the Suffolk Coastal District Core Strategy and Development Management Policies Local Plan document.
- Changes to Parts 3, 4, 8 and 41 of the General Permitted Development Order (GPDO) in 2013 and provisions extant before 2013.
- The 1995 GPDO (as amended) gives permitted development rights for many classes of development of which Parts 3 (Changes of Use), Part 4 (Temporary buildings and uses), Part 8 (Industrial and warehouse development) and Part 41 (Office buildings).

Aggregate amendments to the GPDO allow for:

- i. Change of use from B2 or B8 to B1 (where no more than 500m<sup>2</sup> in each instance)
  - ii. Change of use from B1 or B2 to B8 (where no more than 500m<sup>2</sup> in each instance)
  - iii. Change of use from B8 to B1 (where no more than 500m<sup>2</sup> in each instance)
  - iv. Change of use from B1 to C3 (until May 2016)
  - v. Change of use from A1, A2, A3, A4, A5, B1, D1 & D2 to (uses having a lesser or similar impact) A1, A2, A3 and B1 for a temporary period of two years
  - vi. Extensions to B1 buildings within certain and partly temporary limitations
  - vii. Small new B2 or B8 buildings
  - viii. Small extensions to B2 and B8 buildings
- 1.10. The changes highlighted in bold are the most significant alterations to the proposed use of Bentwaters and the majority of this report considers the implications of the aviation use of the site associated with those changes. The applicant has expanded on the flying associated with buildings 668 and 669 with a suggested condition stating:
- “Flying (which means taking off and landing) at the site shall be limited to one annual air show and 480 flights (or 960 movements) annually and no more than 20 flights (or 40 movements) in any one week which are not part of an air display, unless otherwise agreed in writing by the Ipa. Reason: In the interest of maintaining tranquillity within the AONB and residential amenity.”*
- 1.11. No further restrictions or conditions relating to flying of aircraft from the site were suggested by the applicant at the time of submission of the updates to the application.
- 1.12. Following receipt of the updates to this application a full reconsultation was undertaken. This included consultation with all statutory and non-statutory consultees previously consulted under the original submission. An expanded range of Parish Councils were consulted in the surrounding area, beyond those previously consulted in order to take into account the effect of aircraft over the wider area.
- 1.13. The applicant has provided greater explanation of the aviation element of the application since submission of the updates in February. They have also engaged with a wide range of consultees and Parish Councils. Initial concerns were raised in the consultation over the impact of flying at low heights over Special Protection Areas (SPAs) in relation to sensitive and protected bird species. The applicant has proposed to address this by providing a legal agreement to ensure that a map with advisory information is provided to resident and visiting pilots to identify SPAs in the area and to suggest that they should avoid low flying over those areas.

## 2. CONSULTATION RESPONSES

### 2.1. Rendlesham Parish Council:

Rendlesham Parish Council fully supports the application. The application supports local employment and aims to regularise the activities already taking place. The application also makes provision for a new bridleway which will provide pedestrians, cyclists and horse riders with better access to the forest.

The Parish Council also fully support the flying element of the application which formalises the flying as it currently exists. The runway is classed as a Farm Strip (private landing ground) which requires the pilot of an aircraft wishing to land to obtain prior permission from the owners. This status, and conditions which would be in place from any planning permission granted, would control the level of flying that takes place, alleviating any concerns of increased use.

We note that the level of flying activity will remain as it has since the applicant took ownership of the site and the Grace Spitfire moved to the site in 2008. We also note that further flying activity is not being requested.

Rendlesham conducted a survey with regards to public opinion on the flying that operates from Bentwaters and it was found that there was overwhelming support for the flying to continue. As with any activity there will always be the one or two people that have differing views. The Spitfire and the other planes that are housed at Bentwaters are considered an important part of our heritage, even more so now as we recall the recent D Day commemorations to remind us what a critical part the Grace Spitfire played during the D Day landings. We strongly believe that every effort should be made to support the dedicated people that maintain these planes as part of our history.

The Parish Council believe that the level of flying being proposed in the application would not have such a significant detrimental impact on the Area of Outstanding Natural Beauty that would warrant refusal of this application and we would encourage SDC to formally support what has already been in place many years.

**Eyke Parish Council:** Bentwaters Parks sits wholly within the AONB and covers some 390 hectares (964 acres) – Trinity Park and Felixstowe Docks together with its container area is some 150 hectares – and has the potential to be one of the largest industrialised sites in the country.

It is serviced by a completely inadequate road infrastructure. At present approximately 80% of operations carried out on this industrial site do not have planning permission. In 2010 an application to regularise the site was made: *C10/3239 – change of use of buildings and moving a section of fence*. A site meeting at Bentwaters Parks, prior to the September 2012 meeting, gave every indication that the application would receive approval. It was after this point that the application stalled, as the owners/developers decided to include an airport to allow flying, plus an annual air show.

We are disappointed that Suffolk Coastal District Council did not proceed with the regularisation of the site and insist that separate application be made to cover the airport, flying and air show.

We are concerned as to why the developer did not reveal that flying and the building/maintaining of aerobatic aircraft, which has been in existence for some 5 years, was not included in the C10/3239 masterplan. This would suggest that the developer has not been open and transparent in the whole matter.

Steve Milligan's letter of 12th June 2013 to the developer highlights this point:

*I must state at this stage my disappointment with the inclusion of this amendment late in the consideration of C10/3239, given you state that the aircraft housed in building 669 'have been operating from the site for approximately 4 years', which*

*pre-dates the submission of C10/3239 and the EIA, which made reference to only a single spitfire flying from the site. The position of the Council to defer enforcement action in 2009 to allow your client to prepare and submit an application for authorisation of activities at the site, was taken in good faith and I believed that the information and use schedule you submitted with C10/32239 was comprehensive and correct. For this to be shown otherwise is clearly disappointing.*

The applicant/developer has been very astute in adding an airport and flying to the original application and must have been confident that the original proposals would be approved. Taking advantage of the fact that SCDC are keen to regularise the site, and knowing that one cannot 'cherry pick' an application, which has to be refused or approved – albeit with conditions – they decide to include an airport and flying facilities.

It is appreciated that the owners want to maximise their commercial interests, but at what costs to the AONB, Eyke and its community?

*115 and 116 of the NPPF State: Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.*

*Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:-*

- 1. The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local community*
- 2. The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way, and*
- 3. Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

The developer/owners appear to want to dismiss the planning inspector's report as being no longer relevant; however, the refusal of the airport was, among other issues, based on the AONB and the inadequate infrastructure and this has not changed.

On 31<sup>st</sup> July 1999 HM Government Planning Inspector George Mapson stated 'The use of the former RAF Bentwaters base for civil aviation is unacceptable' he also stated there was 'a lack of a realistic or effective strategy for imposing controls over aircraft movements and ground based activities.'

We believe this remains true today, and SCDC have indicated that enforcement of limits is extremely difficult. Vol 3 page 127 –sections 7.5.19/20 This relates to business flying and says that 10 business flights per month are to be expected; these flight figures are not included in the 960 associated aerobatic flying. Pilots are required to log flight plans and flying in and out of Bentwaters would require permission and no doubt landing fees, and as such would come under the rules and



regulations of the Civil Aviation Authority. This would make Bentwaters a commercial airport.

There has been no prediction of traffic that will be generated by an annual air show; indeed, at a parish council meeting with the developer's agent, the agent stated that they do need planning permission to have an annual air show. Lowestoft air show attracted 340,000 visitors; Clacton air show 140,000; Bournemouth air show in 2009 –1,344,000. It is not an overstatement to estimate that the Bentwaters Air Show would attract some 50,000 vehicles which can only be detrimental to the AONB and certainly to the village of Eyke and the principle of the “Quiet Lanes” initiative. The 28 day rule should not be used to circumvent planning permission and because of the abuse of this rule, the Government are considering changing it. To have an air show, with its vehicular impact on the local area will be seriously detrimental to the AONB and surely an abuse of this rule.

What is being proposed will have a major impact which will irrevocably change the tranquillity of the area for ever. When the owners/developers held Golf GTI days, they generated literally thousands of vehicles, which backed up from the A12 and through the village of Eyke – some 4 miles of stationary traffic –as you can imagine this caused total mayhem. An air show will subject this village to thousands of additional vehicles on an already totally inadequate road structure.

Part of the village does not have footpaths and pedestrians have to walk in the road with the traffic. With the development of Rendlesham and the irregular operations at Bentwaters Parks, the quality of life for the villagers of Eyke has been greatly diminished. We accept that it is a changing world, but must it be so brutal in destroying the tranquillity of this area? Does SCDC not care about, or even consider, what is happening to Eyke, its community and the AONB? What will be left for future generations?

To quote jobs as a reason for development cannot be accepted, as this area has one of the highest employment levels in the country. If allowed, this application will create considerable wealth for a few individuals, but at the expense of the serenity of the AONB as well as the surrounding area. The approval of flying and air shows is incompatible with and unacceptable to the AONB. Many of the operations at Bentwaters have been relocations of businesses sited from elsewhere, for example Woodbridge, allowing land to be used for housing development. Since the original application, there have been more operations established, possibly with – or without-planning permission. Clearly this is having the effect of creating more traffic through Eyke. Suffolk is largely a rural and farming community, generating some £400 million to the local economy from field to table. There is now great pressure to urbanise and industrialise Suffolk, but at what cost to the AONB and its surrounding areas?

The flying of the Spitfire has been accepted but is the establishment of an airport, flying club and their associated facilities just the beginning of, perhaps, unstated ambitions? The approval of 960 aircraft movements per year, together with 'business' flying, will be the start of a commercial airport. What would SCDC do if this increased to 5000, when they have been already woefully inadequate with any enforcement issues on this site? The permission to fly in principle will make it easier to increase greatly flying levels in future, with, or without, necessary planning applications. As one cannot select only parts of an application, the approval of an airport and flying would be entirely inappropriate and out of keeping with the principles of the AONB. It would be detrimental to the village of Eyke and quality of life of its residents. The inclusion of flying should be removed and subject to a

separate planning application. Therefore, we request that the application be refused.

- 2.2. **Wickham Market Parish Council:** No objections to this application, in principle, but would like to highlight this project should ensure safeguards are put in place to monitor any additional traffic this may cause at the lower end of the High St.
- 2.3. **Chillesford Parish Council:** I am writing to you on behalf of Chillesford Parish meeting, of which I am chair on the matter of the Bentwaters application.

Firstly I note that the planning website on this application includes a list of 9 Parish Councils who have been furnished with details of this application. This does not include Chillesford despite being closer to the application site than some of those listed. Hence we have only recently learnt about this application and have had little time to absorb the information.

I have had adverse comments from Chillesford residents about the proposed increase in air traffic, especially aerobatic planes. Currently we have the occasional flight of a spitfire to which no one objects and intermittent low flying military helicopters from RAF Woodbridge, apparently on training flights. There is virtually no other air traffic apart from high flying commercial flights. Thus the proposed increase in aircraft based at Bentwaters will lead to increased noise and disturbance locally, especially in an AONB, to which the Parish objects.

I have seen the letter from Evolution Town Planning which argues that theoretically any number of aircraft could fly over Chillesford. This is a bit like Nigel Farage's comments about 28 million Romanians could come to Britain – they could but they won't. But basing more aircraft at Bentwaters will inevitably lead to increased air traffic and this is what the village objects to

- 2.4. **Campsea Ashe Parish Council:** I write on behalf of, and with the authority of, Campsea Ashe Parish Council as consultee to the above planning application.

A full response to the application was set out in my letter of 9 March 2011 which you will have on your file and is in the public domain. The applicants' agent has submitted updated information subsequently, but this has done nothing to lessen the parish council's concerns or alleviate the perceived fears of the community it represents. My earlier letter followed a public meeting on the matter and a meeting of the parish council as a planning committee was recently held in public to highlight the updated intentions in the application regarding aviation. In my earlier letter grave concern was expressed as to the wider environmental impact on extended communities with particular regard to the inevitable increase in HGV traffic. Nothing seems to appear in the documents submitted by the applicants to the District Council in February/March 2014 to reduce this impact and I am reminded of a comment made by Suffolk County Council in an earlier response on the highways issue when they refer to a lack of clarity in the application.

Regularisation of the planning situation in respect of land and buildings at Bentwaters Park is something the parish council can welcome in principle, but that process must include full consideration of the wider environmental impact and centre on the effects of HGV and other commercial traffic generated from present and future development of the site. It is the effects of increased traffic generation that most concern us as a parish, located as we are between the application site and the A12. A quick glance at a road map will show that the shortest route to the A12 from Bentwaters Park is via the narrow and unsuitable rural roads that are so

important to the quiet and peaceable enjoyment of Campsea Ashe. It is an unalterable fact that our roads are not capable of supporting HGV traffic at present, let alone any increased axle loads that may be expected from Europe.

Submissions accompanying the application include technical statements which do not appear to be borne out by the actual experiences of those living in this and adjoining parishes. Residents of Campsea Ashe are frequently forced off the road by HGVs, sometimes with physical damage incurred. The impression is given by the applicants' agent that his clients' proposals will have no material impact on the local road network and therefore no traffic mitigation is necessary. This is simply not the case as experienced by local residents and this parish council commends and supports the response submitted by Eyke Parish Council dated 15 May 2014, a copy of which will be in your file. Their experience is of year on year HGV traffic growth and related incidents.

Bringing use of the site into line with planning consent can only encourage further development bringing further traffic. While use of the site to date has been unauthorised there has been little encouragement to develop further; who would invest to develop an unauthorised site? However, a valid planning consent will act as a trigger to further development, in the worst case to the extent of the full potential of around 1.4m sq. ft. of B8 use as indicated by the applicants' proposed Master Plan, not currently part of this application, but clearly flagged up for future action.

The effect of a future developed 1.4m sq. ft. warehouse and distribution centre for a national operator would unleash impossible HGV traffic flow upon the neighbouring communities. The applicants rest upon their assurances that there will be no HGV traffic increase based upon the present application, but they cannot guarantee how the Parks will be developed in the future. Future, as well as present, traffic planning must be settled now. We need to see traffic flow forecasts for the development as it stands, then when all currently vacant space is taken up and then, importantly, a projection as to what HGV traffic would be generated in the worst case example of a 1.4m sq. ft. warehouse and distribution centre. It is this last figure that is truly meaningful to our community.

The traffic survey as submitted is limited in being applied to a historic usage of the site.

The Parish Council must seek defence against unrestricted traffic generation. Any permission given to this application must carry a severe restriction against allowing any business on the site with a pre-known or anticipated high HGV usage. A robust traffic plan should be put in place that would restrict drivers leaving and arriving at Bentwaters Park to pre-agreed routes, subject to enforcement and penalties for failure to adhere to such a plan, with provision for the site owners to contribute financially to any road improvements or repairs made necessary by the use of these HGVs. In any event a projection of worst case traffic figures as described above must be supplied as part of this application. Without these provisions life in our parish and others like it will be ruined.

Since the application process began, another issue has arisen which directly impacts upon our traffic concerns. EDF Energy is consulting upon proposals for the construction and operation of a nuclear reactor at Sizewell C. Whilst this will result in a planning application going direct to the Secretary of State and not to the District Council, it is important that the proposed siting of a construction traffic park & ride, together with lorry park, on the A12 at Wickham Market is taken into account. This is stated to accept 1,000 cars as well as logistical parking of lorries

and resultant private bus journeys. The Sizewell C construction period is estimated at ten years so this park & ride will be a continuing problem while Bentwaters Parks expands.

The location is directly opposite Bentwaters Parks on an unacceptable HGV route through Campsea Ashe. For the next ten years or more there will be HGV traffic hell on our quiet roads when Bentwaters and Sizewell traffic merge. The District Council must surely build this into its consideration of the Bentwaters Parks application.

Campsea Ashe Parish Council also commends and upholds entirely the detailed comments of SORR dated 23 May 2014 regarding traffic.

The other major concern of the parish council relates to aviation. At a meeting held at Melton Hill on 20 April 2011, verbal assurance was given on behalf of the applicants that no flying was intended from Bentwaters other than the continued use of the Grace Spitfire, which was in any event housed at Duxford for six months of the year, notwithstanding that the application at that time did perhaps allow for some further flying of historic aircraft.

It should be made clear that the parish council is not against the continued flying of the Grace Spitfire, but there does appear now to have been a substantial change of policy. Updates to the application appear to provide for increased use of the airfield for general aviation purposes. General aviation can produce greater nuisance over a local area.

The applicants' agent does not appear to have provided a wholly satisfactory definition of what constitutes general aviation in his update to the application, so it falls to the parish council to attempt to define the degree of restriction on aircraft movements it would expect to see in any planning permission granted in respect of this site. Instead of general aviation which leaves the door open to future expansion to increased business and commercial flights subject to CAA regulation, which may itself change, the parish council would wish to see a planning condition restricting flying activities from the site to historic and heritage aircraft, specialist display and aerobatic aircraft, and very occasional light aircraft not included in any business schedule and certainly not exceeding ten flights per month.

The applicants' agent may possibly have misdirected the District Council in his submission by suggesting that planning conditions cannot be applied to aviation. It is the view of the parish council that restrictions on aircraft movements and types can properly be included in any planning permission granted.

Unrestricted general aviation is not acceptable and again the parish council upholds not only arguments put forward by Eyke Parish Council in its 15 May 2014 response, but also the disappointment expressed by the District Council in what they see as a breach of faith on behalf of the applicants since their earlier assurances regarding flying from the site.

The application, as it now sits before the District Council, is unacceptable on grounds of traffic, both HGV and airborne, present and future. Without addressing the problems raised in this letter by introducing restrictions of the type described above, Campsea Ashe Parish Council can only recommend refusal of the application.

- 2.5. **Melton Parish Council:** Thank you for the opportunity to comment on the further revisions to this application; we note from the SCDC website that the deadline for

responses has been extended to 7<sup>th</sup> July 2014, for which we are grateful. Melton Parish Council reiterates its OBJECTION to this application, as previously expressed in letters dated 4<sup>th</sup> March 2011 and 3<sup>rd</sup> April 2012, which are appended to this letter.

We are aware of the comments of some local councils and concerned residents and believe it is firstly necessary to put on record what this objection is NOT. It *does not* seek to:-

- i. Put a stop to any existing employment uses of the site;
- ii. Put a stop to the maintenance, repair and flying of the 'Grace Spitfire' or a strictly limited number of historic aircraft.

The parish councils objections are, and always have been on the grounds of:-

- a) The impact of traffic generated by the unauthorised uses of the site on the A1152 road, which bisects Melton;
- b) The need to capture the cost of works to mitigate the impact of this traffic by means of effective and enforceable s106 agreements, reached after meaningful engagement with the local community in the spirit of the Localism Act 2011.

Both these grounds are expounded at length in our earlier responses. We note the traffic impact assessment remains virtually unchanged, and certainly continues in its failure to consider the impact of traffic through Melton. We note that one of the reasons given by the district council in its refusal of application DC14/0991/OUT was the inadequacy of the A1152 in Melton to cater for existing traffic flows, which are in the region of 15,000 two-way vehicle movements per day.

The inclusion of not only existing aviation activity, but also a potential increase, in what is effectively an application for retrospective planning consent, is considered by Melton PC to be inappropriate and serves only to muddy waters which were already cloudy. This aspect of the current application should be withdrawn and made the subject of a separate application once C10/3229 has been determined.

Melton Parish Council is aware of the concerns expressed by the Bentwaters Action Group, of which it is *not* a member. The parish council's primary concern is with the potential unintended consequences of using this application to authorise aviation use of the site. We are aware that primary responsibility for regulation of aviation lies with the Civil Aviation Authority. Notwithstanding, the following scenario has been put to us:-

1. That the current CAA status of the Bentwaters site is 'Military Aerodrome - Disused';
2. That if the revised planning application were to be approved, the status would change to 'Civil Aerodrome - Active'.
3. That there are two categories of 'Civil Aerodrome - Active', essentially 'without facilities' and 'with facilities'.
4. Given the very lengthy hardened runway and the continued existence of the facilities expected of a relatively recently closed frontline military airbase, it would be difficult to argue that the correct classification would not become 'Civil Aerodrome with Facilities - Active'.
5. That, if this were to be the case, there would be nothing to prevent the site being put to further aviation uses, e.g. maintenance of commercial aircraft of any size and general aviation (anything from private light aircraft, through business jets and potentially regional airport).

The Parish Council concluded it was best to seek the views of the CAA on the validity of this scenario. Their response is set out below:-

*“1. Bentwaters Aerodrome is known to the CAA as an ‘unlicensed’ Aerodrome, i.e. it does not hold a CAA Aerodrome Licence. We do not classify military or ex-military aerodromes unless they apply for a CAA Aerodrome licence, in which case they would become ‘Licensed’. The Aerodrome is delineated on the current CAA 1:500,000 aeronautical chart as ‘disused’, yet it is known that aviation activity takes place from here and has done for many years since the United States Air Force moved out. This is not an unusual circumstance and many ‘disused’ aerodromes have some form of General Aviation (GA) activity which takes place. The CAA only classifies aerodromes as Licensed, and the CAA does not have any formal oversight or regulation of unlicensed sites other than the Rules of the Air Regulations. Unlicensed aerodromes may be marked on a CAA or Military aeronautical chart if the owner or operator desires this. The aerodrome symbol on any CAA aeronautical chart is for guidance only and does not guarantee any particular facilities or services available.*

*2. Public flying displays took place at the site in 2008, 2009 & 2010 for which the CAA issued permission.*

*3. I cannot comment on the main points and validity of your scenario listed below, as the CAA does not have any forecast or information available as to the investment or expansion which may take place at the site. This would be for a Local Planning Authority to decide.”*

The Parish Council finds it puzzling that the licensing of aerodromes from which some form of General Aviation (GA) activity which takes place is voluntary, in contrast to e.g. the licensing of premises from which heavy goods vehicles, buses or coaches operate. This is, however, a matter for national government and not an individual parish council. The district council’s attention is drawn to the final sentence on para 3 of the CAA response, which clearly states that responsibility for deciding on the future level of aviation activity at Bentwaters is a matter for Suffolk Coastal District Council to determine. It would be highly preferable for that determination to take place in response to a planning application in advance of any such future increase, not in retrospect.

Whilst the Parish Council is aware that the current owner of the site has emphasised that it would only be used by a very small number of mainly (but, we note, not exclusively) vintage aeroplanes on a very limited number of occasions, we are also aware that planning consent relates to the *site*, not to the *site owner* or any other individual and therefore any assurances given by the current owner could not be enforced upon a subsequent owner, unless legally binding. In so far as aviation activity is concerned, the parish council seeks assurances that any consent to this application will not have the effect of ‘sleepwalking’ into a situation where the precedent has been set for very substantial growth in commercial flying. This latter situation would be undesirable both with regard to the associated increase in road traffic and the increase in noise from aviation.

In essence, Melton Parish Council seeks two outcomes:-

- The imposition of s106 conditions to bring about mitigation of the impact of traffic (in particular HGVs), generated by the unauthorised uses which are effective, enforceable and have broad community support, and
- The imposition of effective and enforceable planning conditions sufficient to prevent the site becoming an active but unlicensed ‘Civil Aerodrome with Facilities’, capable of theoretically unlimited expansion.

- 2.6. **Bawdsey Parish Council:** Bawdsey Parish Council is aware of the above application and wishes to make comment as follows: The Council is very concerned about the effect on the Sandlings AONB should this application be approved. The application is to allow 960 aircraft movements by Heritage aircraft per year, flights by aerobatic aircraft and an unspecified number of commercial flights connected with businesses already based at Bentwaters and a one day airshow.

As a Parish within the same AONB as Bentwaters Parks we believe that the AONB will be greatly harmed by noise and pollution caused by this flying. One of the most notable features of the AONB and one which is highly prized by residents and visitors alike is its tranquillity. SCDC is committed in the core framework to protecting and promoting this quality.

Heritage aircraft by their nature are not high flying aircraft and will be necessarily noisy and commercial aircraft will be modern aircraft and noisier still. The application acknowledges that disturbance will occur by proposing that no flying will be made during April and May to protect certain bird species. Disturbance will still be caused in all other months. We also understand that flight paths cannot be controlled, being outside the jurisdiction of SCDC. These we submit are reasons why this application should not be approved.

The core framework seeks to protect the countryside and in particular the AONB from all actions which are detrimental to the qualities for which the AONB was established. We consider the proposal is contrary to policies SP14, SP15, SP17, DM18, DM21, and DM29 and protection of the countryside SP19. In approving this proposal SCDC would be acting contrary to its core framework policies, which is unacceptable. For these reasons we OBJECT to this application.

- 2.7. **Bromeswell Parish Council:** Thank you for extending the time for the Parish Council to make its' observations.

The Parish Council remains supportive in principle to the economic development of this site so that employment opportunities for local people can be improved.

It does however have continued concerns about the level of traffic along the A1152 that this proposed further development of the business site will bring bearing in mind that the site is set within the AONB. It is clear that planning policy aimed at protecting the AONB also affects its setting and that this in turn means that traffic levels on the A1152 are a material consideration.

The applicants have made much of what they consider to be modest increases in traffic, yet have not yet agreed with you a comprehensive and robust method of counting and controlling the numbers and times of vehicle movements to and from the site.

In addition the Parish Council remain concerned that this application is being considered in isolation without an overall transport plan that would encompass the residential area at Rendlesham where further significant housing development is expected in the next few years to ensure that SCDC can meet its 5 year supply of land requirement.

The change to the original proposal seems to be primarily around the intention to formally permit flights from the site. The Parish Council is reassured by the

information being provided by Carolyn Grace (who is not a party to the application) and, subject to suitable controls that limit the amount of flights, timing of flights and type of aircraft does not object to that part of the proposal, although believes that a time limited (but renewable) permission for flights would be the most appropriate for all parties so that the impact on the AONB can be fully and properly measured.

In summary therefore, the Bromeswell Parish Council does not object to the proposals but believes that the following conditions should be imposed:

- A clear and robust traffic monitoring and recording system to be established with quarterly figures published and supplied to SCDC and all local Parish Councils affected by traffic to and from the site (ie, Tunstall, Campsea Ashe, Rendlesham, Eyke, Bromeswell and Melton).
- Any further expansion or intensification of use of the site to be accompanied with a detailed traffic plan to include this site and the Rendlesham residential area before an application can be considered.
- A clear and robust flight recording and monitoring system to be established with quarterly figures published as above for road traffic.
- In addition to the limits proposed by the applicants, a limit on the number of flights to no more than 6 per day between the hours of 8.00am and 6.00pm.
- A condition limiting the types of planes to be able to use the site to ensure that it cannot be used by amateur light aircraft enthusiasts or micro-lights or similar.
- A clear statement to the applicants that SCDC can see no prospect of increasing the intensity of use of the site for flights from that being currently proposed.
- A clear statement to the applicants by SCDC that the above numbers of flights and types of plane would need to be adhered to in the event that they decided to hold an air show.

2.8. **Boyton Parish Council:**

This is to confirm that following our meeting last week at which both Evolution and Bentwaters Campaign Group made representations, the majority of Boyton Parish Council support the application.

2.9. **Blaxhall Parish Council:** No objection

2.10. **Butley, Capel St. Andrew and Wantisden Parish Council:** Support the application

2.11. **Felixstowe Town Council:** The Committee had no comment to make on the application to increase flights from Bentwaters, recognising that the paths of aircraft were not subject to planning control.

2.12. **Hollesley Parish Council:** Our chairman has expressed that he and other councillors have said that they are happy with the planning for the vintage aircraft on the site. One councillor Mr Chris Walker had expressed previously which were minuted in our 5<sup>th</sup> June 2014 meeting that a report should be made to confirm that it



can't become an airport. So total councillors in attendance 9, 8 in favour and 1 with comments.

2.13. **Iken Parish Council:** Support the application

2.14. **Orford Town Council:** No objection

2.15. **Sudbourne Parish Council:**

1. Sudbourne Parish Council are commenting on the application only in so far as the proposals about air movements are concerned.
2. The applicants state clearly that they only wish to regularise the existing situation, and gain permission for what is already happening without permission; and since Sudbourne Parish Council has never, so far as we can discover, had any complaint brought to it about the present state of affairs, we do not think it would be reasonable to adopt any other position than to support the status quo, and therefore support the application.
3. However, there has been considerable discussion, debate and disagreement over the precise circumstances, implications and extent of the application, and we think that it would be fair and prudent for SCDC (a) to make the permission only temporary, for a period of say 3 to 5 years, and (b) to make scrupulous, binding arrangements for monitoring the use of the permissions granted over that period, so that they can judge whether or not the applicants are indeed only regularising rather than further extending the current use.

2.16. **Sutton Heath Parish Council:** The Centre of our Parish is a military establishment who receive a number of helicopter flights most days. We live with knowing what it is like with little if any complaint. On that basis it would seem inappropriate for us as PC to complain about other noises, or object to this application. We wish to remain neutral on this matter.

I am also informed that because the sky over our parish is used for military flights and, as I understand, low level non-military would be banned in this air space.

2.17. **Ufford Parish Council:** After discussion Councillors felt a formal response was not necessary from the Council and Councillors were urged to write individually (in a personal capacity) to the District Council if they had views in either direction.

2.18. **Alderton Parish Council:** The Suffolk Coastal District AONB is designated as a place of tranquillity. It is of course also a working farming area, and subject in addition to low level manoeuvres by MOD helicopters. Residents accept a certain amount of disturbance from these activities, which are carried out by people in the course of their work, and in the case of the MOD, by highly trained professionals with enormous technical back up.

The current flying activities from Bentwaters is, I understand, not officially sanctioned, and certainly not in the spirit of the Planning Inspectors' judgement of 1999. Many people appreciate the lone, refurbished spitfire flying past, but it does so more frequently, and I understand, more commercially than before. I know of at least one school which finds it very disruptive.

What began as a very low key venture with tacit support, now threatens to become much more noticeable. Due to the way that the aviation law is drafted, (originally to encourage aircraft use). If this application is granted, no effective regulation will be possible.

Bentwaters is located very close to the large residential area of Rendlesham. It is also not far from Snape Maltings, which is one of the region's premier attractions. Any increase in the number of flights would thus create the maximum disturbance for local residents, and damage the use of Snape as a music venue.

Many of these arguments were put forward at the Planning enquiry in 1999, and are as valid today. The possibility that acrobatic flights could be carried out over rural villages is a further one, since a few privileged pilots, flying for pleasure, can cause alarm and annoyance to residents on the ground.

- 2.19. **The Highway Authority:** No comment regarding the updated suggested conditions.

A travel plan will not be required on this occasion. This is due to the application being a retrospective change of use and the existing workforce being well established there. If there are any future applications for further development on the site that would increase the number of staff on the site I would require a travel plan to be submitted as a separate planning matter. As I mentioned in regards to the submission of a voluntary travel plan; Suffolk County Council can provide support and match-funded grants for travel planning measures (i.e. cycle stands, showers, etc). As you mentioned that there will be improvements for the bus and cycle infrastructure on site this would be a way for each occupier to make the most out of these improvements that they may have funded.

- 2.20. **English Heritage:** We have received the amended proposals for the above scheme. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

- 2.21. **Natural England:** Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

No objection

Natural England agrees with the conclusion of the revised HRA that these proposals are not likely to have a significant effect on any Natura 2000 site, alone or in combination with other plans or projects. This is on the basis of:

- low numbers of flights (20 per week)
- the recording and annual distribution of a flight log,
- the provision of a flight map identifying sensitive areas.
- Providing a separate HRA for any Air Show

Therefore Natural England is satisfied that the planning proposal can go ahead subject to the inclusion of suitable conditions covering these points.

- 2.22. **RSPB Eastern England Regional Office:** Thank you for passing on the Further Information for Habitats Regulations Assessment (HRA) in respect of the above planning application. Following a review of the new information, I can confirm that we have no objection to the application for the reasons below, subject to these provisions being formalised through appropriate planning conditions:

- the provision of additional information to enable HRA to be undertaken

- the commitment to maintain a log of flight activity
- the inclusion of a condition requiring notification 6 months in advance of planned airshows to the LPA, enabling HRA of airshows to be undertaken
- the provision of a map for pilots indicating the location and sensitivity of Special Protection Areas.

For pilots' benefit, we recommend that the wording to accompany the map reflects the legal protection afforded to the relevant protected sites and species under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). This would aid understanding of activities that could potentially result in offences.

2.23. **Suffolk Wildlife Trust:**

**Updated response received 27/10/14:** Thank you for providing us with copies of the additional information and correspondence (from the applicant; Natural England and the RSPB) relating to the flying part of application C10/3239. We note that both Natural England and the RSPB have now removed any objection to the application. Having reviewed the details provided I can confirm that, subject to the satisfactory implementation of the conditions proposed, we considered that the points related to flying in our letter of 26/06/2014 have been addressed.

With regard to the airfield maintaining a flight log, will there be a requirement for this to be reported to SCDC or will it just be there if ever there is a query raised about the number of flights in a given period?

**Original response:**

Thank you for sending us further details of this application, we have the following comments:

Previous comments on this application Suffolk Wildlife Trust previously commented on this planning application in February 2011 (our letter of 28th February 2011). Since that time the application and its supporting information has been amended to provide new information on the flying activities being undertaken at, and proposed for, the site. We therefore request that this response replaces our previous comments as it reflects the most up to date information provided on the proposals.

Updated Environmental Statement (ES) and information provided by the applicant during public consultation

Since the time of the 2011 consultation the ES supporting the application has been updated to include greater assessment of the flying activities that form part of the range of wider uses covered by the application. This includes the storage and operation of eight heritage display aircraft from the airfield and an allowance for a number of business flights to and from the site. The ES presents the assessment of the likely impacts of these activities on ecological receptors such as sites designated for their wildlife value.

During this round of public consultation (2014) the applicant's agent has also provided a number of supplementary documents interpreting elements of the proposal and the supporting information. Whilst this has in part proved helpful, the inclusion of new information in these documents has drawn out the process of responding to this consultation. Of particular relevance to our response are the letters from the agent dated 19th May 2014 (E197.C1.LetBW1); 20th May 2014

(E197.C1.LetBW2); 3rd June 2014 (E197.C1.LetBW3) and 10th June 2014 (E197.C1.LetBW4).

#### Assessment of impacts of flying on ecological receptors

Low flying aircraft can be a significant cause of disturbance for a variety of bird species, particularly those associated with estuarine and coastal habitats. A number of sites designated for their international ornithological importance are present in East Suffolk, this includes the Sandlings Special Protection Area (SPA); the Alde-Ore Estuary SPA; the Deben Estuary SPA and the Stour and Orwell Estuary SPA. Whilst such sites are subject to a number of different disturbance pressures it is recognised that one of these is aircraft movement.

The updated Planning Statement (Feb 2014) sets out a proposed condition (condition 15) to control the amount of flying to and from the airfield and it is stated that the amount proposed broadly reflects the current level of activity undertaken. The agent's letter of 3rd June 2014 (E197.C1.LetBW3) sets out the rationale behind the calculation for the levels proposed in the condition. From this information it appears that the proposed level of flying is based upon personal flight diaries of the existing aviation operator; the 10-20 business flights a month suggested by the Suffolk Coastal DC planning committee in 2012 and an approximate 10% increase on these combined figures to allow a level of flexibility.

The condition proposed within the application would allow both the heritage display aircraft based there, and business flights, to use the airfield. It is unclear how and by whom the number of movements undertaken would be monitored, recorded and reported. The ES conclusion of no likely significant adverse impact on ecological receptors is based on a restriction of the total number of aircraft movements at the site. Without clear identification of how this limit will be monitored, and if necessary enforced, we consider that there is a considerable element uncertainty around this conclusion and the use of limits on movement as a means of mitigating impact.

In addition to the above, the conclusion of no likely significant effect on ecological receptors is also based on the majority of the aircraft movements at the airfield being carried out by the heritage display aircraft currently housed there. However, as the proposed planning condition only seeks to limit the number of aircraft movements and not the type of aircraft there remains the possibility that a different operator may use the site in the future. Although such an operator may use the site within the confines of the proposed planning condition, the use may be outside of the parameters assessed in the Environmental Impact Assessment (EIA). Whilst we accept the noise assessment presented in the ES used a worst case scenario for the type of aeroplanes currently present (i.e. variable pitched propeller aircraft over fixed pitch propeller aircraft), it is unclear how this relates to other aircraft such as helicopters which could operate from the site. Helicopters are recognised as likely to cause high levels of disturbance to birds. Any planning consent should therefore limit aircraft types to those considered within the parameters of the EIA.

The ES and agent's letter of 10th June 2014 (E197.C1.LetBW4) also include reference to an Operational Control Manual which the current heritage aircraft operator has produced and follows in order to minimise the impact of flying on sensitive receptors. Given the nature of the airspace in this part of Suffolk (i.e. that it is categorised as Open Air Space (Open FIR) by the Civil Aviation Authority), such a manual would appear to provide a mechanism for ensuring that flying activities in the vicinity of sensitive ecological receptors do not result in significant harm. As with our above concern that a change in operator could result in a change in aircraft type, the same is true for the use of the existing Operational Control Manual. Any

planning consent should include the requirement for all aircraft using the site to follow an agreed code of conduct which avoids impacts on sensitive ecological receptors and is in accordance with relevant Civil Aviation Authority (CAA) guidance.

As set out above we consider that there remain several areas of uncertainty over whether the conditions and controls set out in the planning application are sufficient to control future use of the site, within the parameters assessed through the EIA process. It appears that appropriate mechanisms, such as planning conditions, could be used to provide tighter controls to help address the issues raised above, however these are not currently present within the application. In the absence of certainty around the above points we remain concerned that elements of the proposal could result in significant adverse impacts on ecological receptors.

#### Annual Airshow

The planning application documentation includes reference to an annual airshow (e.g. ES Volume 3, section 4.5.22), however the agent's letter of 10th June 2014 (E197.C1.LetBW4) states that "the planning application does not 'propose' an annual air show but rather accepts that the 28 day rule allows it to happen". The letter goes on to state that "the applicants have proposed to include a limitation in their suggested planning condition limiting the occurrence of air shows to a maximum of one a year". The updated Planning Statement (Feb 2014) includes a list of the proposed planning conditions, however there does not appear to one relating to airshows. It is also unclear whether an annual airshow would be allowable under the 28 day rule, given the number of 'day to day' aircraft movements proposed in the application.

The ecology section of the ES acknowledges that aircraft can have an adverse impact on birds and proposes that the airshow is not held within the woodlark breeding season of March to May inclusive (section 4.5.22). This is to avoid an impact on woodlark nesting within the adjacent RAF Bentwaters CWS. However, the ES does not appear to consider the potential for impacts on woodlark and nightjar nesting within the Sandlings SPA which is contiguous with the CWS and which would appear to directly underneath aircraft moving to the south of the airfield. It should also be noted that the breeding season for species such as woodlark can extend in to August and therefore restriction of the timing of the airshow as proposed in the ES may be insufficient to avoid a significant impact on such species.

Given the lack of detail on the nature of any airshow and the concerns set out above, we request that further information is provided and assessment undertaken prior to such event being allowed.

#### Other matters

It is appreciated that this application relates to a suite of uses at the airfield and that an ecological management plan has been prepared for the site itself. Proposed condition 18 covers the implementation of this plan and we request that should permission be granted this condition is included in the consent. The ecological management plan should be periodically reviewed and amendments made to management methods as required.

#### Conclusions

As set out above we maintain a number of concerns about the proposal as presented in the application. In particular these relate to control of the flying

activities detailed and the scale and extent of any annual airshow. If the matters set out above cannot be adequately addressed and controlled through the planning system then we object to this application.

2.24. **The Head of Environmental Services and Port Health:** My understanding on the sequence of this regularisation of uses at Bentwaters is as follows:

1. Environmental Protection responded to Planning on a scoping opinion (in 2009)
2. EP sent a memorandum of recommendations with regards to the formal planning application (March 2011).
3. EP responded to planning on a scoping opinion about flying activities (December 2012)

In February 2014 I understand that the Planning Dept received a final submission of additional information from Evolution Town Planning. The folder you supplied me contains the updates and amendments to the Environmental Statement, and it is these that you have asked for our further opinion.

I have gone through the additional information and I consider I only need to comment further as follows:

#### Transport Assessment

I note the updated assessment made, and the conclusion is that there will be no material increase in vehicle flows, and therefore the statement in the original Transport Assessment still stands. We have no additional comment on this matter, but I note the proposals by the LPA to condition the planning consent with respect to vehicle movement counts and introduction of technology at site to measure this.

#### Updated Planning Statement

Here I refer to the list of 20 proposed planning conditions that the applicant considers acceptable. Condition 15 seeks to control flying, the total number of flights, and the movements per week. Having assessed the 'Flying' scoping opinion, and the associated Sharps Acoustics report, I do not consider that the proposed number and pattern of flights from the site will have any adverse impact on residential amenity. Noise assessment has been made regarding flights (take offs and landings) from the site, and the noise contour diagrams indicate that the high annoyance, moderate annoyance and indeed low annoyance contours all fall within the Bentwaters site itself for take off and landings.

As I understand it, there may be no current restrictions on the numbers of flights associated with the runway at Bentwaters. The only recourse to any noise or other aircraft complaint at present is therefore through the Civil Aviation Authority. The proposed numbers of flights and a single annual air show by the applicant would appear to be modest, and accommodate future needs. The applicant is willing to accept a condition on the annual flight numbers and weekly frequency which I consider is beneficial to residents, the applicant and the local authority alike.

I recommend therefore that the local planning authority applies Condition 15 as per the updated planning statement to any planning permission granted.

I trust that this further advice is helpful, if there are any further environmental impacts that require further assessment or you wish further opinion on, please do not hesitate to discuss with us. Otherwise I am satisfied that our previous formal recommendations and controlling planning conditions have all been incorporated in the proposed conditions for this site and therefore address our concerns.

2.25. **Suffolk County Council:** As you will be aware the County Council has previously responded by way of letter dated 18<sup>th</sup> August 2011. We note the additional information provided, dated February 2014. The revised Environmental Statement Volume 3 in paragraph 1.10.3 summarises the changes to the application previously submitted.

We have reviewed the amendments to the application and consider that the only one of significance is that relating to the change in proposed use of Building 669 “from ‘houses one spitfire’ to ‘aviation workshop and hangar for 8 heritage display aircraft in association with 668’”.

The proposed changes do not have material impacts on the transport assessment (and thus associated noise and vibration impacts). We nevertheless draw attention to the recommendation in our previous response that “any approval should restrict the usage of buildings to ensure that the transport impacts of the development can be controlled. This particularly relates to those B8 uses which currently generate low traffic yields. In addition a travel plan condition should be attached to an approval”. We note that conditions to control traffic flows from the site were proposed in SCDC’s report to Committee in September 2012 and we would support their inclusion in any permission granted.

The principal issue with the changes proposed therefore relates to the impact of activity associated with the additional aircraft themselves, in particular on European Sites and on the Suffolk Coast and Heaths AONB.

As the Competent Authority, SCDC will need to have regard to The Conservation of Habitats and Species Regulations 2010 (as amended) in determining this application. In particular it will need to be satisfied that there are no Likely Significant Effects on the Sandlings Forest Special Protection Area, Deben Estuary SPA and Ramsar Site (SPA/R) Alde-Ore Estuary SPA/R, Minsmere-Walberswick SPA/R, Stour and Orwell Estuaries (SPA/R). As the Government’s advisor on these matters, we would defer to Natural England’s advice on these issues.

The site is located within a nationally protected landscape and particular attention therefore needs to be had to the impact of the proposed development having regard to paragraph 115 of the NPPF, referring to the weight that should be afforded to the landscape and scenic beauty of AONBs, and paragraph 123 identifying the need to protect areas of tranquillity, prized for their recreational and amenity value. Paragraph 1.8.5 of the AONB Management Plan confirms “The area is prized for its tranquillity, the quality of the environment and culture and for its outstanding wildlife.”

We are aware that the proposed changes to the use of building 669 are of local concern, and note that the applicant has produced additional information to clarify their proposals and to explain the interface with aviation regulations, which has been helpful. In particular we note the statement that “the EIA has assessed a level of flying activity, and proposed a planning condition to echo it, that reflects the existing level of flying activity which is already occurring – it [the level of flying proposed in the application] is not new in that sense”. The applicant also indicates that the current presence of resident pilots at Bentwaters in effect regulates the level of activity by deterring visiting pilots from the area.

Based on the above information being correct, we would advise that, if minded to grant consent, SCDC will need to consider the need for any measures to constrain the operational impacts of the development, including those associated with the

locating of 8 heritage display aircraft within building 669, to those assessed within the environmental statement in perpetuity, having regard to possible changes of occupier/owner.

With respect to Public Rights of Way, we note that the proposals set out in the submitted documentation are all as discussed with the agent and SCDC previously and meet our requirements for bridleway and footpath creation/upgrades to develop access between Rendlesham village and Rendlesham Forest.

2.26. **The Environment Agency:** No further comments to add to those previously made in respect of the above planning application.

2.27. **Office of Nuclear Regulation (ONR):** I have received several pieces of information from the agent, but have been obliged to make clear that we do not engage in discussions with developers or their agents.

However, should you, as a representative of the local planning authority, have **any specific questions** arising from your deliberations that ONR may be best positioned to provide answers to, I would be prepared to act as the contact point for these questions and refer them on to the appropriate specialists within ONR.

Please note that this offer of assistance goes beyond our usual involvement in planning matters, and I have made it, primarily because I have judged that there is a clear potential for misinformation and misunderstanding to be promulgated on matters relating to the safety and security of the Sizewell sites.

Any advice that you receive from ONR should not be considered part of our representation in response to your consultation - this remains that we have no comment to make regarding whether the application is approved or not because it falls outside our consultation criteria.

2.28. **EDF (Sizewell A & B and proposed Sizewell C):** I write further to our previous exchange of emails on 22 August 2014 regarding the pending planning application at the Former RAF Bentwaters, Bentwaters Park, Rendlesham (LPA Ref. C/10/3239). This response is made on behalf of Nuclear Generation Limited, in respect of the operational power station at Sizewell B and Nuclear New Build Limited in respect of the proposed Sizewell C development. Sizewell C is proposed to be located on land immediately to the north of Sizewell B.

This response addresses the issue of potential air craft crash at Sizewell from the proposed flying operations at Bentwaters during normal flight operations and during take-off and landing. Due to the distance of the Bentwaters airfield from the Sizewell site (comprising Sizewell B and the proposed Sizewell C power stations) we consider that it is reasonable to exclude the potential for aircraft crashing into the site during take-off and landing. Furthermore, the proposed frequency of aircraft movements is not likely to lead to an increase in aircraft crash rate where this would affect existing power station measures designed to protect against an external hazard of this type. In addition Sizewell B receives some protection from aviation activity via the operation of a No Fly Zone area around the site in accordance with The Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2007. Any aviation activity within the restricted area is limited to that specifically permitted by the legislation.



In conclusion, we do not consider that the proposed flying operations from the Bentwaters airfield would present a significant additional hazard to current and future nuclear operations at Sizewell. We have no further comments on this proposal.

For information, my colleague Ian Bryant will forward a copy of this email to the Office of Nuclear Regulation for their records.

2.29. **Suffolk Coasts and Heaths AONB:**

Thank you for consulting us on the above mentioned planning application. I offer the following comments without prejudice to any further comments we may make as a result of further information or amended proposals.

The application site rests wholly within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The primary purpose of the AONB is to protect and enhance natural beauty. An AONB Management Plan has been endorsed by a wide partnership of organisations to guide the management of the AONB and as required under section 89 of the Countryside and Rights of Way Act 2000, due regard must be taken of this plan by relevant authorities.

The AONB designation is also of international importance - the International Union for Conservation of Nature (IUCN) has recently confirmed that AONBs in the UK meet Category V status (in common with National Parks).

The AONB Partnership has serious concerns about the nature of this proposal and the potential effects on the special qualities of the AONB, in particular the key characteristic of tranquillity.

The AONB Management Plan states that 'future development within the AONB must recognise the essential value of tranquillity and build in solutions that respect this special quality'. See here for the full Management Plan: <http://www.suffolkcoastandheaths.org/assets/AONB-Management-Plan-20132018.pdf> NPPF para. 123 states 'identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.'

CPRE have produced a National Tranquillity Map and this can be referred to here <http://www.cpre.org.uk/resources/countryside/tranquil-places/item/1839-> for evidence of the current tranquillity rating for the application site and its surrounds.

In addition to the site being within a nationally protected landscape, there are multiple levels of protected areas within close proximity of the site, including the Sandlings Special Protection Area, The Alde-Ore and Butley Estuaries Special Area for Conservation and several Sites of Special Scientific Interest. Whilst these areas have been identified by the applicant, we are not satisfied that the potential impact of these protected sites and the species that inhabit them have been fully identified and as such we would strongly recommend that the specialist advice of Natural England as well as the County Ecologist is fully considered and adhered to.

Our main concern is that of the potential disturbance to people and wildlife as a result of the application. Our concern is exacerbated by the proposed use of the site by aerobatic aircraft. In our view the only way to control the risk of increased disturbance is to control the number of flights and the type of aircraft using the site to a level which is deemed by the appropriate authorities to pose no risk to the purpose of the aforementioned protected sites.

Until it can be demonstrated that the development would not have significant adverse impact on the AONB and its special qualities we would wish to see this application refused.

2.30. **The SCDC Rights Of Way Officer:**

Subject to confirmation from the Head of Legal, that the relevant agreement documents are legally satisfactory, I see no issues that should prevent the 'Approach 1' creation agreements being made.

As mentioned, any subsequent 'Approach 2' footpath changes will be subject to formal public path order applications made to the Council.

Should you have any further questions, please contact me before my final day with the Council (14<sup>th</sup> August)

2.31. **The National Trust:**

Thank you for consulting us on the above mentioned planning application. I apologise for the lateness in this response but note the Application has not yet been determined and no Committee date appears on the website. I hope you will therefore accept it as a late response.

The National Trust is a Conservation Charity, with over 4 million members. Although independent of government, we have been given the unique ability to declare our property inalienable – meaning that it cannot normally be disposed of except in very special circumstances. We therefore have a long-term duty of care towards the places that we look after.

Close to the application site, the National Trust has landholdings at Sutton Hoo and Dunwich Heath both of which are visited by hundreds of thousands of visitors each year who come to enjoy the wildlife, scenic beauty, heritage and tranquillity of the coastal landscape. The National Trust also holds land at Orford Ness which provides an extremely rare, remote and undisturbed shingle habitat for birds and other wildlife and is highly protected and valued as such.

The National Trust is generally supportive of the aviation heritage associations of the proposed development but has concerns about the aviation impacts of the proposed flying activities at Bentwaters for two main reasons:

1. Impact on tranquillity of the area

The application site lies within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty, an area designated as of national importance. The primary purpose of the AONB is to protect and enhance the natural beauty of the area but it is also widely used for recreation activities where they are compatible with nature conservation and landscape objectives. The coastal strip is also designated as Heritage Coast, within which there is also an emphasis on conservation, landscape and recreation activities which are compatible with the character of the area.

The Suffolk Coast & Heaths AONB Management Plan 2013-2018 has been endorsed by a wide partnership of organisations, including the National Trust, to guide the management of the AONB and as required under section 89 of the Countryside and Rights of Way Act 2000, due regard must be taken of this plan by relevant authorities. The Management Plan describes the area as follows:

*“1.8.5. The Suffolk Coast & Heaths AONB remains a lightly populated, undeveloped area, popular for outdoor recreation and tourism. The area is prized for its tranquillity, the quality of the environment and culture and for its outstanding wildlife.”*

The importance of tranquillity to the character of the AONB is explored further in paragraphs 3.5.28 which states:

*“3.5.28. The peace and tranquillity of the AONB - a facet of its natural beauty – is greatly treasured, allowing people to relax and ‘recharge their batteries’. With cars being the only realistic travel option for many, as well as busier skies, mechanised farming, and mobile technology that allows us to do more in remote places, the background noise levels are increasing. The unregulated use of powered water craft and the increase of low-flying aircraft, whether for recreation or military training, is a particular problem. Whilst some activity is vital, particularly military low-fly training, managing traffic and taking care to constrain unnecessary noise and disturbance must be an increasing priority within the Suffolk Coast & Heaths AONB.”*

The National Planning Policy Framework (2012), paragraph 123 is supportive of this approach:

*“123. Planning policies and decisions should aim to:*

- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.”*

The National Trust is concerned that the flying aspect of the development will potentially lead to greater noise and disturbance affecting the tranquillity of the AONB due to an increase in the number of flights. Also while we do understand the applicants assertion that not all low flying aircraft originate from Bentwaters and that the “*Rules of the Air*” should be adhered to, it would appear from observations on the ground that pilots do not always observe the 500ft airspace restriction.

## 2. Impact on Birds

The application site is close to protected areas which have national and international significance for bird populations. These include the Sandlings Special Protection Area, The Alde-Ore and Butley Estuaries Special Area for Conservation and several Sites of Special Scientific Interest. These and other sites provide valuable habitat for a wide range of protected bird species.

There has been disturbance on National Trust sites to both breeding and overwintering Schedule 1 and Annex 1 birds (as well as other designations) over the years and there are regular incidents of low flying aircraft which, even if moderately above the 500ft ceiling height can still have a significant impact.

It is therefore a concern that increasing the number of flights at Bentwaters will be likely lead to increased incidents of bird disturbance on National Trust sites and on protected sites elsewhere.

### Planning Condition & Mitigation

The planning condition as proposed would not appear to give the Local Authority a means of monitoring flying activities and it will therefore be difficult to enforce.

While it is accepted that not all flights will originate from Bentwaters, the operators do not appear to propose to proactively monitor and control the activities of pilots whose flights are linked to the airfield to ensure any impacts are minimised.

The recent consultation on General Aviation would appear to give them greater autonomy to do this, beyond the remit of the CAA. This is in part a response to the recent Davies Commission report which would appear to lend support to the future expansion of general aviation sites and it would be prudent for the Council to help put in place a sufficiently robust system of monitoring and control at this early opportunity.

Bentwaters could take a more pro-active stance by introducing a community liaison/complaints investigation procedure. They could also work with the AONB Partnership and other local community interests to produce airfield specific guidance for pilots which seek to minimise disturbance to local people and wildlife. This could be linked to penalty fines as a disincentive for those using the airfield who act in breach of the "Rules".

On its own, a planning condition which seeks to limit the number of aircraft movements but for which there is no statutory means of monitoring or controlling those movements would be likely to be ineffective. The application could lead to increased noise and disturbance from aircraft, affecting the tranquillity of the AONB and disturbing protected sites and species (particularly birds).

For these reasons The National Trust objects to the Planning Application.

2.32. **The Aldeburgh Society:** The Aldeburgh Society has read in the press that further aerobatic flying is being contemplated from Bentwaters. The occasional flights by the Spitfire are acceptable, but any extension of this in an AONB we feel should not be permitted. Government Policy is that development in areas such as this should be refused except in exceptional circumstances or in the public interest which clearly this is not. The occasional take off and landing is not a problem but noisy small planes doing aerobatics for lengthy periods of time would be upsetting for residents and visitors alike. Visitors come to Suffolk Coastal for peace and tranquillity. We feel therefore that any such application should be refused.

2.33. **The Alde and Ore Association:**

I am writing on behalf of The Alde and Ore Association. As you will know the aim of the Association, as set out at the foot of this page, is to preserve for the public benefit, the Alde, Ore and Butley Creek rivers and adjoining land. The Association's remit takes into account not only physical aspects of development adjoining the rivers but pollution of the estuary arising from causes beyond its immediate surroundings.

The planning application C/10/3239 includes a proposal to legalise 960 aircraft movements by 8 heritage aircraft a year plus an annual air show, and some commercial flights. The Association regards pollution arising from aircraft noise in the vicinity as detrimental to the tranquillity of the estuary which is one of its most notable features.

Bentwaters is only 3.5KM (2.2miles) from the nearest part of the estuary at Butley Mills. Aircraft noise, even if not directly overhead will be disturbing. Heritage aircraft are of their nature relatively low flying and therefore noisy to people on the ground; commercial aircraft, even if higher, are noisier. The fact that the application

proposes to limit flying to the period June to March specifically acknowledges that disturbance to nesting birds in the area will occur.

The application is asking approval for 960 aircraft movements a year. It gives no indication of the proportions of historic aircraft and commercial flights, and is vague on how this relates to existing flight numbers which should be noted do not have planning approval. As the application recognises, the airfield cannot control flights either in where they fly before coming into land nor once they have taken off. Indeed, restrictions on flight paths and permitted flying heights are notoriously difficult to enforce and would be outside the jurisdiction of the SCDC. There would not therefore be acceptable protection from noise pollution.

Bentwaters Park is situated within the Area of Outstanding Natural Beauty (AONB) and we consider that any flying from there would be contrary to policies protecting this designated area, in particular protection of tranquillity. Policy SP8 seeks to give the highest levels of protection to designated areas of national or international status. Policies SP14, SP, SP17, DM18, DM21 and DEM29 are relevant. Protection of the countryside which is very relevant to this issue is included in policies SP19, SP28 and SP29. The core framework does not make any allowances for aerodromes/flying within the AONBs.

Flying can only be permitted in an AONB if there are exceptional circumstances or it is in the public interest and that the activity could not be carried on elsewhere. These exceptions do not apply and there are we understand five aerodromes in East Anglia where flying can take place away outside and AONB.

It appears that the current flying activity of one Spitfire is unofficially accepted. However while the low flying, including involving dive and barrel rollover by a single plane over some houses in the area, has been tolerated, to expand this to flying most of the year to 8 planes as well as other commercial flying would be a quite different order of nuisance.

The current use of the airfield for light industrial purposes supports local economic activity, flying heritage planes does not support the local community. There is no case in economic terms either for a change of use.

As well as being within an AONB, the Alde and Ore estuary is a valued location for visitors as well as home owners and sailors. The Association commissioned an economic study of the Alde and Ore Area from RPA Consultants. The results were available from 5 April 2014. The findings include that there are some 280,000 day visitors to the area and 100,000 overnight trips, these visitors together spending some £76 million a year. Based on questionnaire returns, the last question which was completed by half of all those householders and visitors who filled in the questionnaire, was to give a in a few words what people valued about the area: the top five words volunteered by 257 people were scenery, tranquillity, countryside, beauty and peace. Of the 105 responses completed by those answering the Sailing questionnaire the top five words were sailing, unspoilt, beauty, river and peace. A growing presence of aircraft noise would completely undermine the core elements of peace and tranquillity for which the area is valued. There would therefore be an economic loss to many businesses in the area as well as the impact on the quality of the area, the environment and wild life if civil aviation were permitted.

In conclusion, we see no justification for overturning the ruling made by the Planning Inspector in 1999 "that use of former RAF Bentwaters base for civil aviation is unacceptable."

The Association therefore OBJECTS to this application.

2.34. **River Deben Association:** The aim of the River Deben Association is 'To protect and conserve the character, beauty and environment of the River Deben'. The Association was deeply involved in preventing Bentwaters becoming an Airport. The Association is concerned that any increase in flying activities at Bentwaters would disturb the tranquillity of the AONB of the River Deben and are adamant in this view.

2.35. **Suffolk Preservation Society:**

Introduction

1. I write on behalf of the Suffolk Preservation Society ('the Society') to submit representations regarding revisions to the above planning application to assist the council in their consideration of these extensive proposals. The Society's concerns are principally the setting of Wantisden Church and safeguarding the tranquillity of the AONB.

2. Wantisden Church is located just outside the application site to the east of the airfield. As a grade I listed building it is defined as being "of exceptional interest" and ranks as among the top 2.5% of listed buildings nationally. The church is sited in close proximity to the security perimeter fence and a collection of buildings and hard-standings within the site including the large scale sheet-steel clad building (referred to as building 589, constructed circa 1985). These incongruous buildings were erected at a time when the site was a fully functioning airbase and clearly compromise the setting of this heritage asset. This is confirmed in volume 3, para 3.5.44 of the revised Environmental Statement which states that *'the quality of views to the west (photograph 6c) is currently significantly compromised by the presence of the approved security fence and buildings that have an industrial character'*.

3. In addition to the Core Strategy, Suffolk Coastal District Council continues to have regard to a number of 'saved' policies. The revised Planning Statement para. 1.21 states that saved policies are *'dated and not reflective of national policy'*; however Suffolk Coastal's list of saved policies was produced as recently as July 2013 and therefore forms part of the local plan. It follows that any development not in accordance with these policies will represent a departure from the local plan and will be contra to NPPF national planning policy, which lists among the twelve core planning principles (para. 17) that planning should *be genuinely plan-led* and that *Plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.*

4. 'Saved' policy AP161 Rendlesham/Wantisden (former technical base) requires that: *as a first priority, within the area close to Wantisden Church, the implementation of measures to remove all buildings and structures, and restore the land to unimproved grassland/heathland in accordance with a phased programme of works to be approved by the District Council;*

5. This policy recognises that the historically remote location of the church was the defining element of its setting and that the change of use of the former airbase provides an opportunity to increase the significance of this important heritage asset. The Society urges the L to capture the potential 'heritage dividend' provided by this

application by ensuring that development of the site is in accordance with 'saved policy' AP161.

6. Volume 4 section 2.2 of the revised Environmental Statement when describing the nature of the proposed development states that the application also includes/seeks approval for:

- *Relocation and reuse of two buildings from near the site boundary with Wantisden Church to the employment area*
- *An environmental management plan that will set out proposals for; grassland management across the site, public recreation, mitigation of visual and landscape impacts within the AONB and the setting of Wantisden Church*

7 However no further evidence of plans to carry out these measures can be found within the application. Rather a change of use to B2 (general industrial) for the buildings closest to the church is being pursued. The Society considers that this proposal should be refused and that, in order to enhance the setting of Wantisden Church, relocation of the boundary fencing and selective removal of industrial, utilitarian structures (buildings 589, 590 and 591) should continue to form part of this application.

8. The Society acknowledges the Agri-Gen mitigation planting scheme agreed in association with the bio-gas plant and contained within the Bentwaters masterplan which may provide a filtering of views from Wantisden Church into the site. However the Society feels that this is giving insufficient regard to the importance of the single heritage asset affected by this considerable application. Setting of heritage assets is a complex concept which encompasses factors beyond that of visibility to include the character of the surrounding area; this is emphasised in English Heritage's definition of setting of a heritage asset as '*the surroundings in which a heritage asset is experienced*'.

9. Para. 132 of the NPPF states that significance of heritage assets can be harmed or lost through development within its setting and that, as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. The Society considers that whilst this justification existed during World War II and the subsequent Cold War period, this is clearly no longer the case. Furthermore, the Society would not agree that retaining the Cold War structures in their current site has some value when viewed as a group or as an interesting juxtaposition with the church. This would afford undue weight to these undesignated heritage assets. The local planning authority has limited statutory duties, but S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires "...". In contrast no such legal duty applies to the undesignated Cold War heritage and the Society contends that by granting a change of use to 'general industrial' to these buildings (albeit as a regularisation of existing use) the setting of the listed building will be further harmed.

Tranquillity of AONB

10. The revised Planning Statement includes a proposed planning condition to allow for up to 480 flights and an annual air show. The Society is in favour of setting workable limits to the number of flights into and out of the air base but stresses that it is important to consider whether this will have an effect on the tranquillity of the AONB. The Suffolk Coasts and Heath AONB Management Plan (2013-2018) emphasises the tranquil nature of the AONB and states at para. 3.5.28 that:

*The unregulated use of powered water craft and the increase of low-flying aircraft, whether for recreation or military training, is a particular problem... taking care to constrain unnecessary noise and disturbance must be an increasing priority within the Suffolk Coast & Heaths AONB.*

11. NPPF policy protection recognises the importance of identifying and protecting tranquil areas. Para. 123 requires planning policy and decisions to *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

12. Whilst the Society acknowledges that the lpa and the planning system cannot control the number and nature of aircraft in the open airspace over the AONB, this application can control the number of general aviation flights originating and terminating at Bentwaters. The application states that it is *primarily a regularisation of existing uses.* It is therefore vital to have evidence in respect of the level of flying activity undertaken in recent years in order to ascertain whether the suggested planning condition could result in an increase in flights. The number of flights is estimated within the proposal to be around 10 business flights per month and up to 40 a week for the spitfire (albeit seasonal). The Society contends that these estimates do not provide the evidence required and that flight log books and airbase records should be made available. Until such time, the lpa is not in a position to make a judgement on whether a limit of 480 flights will maintain the current levels of tranquillity within the AONB.

13. The Society would also suggest that the lpa, when setting planning conditions restricting the number of flights to and from the airbase, considers restricting the time of day when flights are permitted in the interest of maintaining the tranquillity of the AONB and nearby residential amenity.

14. We hope that you find these comments helpful and request that our representations are reported as part of any officer report to committee.

2.36. **Save Our Rural Roads (SORR):**

As usual, we restrict our comments to traffic matters, with emphasis on inappropriate HGV traffic levels on rural roads. It has been quite some time since we last commented on this application so a little background seems appropriate.

We have commented extensively on the Traffic Assessment and other documents submitted in support of the application. We noted that these documents argued that there would be no material increase in traffic levels if planning permission were granted. These argument were based on the fact that over 88% of the site had been developed, the current uses were low traffic generating and most of future B8 development would be restricted to B8 storage and B8 agricultural which would continue the theme of low HGV traffic generation.

Our principal response to all of this was that B8 covers a wide range of activities and there are no distinct categories for storage or agricultural storage. Permission for activities within B8 would permit migration from less traffic intensive activities to high traffic generating activities. The only way to prevent this would be to impose conditions that would restrict B8 uses to less traffic intensive activities.



Enforcement of such conditions would then become an issue. We argued that information should be required to be provided by the site owners on traffic generation and building uses that would allow compliance with the conditions to be monitored.

We were supported in this conclusion by a letter to Steve Milligan from Michael Wilks of SCC Sustainable Development. That letter, among other things, stated that the traffic assessments had not gone far enough and that conditions would likely be necessary on any consent to ensure that B8 development at the site would not generate HGV traffic inappropriate for the local road network.

DCC 07/09/2012

In light of this background, we were delighted with the Planning Services report to the Development Control Committee in 2012 containing a series of suggested conditions including requirements for information to be provided by the applicants to facilitate enforcement. We were equally pleased when the Committee endorsed these conditions and reinstated one requiring an annual update of the building uses schedule to enhance monitoring of permitted uses.

The monitoring activities were to be at the expense of the applicants.

At the time, we strongly endorsed the proposed traffic conditions, with a couple of tweaks explained as follows:

*"The TA observed a 24 hr two-way traffic flow of just under 1,600 vehicles, of which 7%, or 112, were HGVs. Using the 300-day year adopted by the Council in its calculations, this observed flow would be some 480,000 total vehicles per annum and 33,600 total HGVs per annum.*

*The Council's proposed limits of 650,000 total annual traffic flow and 45,000 total annual HGVs represent an allowable increase of 44% and 34% respectively.*

*Since the applicants through their traffic consultant maintain that any traffic increase will not be material, then these percentage increases need to be evaluated against that standard of materiality. In my view, weight gain of 5 stone from a starting point of 11 stone, or 44%, would be material. So are these proposed allowances.*

*We would suggest as more reasonable limits of 575,000 and 40,250, which would allow a 20% increase. These are still pretty generous where only 10% of the gfa on the site remains to be developed. They are also more consistent with the best case scenarios in the TA. Over time, the applicants can seek relaxation of these limits if needs be. This is the essence of maintaining control.*

*We agree with the recommendation that traffic counters and periodic reports be used to monitor compliance, but we strongly suggest that this is done at the applicants' expense. We note the applicants object to having to update and submit a building use schedule and that the planning department is willing to give on this point. We strongly suggest that retaining this requirement would be good practice and if its preparation by the applicants is such a burden then perhaps we should fear more broadly for their control over their businesses generally.*

*The recommended conditions should all be enforceable against the applicants on the assumption they are the freehold owners of the property. They can pass on any liability to enforcement to their leaseholders and tenants on a commercial basis.*

*We would also agree with the proposition that a cash escrow or surety or bond arrangement be established in favour of SCDC should enforcement action be taken and upheld.”*

#### Updated Supporting Documents 2014

It is noted that the Update Note to the Traffic Assessment continues its representation that there will be no material increase in traffic movements as a result of permission being granted. We saw little support for this representation in the original Assessment documents and are no better informed by the Update Note.

We also see that the Note maintains that HGV traffic seems to have lessened since 2012. This conclusion is based on a two-week period in January 2014. It is suggested that this is a limited sampling and no explanation is offered as to what the reduction can be attributed. The real concern of course is intensification after permission is granted and as the site is developed in a “regularised” manner over a long period of time.

Section 5 of the Updated Planning Statement dated February 2014 addresses the 2012 recommended planning controls. We are pleased to see that the controls are generally accepted but make the following observations on the conditions relating to traffic matters (using the numbering used in the Updated Planning Statement):

- Condition 2: the “minor addition...to make [this condition] precise” is completely unacceptable as it is the development over time that needs to be controlled. A two-year limit is farcical. Any time limit would undermine the purpose of the condition. Once the methodology is in place, the cost of providing this information annually in terms of money and effort must be minimal, while the value to the Council in facilitating control over the site is immense.
- We reiterate that the limits on HGVs and total traffic in Conditions 3 and 4 are extremely generous given that the applicants have steadfastly maintained that there will be no material increase in traffic if the application is approved. As stated in the previous section, a 10% limit would be justifiable while a 20% limit may be deemed reasonable over time. Increases of 44% and 34% simply cannot be justified.
- The suggested change to Condition 5 would limit reporting on traffic numbers to two years. This is again a completely unacceptable time limit for the same reasons that a time limit to Condition 2 is unacceptable.
- We note that the “*Notwithstanding...*” preamble is omitted in Condition 11; we would be concerned if its omission would allow an argument as to the validity of the condition, and since we can see no reason for its omission would suggest strongly that it is retained.
- The same preamble has been omitted from Condition 12 and we would recommend it is retained for the same reasons. We also note that the production area limitation has been left out without explanation, and in the absence of good argument should be retained.

#### **Conclusion**

We once again compliment the Council on its adoption of measures to control the future development of this site. We have too often in the past seen development in rural areas intensify without control at an unacceptable cost to residential amenity and our rural road system.

We do believe however that the Council is being unreasonably generous in its traffic allowances, particularly in face of the applicants' representations that it will not happen. If lower limits were imposed and later to be breached, the applicants could apply to have the limits increased and a decision then made on the merits. This is the essence of *control*.

We would also reiterate that the controls should be enforceable against the owners of the site who can pass on any liability to enforcement to their leaseholders and tenants on a commercial basis.

Lastly we agree with the proposition that the cost of monitoring be borne by the site owners who are in possession of the necessary information or in the best position to obtain it. Additionally, there is merit in requiring a cash escrow or surety to be established in favour of SCDC to cover costs should enforcement action be taken and upheld.

We have of course not commented on the aviation issues, although we note that the inspector had previously found the local road network to be completely inadequate to support a commercial airport. We would emphasise though that the aviation issues, as important as they may be, should not reduce the attention paid to the traffic generation potential of this important site.

- 2.37. **Network Rail** Thank you very much for consulting with Network Rail in regards to the amendments to planning application C/10/3239. After reviewing the information provided in relation to the above planning application, Network Rail has no further observations to make.

### **Third Party Representations**

- 2.38. The original consultations for the application leading up to the September 2012 report generated little in the way of public representations. In total two letters of support, two letters of comment and eight letters of concern/objection were received.
- 2.39. This consultation has received a substantial number of representations both in support and objection. These almost entirely relate to the inclusion of increased aviation from the site and it is acknowledged that heavy campaigning has taken place from both the objecting and supporting sides of the argument. Many representations have been generated through canvassing of local residents or through emailing lists of interested organisations and groups. The vast majority of the representations contain similar themes of concern and support and it is emphasised that it is the content of representations rather than the volume which is of importance. The representation counts provided are as accurate as possible. However, such high numbers of representations are technically challenging to count accurately due to the duplication of many responses which are sent by their authors as both emails and letters.
- 2.40. **Letters/Emails of Support**  
730 representations have been received raising the following points in support:
- Increased employment opportunities.
  - No reason why Bentwaters and Snape Maltings/Aldeburgh Music cannot co-operate over flying times/concert times as they did in the past.
  - Concern is largely based around increase in flying beyond that actually proposed

- The desire to retain the iconic spitfire.
- Flying from Parham has not caused complaints at Snape Maltings.
- Pilots do conscientiously avoid sensitive areas as shown on charts.
- The aerodrome is an asset and enhances the attraction of the area.
- Other concert venues have far greater noise without affecting their success.
- Flight noise is minimal and very short lived.
- Snape Maltings was established whilst the base was operational.
- Flying is a tourist attraction and air shows will be a huge boost for the region.
- Aldeburgh Music are unfairly influencing the planning decision.
- Suitable conditions and restrictions are available to the council to limit any impacts
- Snape Maltings and Aldeburgh are well outside of the Aerodrome Traffic Zone (ATZ) of Bentwaters. Full power manoeuvres generally only take place within the ATZ.
- It is a privilege to have these planes in the area.
- Flying would be an innovative use of the site.
- Existing civil and military aircraft in the area cause more disturbance than the proposal.
- Air Leasing Ltd. contribute to other businesses in the area and on Bentwaters.
- The concerns that this will become a commercial airport are unfounded as there is very limited demand for more new commercial airports. Bentwaters is too isolated to be viable for that purpose.
- The Bentwaters Campaign group have made highly misrepresentative claims on their website. They have misled many who have objected to the application.
- The proposal consists of very few movements in reality.
- The presence of Bentwaters reduces incoming aviation in the immediate area surrounding the base.
- It is encouraging that existing buildings and a well constructed runway are being re-used.
- This is an ideal location for an airport and it would not make the slightest difference to the AONB.
- Having lived near a fairly busy airport it is emphasised that lawn mowers, strimmers and road traffic are far more of a nuisance.
- The runway is a valuable leisure amenity which should not be lost.
- Existing aircraft go unnoticed in the area.
- Wildlife has been present in the area for a substantial period of the past and throughout the military use of the base. The reintroduction of aircraft at this level would not alter the effect on wildlife.
- The operation of the aircraft from the site serves as a resource of education for children and adults.
- The flying will not cause problems to the tranquillity of the area.
- Aircraft add to the character of Rendlesham as a village.
- Suffolk as a county has never supported general aviation, Bentwaters was supposed to be a replacement for Ipswich Airport but this never happened.
- Refusal would put local jobs at risk.
- Aerobatics do not take place near the airfield.
- Flying is likely to take place in the daytime when most properties are not occupied.
- The type of aircraft are most likely to be single engine light aircraft with low noise. These would be at 500ft before reaching the perimeter fence.
- Only 28 days of use is a waste of a national asset.
- The existing pilots do their utmost to keep disruption to a minimum.

- The “Rendlesham Anthem” sung by the community choir positively mentions the Grace Spitfire.
- Aviation is part of the Suffolk landscape.
- Aviation will enhance the cold war museum which is a valuable tourist attraction.
- The objections are largely down to the inaccurate campaigning of a few individuals and are not representative of the local population.
- Losing aviation from the site would lead to further development on the base as has occurred at other former airbases. This could have a far greater impact on the local community and environment.
- The open nature of the airfield has a positive influence on wildlife.
- The additional flying is justified for the benefit of maintaining the spitfire on this site.
- Continued flying is a memorial to those servicemen lost in action.

**Two petitions in support** of the application have been submitted.

One has been carried out in Eyke, Rendlesham and Tunstall, generating 1144 responses in support of flying from Bentwaters.

An online petition generated 5124 responses in support of flying from Bentwaters. The applicant has scrutinised the online petition and suggests that 2095 of the online signatories identified themselves as local to the AONB and Bentwaters.

**2.41. Letter/Emails of Objection**

558 objections have been received raising the following concerns:

- Increased traffic on an inadequate road system.
- The application includes no flight logs or evidence of movement records.
- Adverse effect on the AONB. Detrimental to the tranquillity and peaceful enjoyment of the landscape.
- Impact on wildlife, protected species and areas of international conservation significance.
- Impact on the viability and enjoyment of Snape Maltings. Aircraft noise has the potential to disrupt events, performances and recordings at this world renowned music and recording venue.
- Threat to tourism and jobs at Snape Maltings due to noise impact on performances.
- The opera house is not sound proofed and therefore very susceptible to outside noise.
- Previously an agreement existed between Snape Maltings and the USAF over flying and performance times.
- Musicians and young artists would be put off using the facility.
- Negative effect of retaining buildings and fence on Wantisden Church.
- The majority of flights would be condensed over the summer months and weekends, therefore intensifying the impact.
- Devaluation of property in the area.
- Shift workers and small children will be affected by the noise.
- Negative effect on tourism.
- Negative effect on local economy.
- Why should a selfish few spoil it for the many?

- Specific conditions should be imposed on the type of aircraft which can use the site.
- Fear of more flights and applications to intensify this in the future. The thin end of the wedge.
- Ex-military jets on the site could be flown if made flight worthy.
- The planning Inspector already stated in 1999 that Bentwaters should not become an airport.
- Sound pollution can be a major cause of stress and hypertension affecting human health
- Increased aircraft noise causes poor performance at work and impaired learning in children due to interrupted sleep.
- Increased air pollution increasing climate change and cardiovascular disease.
- There is no existing permission for flying; however the applicants seem keen to portray this as a formalisation of the current activity. The current activity is far below 960 movements.
- Aerobatic aircraft produce far greater noise and disturbance than normal flight
- Risk of accidents in the area through aircraft crashes, particularly at air shows.
- There is no longer a justified need for flying from Bentwaters.
- Conditions relating to flying are impossible to enforce.
- There are clear reasons to justify the spitfire flying from Bentwaters on heritage grounds, however no other aircraft could be justified.
- 28 days a year, as permitted, should be sufficient for the spitfire.
- Why has the application been permitted to proceed in contradiction to the 1999 inspectors report?
- Jobs created by flying on the site are minimal and the benefits of these do not outweigh the impacts.
- The permission would go with the site not the applicants/owners or occupiers.
- We are already bothered enough by police and army helicopters and microlite flights down the river.
- Distress caused to livestock in the area. Stampeding cattle are a risk to themselves and any walkers on a footpath crossing the field they are in. Late abortion of calves due to aircraft.
- The owners of Bentwaters have been allowed to get away with too much.
- The flying element of the application should be withdrawn from the rest of this extensive application which has largely been uncontroversial. Why was it not included in 2010?
- A further acoustic survey should be undertaken to consider noise of aircraft in excess of the spitfire. No consideration has been given to noise levels outside of the take-off and landing corridor. No consideration of noise levels of stunt/aerobatic aircraft or visiting aircraft of indeterminate sizes and models.
- There is no lack of alternative sites for such aircraft, such as Duxford Airfield.
- As an alternative a temporary permission should be granted to allow the increased flying to be realistically assessed.
- A personal permission should be granted specific to the current owners of the site.
- National security against a terrorist threat – A virtually uncontrolled airport would be operating only three minutes flying time from nuclear power plants (Sizewell).
- A large scale tenant on Bentwaters has raised concern that their intended long term use of a range of buildings on the site would be commercially affected by flying. Their business involves large scale live data storage and the threat or perceived threat of damage by aeroplanes is a major concern to customers.

- 2.42. **Bentwaters Campaign Group**: Object to the inclusion of flying within the application. As this representation is an extensive 34 page document it is attached at Appendix III.

### **3. UPDATED POLICY CONTEXT**

- 3.1. Section 19 and 38 of the Planning and Compulsory Purchase Act 2004 and Section 70 of the Town and Country Planning Act require applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the saved policies of the Suffolk Coastal Local Plan 2001 (inc. Alterations 1 & 2) and the Suffolk Coastal District Local Plan - Core Strategy and Development Management Policies.
- 3.2. East of England Plan (RSS) 2008 has been abolished since the 2012 was report was written.
- 3.3. **Suffolk Coastal Local Plan 2001 Saved policies**

The vast majority of policies previously considered within the 2012 report have been superseded by the adoption of the Core Strategy in July 2013. The follow polices remain saved:

#### **POLICY AP159**

##### **Rendlesham/Wantidsen (Former Base): General Principles**

The development and re-use of the former Base at Rendlesham/ Wantidsen will be restricted to the areas shown on the Proposals Map. Proposals must conform with Structure Plan Policy CS8, be of a high quality in terms of design and construction, respect the rural setting, and make appropriate provision for connections to public transport facilities.

Development proposals must accord with a detailed Master Plan and be accompanied by an Environmental Management Plan, Environmental Statement, Traffic Impact Assessment and a strategic landscaping scheme of the highest quality. They will be assessed against the above factors and Policies AP160 and AP161.

Footnote: Policy CS8 of the Suffolk Structure Plan (Incorporating Alterations 1, 2 and 3) states:

"The re-use of appropriate redundant land and buildings at RAF Bentwaters will be supported through the development of a comprehensive community involving integrated proposals for existing housing, administrative and operational buildings, and community facilities. The new community should be approximately 1200 dwellings including new development. The development is to be the subject of a detailed Master Plan, which will take full account of policies for the Area of Outstanding Natural Beauty and the Countryside and which will set out:-

- a) The proposed uses;
- b) The phasing of proposals;
- c) The intended rationalisation and clearance of existing installations and appropriate restoration of damaged land, particularly within the AONB;
- d) The intended provision of new or improved infrastructure, education and community facilities;
- e) Access arrangements and highway improvements appropriate to the site's countryside setting;
- f) A strategic landscaping scheme.

Proposals for development on hitherto open or undeveloped land will not normally be acceptable unless essential elements of the new community cannot be achieved within the currently developed area."

In para 10.24 relating to the former Technical base (the application site) it states "... Its location within the AONB, limited access and the presence of a large number of buildings suitable for conversion mean that new development cannot be justified other than in exceptional circumstances. Re-use and rationalisation of buildings north of the runway could create something in the order of 30,000 sq m of floorspace having regard to the condition and appearance of the buildings as well as the appropriate balance between housing and employment on the former base. This will be restricted to B1 and B2 uses primarily. In order to prevent the significant generation of lorry movements and potentially obtrusive open storage, B8 uses will be restricted to 7,000 m<sup>2</sup>. Security and other lighting need not be an issue within Area 2 if carefully designed, including exploiting the landform and natural features."

In para 10.26 "... Elsewhere on the former Technical base there are opportunities for recreational activities. These and other uses will be considered against such factors as the impact on the Area of Outstanding Natural Beauty and in terms of likely traffic generation. Overall a high level of restoration and landscape enhancement will be required, both to achieve the environmental objectives set out in para 10.17 and to assist in creating the best conditions for attracting the investment and employment needed to meet the economic objectives."

**POLICY AP161  
Rendlesham/Wantidsen (Former Technical Base)**

In respect of each area, the development and re-use of the former Technical Base at Rendlesham/Wantidsen, as shown on the Proposals Map, will be permitted only in accordance with general policy AP159 and subject to the following criteria:

- (a) within Area 2 (Employment Area), the creation of an Employment Area of high quality design within a high quality setting, based on the re-use of existing land and buildings;



(b) within Area 2, a restriction of employment floorspace to 30,000 square metres within Use Classes B1, B2 and B8, including a maximum of 7,000 square metres for Class B8 (Storage and Distribution) uses;

(c) around the perimeter of the Technical Base, the provision of a continuous route for pedestrians, cyclists and horse-riders linked into the existing access network. Other routes shall be provided across the Technical Base, subject to there being no conflict with safety or security considerations for other users of the site;

(d) within Area 3, the re-use of existing land and buildings for recreational uses or other purposes which are consistent with local and national policy objectives for the Suffolk Coast and Heaths AONB, and with other policies of the Local Plan. In applying such policies, the open and exposed parts of the site are considered to be the runway and area around the former fire station;

(e) within Areas 2 and 3, as part of a comprehensive package of proposals to re-use some existing buildings and land, the implementation of measures to remove, clear and restore other derelict and disused buildings, structures and land, in accordance with a phased programme of works to be approved by the District Council;

(f) as a first priority, within the area close to Wantisden Church, the implementation of measures to remove all buildings and structures, and restore the land to unimproved grassland/heathland in accordance with a phased programme of works to be approved by the District Council;

(g) within the south-western corner of the site, the implementation of measures to protect the County Wildlife Site;

(h) within the Technical Base in general, floodlighting must not be of an intensity and direction so as to have a material adverse impact on the countryside, particularly the AONB.

3.4. **Suffolk Coastal District** District Local Plan - Core Strategy and Development Management Policies. The majority of these policies are listed in detail within the 2012 report (Appendix II).

**SP1** Sustainable Development

**SP1A** Presumption in Favour of Sustainable Development

**OBJj 4** Economic Development

**OBJ5** The Rural Economy

**OBJ8** Transport

**SP5** Employment Land

**SP7** Economic Development in the Rural Areas

**DM11** Warehousing and Storage

**DM12** Expansion and Intensification of Employment Sites

**DM13** Conversion and Re-Use of Redundant Buildings in the Countryside

**DM20** Travel Plans

**SP14** Biodiversity and Geodiversity

**SP15** Landscape and Townscape

**DM23** Residential Amenity

**DM27** Biodiversity and Geodiversity  
**OBJ15** Physical and Community Infrastructure  
**SP18** Infrastructure

### 3.5. **National Planning Policy Framework (NPPF)**

The NPPF 2012 is the up to date national policy document which has superseded the previous national policy statements and sets out the overarching planning policies on the delivery of sustainable development through the planning system.

In the Ministerial foreword, it states the purpose of planning 'is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world...Development that is sustainable should go ahead without delay..This framework sets out clearly what could make a proposed plan or development unsustainable.'

'The NPPF..is a material consideration in planning decisions.'

'At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking..For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies the this framework taken as a whole; or specific policies in this framework indicate development should be restricted (ie policies relating to protected sites, AONB's, designated heritage assets).

The NPPF sets out 12 'core planning principles'. Those relevant to the application are:

- Proactively drive and support economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet housing, business and other development needs of an area and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices..taking account of the needs of..business communities;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Take account of the different roles and character of different areas..recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it;
- Support the transition to a low carbon future..encourage the re-use of existing resources, including conversion of existing buildings..
- Contribute to conserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing land that has been previously developed, providing that it is not of high environmental value;

- Promote mixed use developments..
- Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities to meet local needs.'

Delivering Sustainable Development: 'The Government is committed to securing economic growth in order to create jobs and prosperity..Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth..'

Supporting a prosperous rural economy: 'Planning policies should support economic growth in rural areas in order to create jobs and prosperity..To promote a strong rural economy, local and neighbourhood plans should (amongst other matters):

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings;
- Promote the development and diversification of agriculture

Promoting sustainable transport: 'All developments that generate significant amounts of movements should be supported by a Transport Statement or Assessment. Plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site;
- Safe and suitable access to the site can be achieved for all people;
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of development. Development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe.'

'..decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this framework, particularly in rural areas.'

Promoting healthy communities: 'Access to high quality open spaces. Can make an important contribution to the health and well-being of communities.' 'Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks..'

Conserving and enhancing the natural environment. 'Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed, providing that it is not of high environmental value.'

'Great weight should be given to conserving landscape and scenic beauty in AONB's..the conservation of wildlife and cultural heritage are important considerations in these areas..'

'Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of :

- The need for the development, including in terms of any national considerations; and the impact of permitting it, or refusing it upon the local economy;
- The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'

'Planning decisions should 'avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions and identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason,'

'planning decisions should limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation.'

Conserving and enhancing the historic environment.

'In determining planning applications, LPA's should 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 viability;

'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 or development within its setting...Substantial harm to designated assets of the highest significance (grade I listed buildings) should be wholly exceptional.'

'Where a proposed development will lead to substantial harm to a designated heritage asset, LPA's should refuse consent, unless it can be demonstrated that (proposed development) is necessary to achieve substantial public benefit that outweigh that harm or loss..'

'Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a

balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Planning Conditions and obligations: 'LPA's should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations...planning obligations should only be sought where they meet all the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.'

'Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.'

In respect to implementation of the NPPF and weight given to the policies of the Development Plan and emerging policies, the framework states: 'In other cases (than policies adopted since 2004 and following 12 months from publication of the NPPF) due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework' and 'decision-takers may also give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the policies in this framework.'

#### **4. PLANNING CONSIDERATIONS**

- 4.1. As previously emphasised, this report serves to update members as to progress since last reporting to committee and then goes on to make a recommendation following the extensive consideration previously given to the application. Members are still in a position to consider all elements of the application including those considered within the 2012 report although this reports focuses on continuing the discussion in a concise manner. Notwithstanding the planning policy changes, the principle of the overall application has been strengthened and there are no material reasons to go against the decisions members took at the previous committee meeting.

Following the previous meeting, members requested that officers and the applicants seek to address:

- A. The exclusion of the previously recommended Condition 2, which removed permitted development rights from the site.
- B. An allowance for more flexible occasional use of airstrip by businesses on the premises.
- C. To seek contributions for the full extent of Eyke traffic calming measures and crossings and a bus stop at Rendlesham, plus £10,000 towards community enhancements at Rendlesham.
- D. Simultaneous progression of a Rights of Way application for footpaths and bridleways.

- E. The submission of a revised building use schedule and the provision of an amount of money to facilitate an appropriate monitoring regime.
  - F. Traffic monitoring at a cost to the applicant.
- 4.2. The update submitted by the applicant in February 2014 attempts to address the above and in particular the increase level of flying from the site has necessitated an extensive reconsultation. The consultation period, covering an 11 weeks period, generated an almost unprecedented amount of consultation responses for the District. A significant number of letters of objection and support have been received from local residents and individuals from further afield. Responses are reflective of the campaigning from both objecting and supporting sides of the argument. Officers respectfully direct members to the content of consultation responses rather than the number of responses received.
- 4.3. Many objections have raised concerns that the aviation use is now “being conveniently” added to a much larger and, in principle acceptable use of the extensive site. It is accepted that a small amount of flying has always formed part of the proposal and the main intention of this masterplan application is to consider the wide range of existing and proposed uses for the former airbase. The aviation use is a reasonable element to consider within this application and the suitability of the wide range of other uses should not fetter the consideration of this one addition. The applicant has now submitted the necessary revisions to the application and Environmental Statement to enable consideration of flying to a suggested conditioned level from the site. In principle there is no technical reason why this application may not be considered in the final proposed form based on the latest update and the consultation process now undertaken in respect of the update.
- 4.4. The update to this application is hereby considered in the order of the recommendations of the September 2012 committee meeting set out above as A to F.

**A. Removal of Permitted Development Rights**

- 4.5. Within report DC/09/12 the following condition was recommended as part of any approval:
- 2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (as amended by Amendment Order 2010) or any order revoking, re-enacting or replacing this order, no development permitted by Parts 8 (classes A, and C); 41 (class A) or 42 (class A) concerning erection of buildings or extensions to industrial, office, warehouse, shop or financial or professional services buildings/sites, shall be carried out without prior application for planning permission and approval given. Reason: To protect the cultural heritage of the site, the character of the AONB and to control traffic increases from site given number of buildings in commercial use and level of floor space on site and impact of traffic along the A1152.

- 4.6. Part 8 covers Industrial and Warehouse Development, Part 41 covers Office Buildings. Previously members were of mixed views on the recommended condition 2 to remove permitted developments rights on the site. To quote the minutes “A member of the Committee commented that condition 2 would protect the cultural heritage of the site and the AONB.....Another Member stated that this site should be considered as an economic part of the District which provided facilities unavailable elsewhere. Condition 2 should be omitted.” Eventually it was voted that condition 2 should be omitted. It is acknowledged that the government’s intentions of the introduction of permitted development rights for business uses were in order to support economic development. As an accepted substantial employment site the ability for individual businesses to undertake extensions and works to such buildings to enable suitable levels of expansion and growth should be fairly appreciated. On balance it is accepted that some flexibility in such uses would enable acceptable levels of development to take place whilst not be of significant harm to the AONB or cultural heritage of the site. It is also acknowledged that as the site is within the AONB the permitted development rights applicable under Parts 8 are subject to greater restriction than sites outside of the AONB.
- 4.7. Since the 2012 report the Government has expanded permitted development rights for a range of uses and forms of development. Most relevant to Bentwaters are the range of introductions now allowed under Parts 3 (Changes of Use), Part 4 (Temporary buildings and uses), Part 8 (Industrial and warehouse development) and Part 41 (Office buildings). The relevant allowances being:
- I. Change of use from B2 or B8 to B1 (where no more than 500m2 in each instance)
  - II. Change of use from B1 or B2 to B8 (where no more than 500m2 in each instance)
  - III. Change of use from B8 to B1 (where no more than 500m2 in each instance)
  - IV. Change of use from B1 to C3 (until May 2016)
  - V. Change of use from A1, A2, A3, A4, A5, B1, D1 & D2 to (uses having a lesser or similar impact) A1, A2, A3 and B1 for a temporary period of two years
  - VI. Extensions to B1 buildings within certain and partly temporary limitations
  - VII. Small new B2 or B8 buildings
  - VIII. Small extensions to B2 and B8 buildings
- 4.8. Of these introductions, the change of use permitted development rights have the potential for greatest possible effect on the site. Bentwaters would benefit from a wide range of buildings used for B1, B2 and B8 uses should permission be granted. Whilst the flexibility between these uses under points i. – iii. may be suitable at small scale within Bentwaters, points iv. and v. introduce the potential for uses not predominantly associated with the site under the current proposed masterplan/building uses schedule. In particular the potential to change from B1(Business/office use) to C3 (Residential Use) would enable extensive office buildings throughout the site to change from an employment use to a residential use. The effect of such permitted changes could be numerous residential units within an area generally considered unsustainable for residential development and in conflict with the industrial nature of the site by virtue of the traffic, noise and

activity. The site does not benefit from suitable residential infrastructure to support such changes of use and it is therefore considered that Part 3 Class J should be removed as a permitted development right over the entire site.

**B. Aviation use of the site**

**Principle of use (Aviation)**

- 4.9. The former airbase quite clearly has an historic aviation use and many of representations received acknowledge the effect of its former use by the USAF. However, it is well appreciated that following the end of the military use of the base the use of the site for aviation formally discontinued. Its use for large scale civil aviation was the subject of a planning inquiry in 1999, in respect of policies proposed for the emerging local plan at the time. As a result of this inquiry, the future use of the base for civil aviation was ruled out by the Planning Inspectorate. This inquiry has formed a pivotal element of many of the objections received, particularly that provided by the Bentwaters Campaign Group who first formed in response to the previous airport proposals for the base.
- 4.10. The former military use of the site for the flying of aircraft sets no precedent for any current or proposed aviation use. The existence of the substantial runway on the site is an inherent element of the former use but its use for aviation is not. Whilst the discontinued use is accepted and the previous Planning Inspectorate decision is acknowledged these are no barriers to the applicant applying for any permission for flying from the site and these do not prohibit an up to date consideration of such a proposal on its own merits.
- 4.11. Objections have suggested that the 1999 Inspector's report ruled out all flying from Bentwaters, citing his conclusion that the use of the former RAF Bentwaters base for civil aviation is unacceptable. This Planning Inquiry was held in order to examine the First Alteration of the Suffolk Coastal Draft Local Plan, which included a draft policy for the use of Bentwaters as a civil aviation airport. The inspector acknowledged that he was not considering a low-key general aviation use and the local plan proposal indicated a figure of approximately 50,000 air traffic movements per annum. The inspector drew comparison to Ipswich Airport which had closed by that time and had handled approximately 47,650 air traffic movements per annum. The policy envisaged the flying activities to include: passenger and cargo air transport; scheduled and charter air transport; aerial work; business aviation; recreation flying; pilot training; flying club activities and engine testing and maintenance.
- 4.12. The inspector took the view that the scale and intensity of the airport proposed was not clearly defined and that proposal would not be a low-key general aviation use. The Local Plan was specifically criticised for its lack of accurate definition or limits for the scale of use. It is argued by objectors that potential for any aviation was ruled out by the inspector, irrespective of the lack of clarity on the scale of use and the indicated 'airport' nature of the policy proposed.



- 4.13. To counter this claim, the applicant has argued that the Inspector was limited in his consideration to a use of the base as an airport comparable to the former Ipswich Airport or Southend Airport, serving up to 57,400 air traffic movements. The applicant states that the intended scale of use for aviation would not amount to an airport as considered by the inspector and any intended use of the site as an airport would require significant physical alteration and upgrading in order to be licensed by the Civil Aviation Authority as an airport.
- 4.14. In officer's opinion the Inspector did not have a planning application before him at the time of the Local Plan Inquiry and his assessment of the aviation use of the site was based around a significantly larger proposal than that hereby considered. Officer's agree with the applicant, i.e. that the Inspector could not have considered a proposal of this scale at that time and irrespective of his conclusions that civilian aviation is unacceptable. Such an approach would prejudice the consideration of any subsequent planning application, which should otherwise be considered on its own merits. The number of air traffic movements now proposed would be **less than 2% of the air traffic movement potentially considered in 1999**. The proposal hereby submitted is therefore an entirely different scale of use and development to that considered previously by the inspector's decision in 1999. The Local Planning Authority is in a position to consider the suitability of the site for aviation at the level proposed without significant influence from the Inspector's decision. Furthermore, there have been a wide range of national and local planning policy changes over the past 15 years enabling an up to date assessment of this proposal to be undertaken from a planning policy perspective.

#### **Wildlife (Aviation)**

- 4.15. A commonly raised concern regarding the extent of flying proposed is its potential to cause harm to sensitive bird species in the immediate and wider area. Within relatively close distance from the site are a range of areas of national and international ornithological importance, this includes the Sandlings Special Protection Area (SPA); the Alde-Ore Estuary SPA; the Deben Estuary SPA and the Stour and Orwell Estuary SPA. A county Wildlife Site is located within the south west of the site and this is claimed to be a nesting habitat for protected Woodlark. An objection was originally received from the RSPB and Suffolk Wildlife Trust due to the potential disturbance caused by low flying over SPAs. It is well acknowledged that planning permissions for aviation uses may only maintain control of the activities which take place on the ground or within the site. Once an aircraft is in flight it is beyond the control of any planning condition and is subject to air navigation laws and regulations which are governed by the Civil Aviation Authority (CAA). It is acknowledged that the proposal may not directly cause impacts on the surrounding area but conversely that the provision of a runway for up to 960 movements per year would facilitate additional aviation in the area. That may consist of the aircraft based on the site carrying out practice or pleasure flights in the surrounding area or visiting aircraft on direct flight paths into and out of the site.
- 4.16. It is contended that only low flying potentially causes harm to wildlife. Along the coast there are two areas which are subject to existing CAA guidance and marked on navigation charts to avoid low flying in respect of wildlife, those being Minsmere

and Havergate Bird Sanctuaries. Specifically the CAA Guide to Visual Flight Rules (VFR) in the UK states that that overflight of Bird Sanctuaries should not be below a height of 1500ft (457 metres). The applicant has acknowledged the concerns of objectors and has attempted to address these with the later submission of a revised Habitats Regulations Assessment (HRA). As a result of this they have also create an annotated version of the air navigation chart which now shows all SPAs in the area, colour coded in respect of sensitive periods and an emphasis that unnecessary low flying should be avoided over these areas. It is “ultra viries” for the Local Planning Authority to impose planning conditions for adherence to the flying levels suggested by this map, however the applicant is willing to enter into a legal agreement to confirm that they will provide a copy of this map to all pilots using the site or visiting the site. Therefore this requirement would serve as suitable awareness for any pilots continuing to fly in the area. This is beyond the information typically available to other pilots flying into the area who have taken off and intend to land at other airfields and it is acknowledged that other aircraft not originating from Bentwaters would contribute a significant number of the observed flights in the area. However, those utilising Bentwaters would be informed and would be in a position to respect the sensitivities of the area.

- 4.17. As a result of this proposal to support the application, Natural England, who are the statutory consultee in respect of protected species and designated areas of ecological importance, have no objection. Similarly, the RSPB and Suffolk Wildlife Trust have recently withdrawn their objection in line with the response provided by Natural England. On this basis the concerns raised over impacts on wildlife and sensitive areas of ecological importance have been overcome. Natural England wish to be engaged in considerations relating to the timing of any air show and a condition in respect of the dates of any air show is considered appropriate for advanced assessment of its impacts.

#### **Noise (Aviation)**

- 4.18. Previously it was accepted that approval of this application would include the provision for flying of the Spitfire based within building 669 and the occurrence of an annual air show. This was generally considered of limited impact and public support for the presence of the Spitfire along with the economic and tourism benefits of an annual air show gave weight to supporting this element of the use. The acceptance of the Spitfire is generally undisputed in many of the objections with the majority making a distinction between the historic Spitfire and use by other/additional aircraft. However limited planning justification can be given between the acceptance of a Spitfire and any other form of aircraft on historic or nostalgic grounds only. The Spitfire is a propeller driven aircraft with a noise level comparable and generally in excess of many modern aircraft. Its effect on the AONB and residential amenity as a single aircraft based on the site is no less than a modern aircraft of a similar size.
- 4.19. The application no longer seeks to fly only one aircraft and no restriction on the number of individual aircraft flown from the site is proposed. Instead the update seeks to allow up to 480 flights per year (960 movements) limited to no more than 20 flights (40 movements) per week. The applicant has confirmed that there are in fact 8 aircraft stored in buildings 668 and 669 and 7 of these are capable of being

flown. It is understood that these have been flown from the site for a number of years although no flight logs have been provided to confirm this. These have been described by the applicant as historic aircraft although it is considered that a number of the aircraft are unlikely to be seen as genuinely historic. As discussed above, the historic status of the aircraft is not a material planning consideration. The proposal also seeks to allow aircraft associated with businesses on the site to fly into and out of the site within the number of flights proposed. Such a business use would be based around visiting clients or business management rather than any commercial or freight flying activity. The inclusion of business flying is in line with the desire of Development Control Committee in 2012. For the purposes of noise and tranquillity assessment, the appreciation of the age of aircraft or the way in which it is used should be set aside. Instead the assessment should focus on the perceived noise level of potential aircraft using the site within the flight numbers proposed.

- 4.20. The application is accompanied by an acoustic report which has considered the noise impacts of aircraft on the site and their take offs and landings. The report acknowledges the existence of the spitfire and addresses the potential noise of six further aircraft. Noise assessment of 'general aviation' can be assessed by two generic aircraft types, those being;
- GASEFP – fixed pitch propeller aircraft
  - GASEVP – Variable pitch propeller aircraft
- 4.21. The GASEVP is a noisier type of aircraft and at present only one of the aircraft kept and used on the site comes under this category. For the purposes of the noise assessment the acoustic consultant modelled the noise levels based on all aircraft being GASEVP. The assessment is based on 40 movements a week, in line with suggested condition, and the assessment is based on noise emission levels that would result on an average summer day.
- 4.22. The assessment assumes that aerobatics will not be undertaken in the vicinity of the site, which is understood to be the case with existing activities of pilots using the site. Any noise impacts which take place outside of the site and the take off and landing routes are beyond the control of the Local Planning Authority although noise away from the site is likely to be far less frequent and of a lesser noise level due to height.
- 4.23. The noise assessment models the impacts of a worst case scenario of the noisiest aircraft on site and this finds that noise levels exceeding 50 dB are not reached at any residential property in the surrounding area. 50 dB is classified as a low annoyance noise level for general aviation. Therefore the use of the runway for general aviation within the number of air traffic movements proposed would not have significant adverse impacts on health or quality of life. This has been considered by Environmental Protection officers who have no objection to the application.

### **Tranquillity (Aviation)**

- 4.24. The effect of aircraft within the skies does have an effect on the tranquillity of an area. The noise and acknowledged presence of an aircraft may not be harmful to health through noise and disturbance but it may change the character of an area, particularly rural areas. The site is within the Area of Outstanding Natural Beauty (AONB) which covers extensive areas of tranquil and isolated coastal landscape. Paragraph 123 of the NPPF states that decisions should aim to identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. The immediate site, whilst within the AONB is not an entirely a tranquil area, consisting of an industrial estate at the entrance of the site and a range of industrial, agricultural and renewable energy activities occurring over the wider site. However the land to the south west of the site is particularly tranquil and offers a transition into the wider Rendlesham Forest. Beyond the eastern boundary lies Tunstall Forest and along the entire coast are expansive areas which are important for their isolation, tranquillity and recreational enjoyment. There is no doubt that large areas surrounding the site are important in terms of tranquillity.
- 4.25. The wider uses of the site have previously been acknowledged as suitable for the brownfield nature of the location within the AONB. This report focusses on the updates to the application, of which only the flying element has the potential to affect tranquillity. This is a location which has not been without significant disturbance from aircraft in the past and still some military aircraft frequent the area in association with RAF Woodbridge, however there is an acknowledged difference between the need for military aircraft in the area over general aviation. It is considered that there would be a point at which aviation from Bentwaters would adversely affect the tranquillity of the AONB, however the extent of flying proposed by the application is of a low intensity. Based on the amount of flying proposed, at 20 flights per week, the amount of noise and activity this would add to the skies of the AONB would not be so substantive as to create a significant to harm the qualities it offers as a landscape in its own right, or indeed to unreasonably impinge upon recreation and tourism in the area.
- 4.26. Paragraph 116 of the NPPF states that permission should be refused for major developments in designated area except in exceptional circumstances. Officers remind members that taken as a whole this application is a major development, the flying element alone may not in isolation be considered as major development. This is an exceptional circumstance where a major development for a wide range of uses is considered acceptable due to the economic benefits of continuing to maintain this wide range of uses on a previously developed site. The aviation element is currently applicable to only one of the existing business, though the proposal is not sought as personal to that business. As an individual element of the application it is not considered to be of such significant detriment to the AONB to merit refusal the application.
- 4.27. Aircraft are not uncommon in AONB's and National Parks. By virtue of their landscape beauty and openness they do regularly attract pleasure flights from further afield. It is common for designated landscapes to have tourism industries which include a substantial amount of flying within those areas. Such a use is not

alien to a landscape like this and a modest amount of aircraft activity can be absorbed into the existing aircraft activity without an adverse effect on the area or the tourism it generates. Beccles Airport within Waveney District and approximately 20 miles to the north of Bentwaters is also part of a former USAF base and historically this has retained a more formal airport use. Whilst the existence of this sets no precedent for an approval at Bentwaters it does offer a suitable comparison to the Suffolk Coast context. This airport is located approximately 500 metres from the edge of the AONB and 2.2km from The Broads (which has the equivalent to National Park status). The flight routes of many pleasure and training aircraft using this airport cover the same AONB affected by the proposal for Bentwaters. Beccles airport is understood to provide regular pilot training along with a parachuting school and the air traffic movement amount to approximately 20 per day. The proposed use of Bentwaters would represent approximately 13% of the number of air traffic movements which take place from Beccles airport within a similar sensitive context. It is judged that the aviation existing in the northern half of the Suffolk coast does not adversely affect the same thriving tourism industry and the approval of a limited amount of aviation from Bentwaters is unlikely to have any adverse effect.

Extensive objections have been received in relation to concerns about the impact of noise on Snape Maltings and the music venues and recording facilities which exist there. Snape Maltings and Aldeburgh Music are well appreciated in their contribution to the local economy through their activities and generation of tourism. Snape Maltings is located approximately 4 miles north east of the end of the runway. It is also located immediately on the edge of the Alde and Ore SPA. On this basis Snape Maltings is also likely to be observed by pilots utilising the navigation chart mentioned above in paragraph 4.16 and therefore low flying would be avoided with correct observation of the chart. As previously acknowledged, there is little control over the flight paths of aircraft once they take off from Bentwaters. The direct flight path from the runway would be approximately 2 miles south of Snape and this would therefore avoid aircraft taking off or landing at the site being forced over this particular location. Based on the generally low number of flights per week it is unlikely that regular or intense impacts on this site would occur. On balance the potential harm which could be caused to this well respected venue are not substantial to justify refusal of the application alone.

#### **Safety (Aviation)**

- 4.28. Concerns have been raised regarding the safety of flying from the site. Bentwaters is adjacent to the large village of Rendlesham, however the runway is approximately 500 metres from the nearest housing and at this distance there is little risk of aircraft crash landing into residential areas on take-off or landing. With regard to aerobatic aircraft practicing in the area, it is understood that such practice takes place in a variety of areas away from residential properties and the risk is one which is controlled by CAA legislation rather than a fear that can influence the determination of the planning application.
- 4.29. An objection has been raised from a large scale tenant of the site who has not yet taken up the full extent of their tenancy to utilise a wide range of the hangers on the site for live

data storage. This use already benefits from planning permission and although the use has not commenced fully the tenant indicates a desire to utilise the buildings fully for their business. They raise concerns that the business will be adversely affected by perceived risks of aircraft crashing into the buildings and destroying sensitive data stored there. Whilst there may be a perceived risk, that risk is very low and the viability impacts on a not yet established business on the site are questionable. This perception of fear issue is mitigated by the significant safe measures in place within the aeronautical industry and the good practice measures put in place by CAA.

- 4.30. The proximity of Sizewell Nuclear Power Station, to the site has been raised as a concern with regard to perceived threats to national security. This includes the decommissioned Sizewell A, functioning Sizewell B and the proposed Sizewell C. Concern relates to the short flight time from the site to Sizewell and the potential for aircraft to be deliberately crashed into Sizewell. This matter is beyond the remit of the Local Planning Authority to consider, however the Office of Nuclear Regulation have been consulted along with EDF as the site operator. Both raise no concerns over the approval of the proposed flying from Bentwaters. The applicant has sought independent aviation advice in forming some recommended conditions for the aviation element. One specific condition requires aircraft to be kept in a hanger or monitored by the 24 hour security when not kept in a hanger. This would offer some comfort against theft of aircraft.
- 4.31. It is relevant to note the content of National Policy Statement for Nuclear Power Generation (EN-6) (Volume II of II – Annexes) which states the following in respect of potential future development at Sizewell:

*“D4: Proximity to civil aircraft movements  
Analysis*

*C.8.46 The Civil Aviation Authority has advised that it is potentially reasonable to conclude that any likely power station development within the site boundary can be protected against risks from civil aircraft movement.*

*C.8.47 Nuclear power stations in the UK receive some protection from aviation activity through the establishment of a Restricted Area at each individual station. This is established by legislation. Typically, such Restricted Areas have a radius of 2 nautical miles and extend vertically to 2000 feet above the surface. Any aviation activity within a Restricted Area is limited to that specifically permitted by the legislation.*

*C.8.48 The Civil Aviation Authority has advised that the existing Sizewell nuclear installation has an associated Restricted Area and that a Restricted Area around the site (or an amendment to the existing Restricted Area) could provide a similar level of protection from civil aircraft movements. The current Statutory Instrument allows for helicopter activity associated with the nuclear installation. Any amended Statutory Instrument will need to consider such activity.*

*C.8.49 The Civil Aviation Authority has also advised that it is potentially reasonable to conclude that neighbouring aerodromes and air traffic control*

*areas can mitigate any effects arising from the Restricted Area around the nominated nuclear power site. In reaching this conclusion it has noted that it is not anticipated that any new or amended Restricted Area established in association with the proposed nuclear installation would impact upon local aerodrome operations; that there are no known (i.e. marked on Civil Aviation Authority approved charts or promulgated in the UK Aeronautical Information Publication) civilian landing sites in such proximity to the proposed nuclear installation that a new or amended Restricted Area would have a material impact on associated operations; and that the current establishment of the existing Sizewell Restricted Area is such that the impact of a new or amended Restricted Area (as described above) upon civil aircraft in transit through local airspace is likely to be negligible.*

*Assessment*

*C.8.50 Given the advice above it is reasonable to conclude that any likely power station development within the site boundary can be protected against risks from civil aircraft movement, and that the effects on air traffic and aerodromes can be potentially mitigated. “*

### **C. Off Site Highways Improvements and Community improvements**

- 4.32. At September 2012 committee contributions for the full extent of Eyke traffic calming measures and crossings and a bus stop at Rendlesham, plus £10,000 towards community enhancements at Rendlesham were requested by members as an action to be implemented in the proposal ahead of reconsideration at the next meeting.
- 4.33. With regard to traffic calming in Eyke, the discussions on this matter with the County Council brought to light that a £20,000 pre-existing bond had since been released for traffic management works in Eyke. This was unknown at the time of the previous committee and this covers the required funds for the traffic calming measures previously requested. The County Council have confirmed that this overcomes their previous need for a contribution for Eyke from the application. It is therefore considered unreasonable to pursue further contributions for Eyke and in any case the applicant is unwilling to make further contributions.
- 4.34. Pedestrian crossings and bus stops have been considered in detail since the previous committee. In summer 2013 officers met with a Highway Engineer and the Rendlesham Parish Clerk to look at locations in the along the A1152 for these improvements. A crossing point on the A1152 was identified close to Acer Road, assisting with safer pedestrian access across the road. After the County Council carried out a safety audit and estimate of this crossing it was found that significant lighting of the crossing island was required due to the 40mph speed limit. The costs of the works and in particular the illumination proved in excess of the expected contribution to such works and beyond reasonable as a request of the applicant. The provision of bus stops was therefore judged to be the most effective use of any contribution.

- 4.35. Potential bus stop locations on Raedwald Road were identified to serve the closest and safest position to Bentwaters on an existing bus route to facilitate the use of public transport by those using and working on the site. The County Council has since estimated the cost of two stops and limited footway improvement works would amount to £8500. The applicant has agreed to this contribution subject to the previously recommended travel plan condition being removed. The effectiveness of a travel plan on Bentwaters has been subject to much discussion. The County Travel Plan Officer has since accepted the fact that due to the nature of the site, the wide range of existing businesses and variety of tenants, an effective travel plan would be very difficult to implement. For the purpose of improving access to sustainable transport the bus stops would be a more suitable achievement from the application. Any future developments on the site, such as the phase 2 area should be subject to a travel plan for the expected employees within those areas. The contribution would be secured for Suffolk County Council to spend on these works by a section 106 agreement.
- 4.36. The applicant has sought to maintain their promise to provide a contribution to Rendlesham Parish Council for community enhancements. The figure proposed to be provided for the immediate community is £20,000 and it is understood that the Parish Council intend to spend this on village centre improvement works. The contribution is justifiable based on the effect of the development/use of the technical side of the former base on the now largely developed residential side of the former base. It should be appreciated that the two sides of the A1152, although very different in their uses, are intrinsically and historically linked and the business side is very much reliant on the residential side in terms of facilities, services and local employees. The two areas are also included within the Neighbourhood Plan Area of the emerging Rendlesham Neighbourhood Plan under consultation. The contribution would be secured by a section 106 agreement.
- 4.37. As a result of the latest update to the application, incorporating the minor changes to the building use schedule and the increased flying from the site it is considered that there are no significant adverse highways or traffic implications beyond those considered in 2012. The conditions previously recommended restricting HGV movements remain relevant. The Highway Authority has no objections to the latest consultation subject to the previously recommended conditions.

**D. Rights of Way Improvements**

- 4.38. A request of the 2012 committee was simultaneous progression of a Rights of Way application. Revised documentation in respect of two new rights of way have been submitted in line with previous proposals though now including draft creation agreements and supporting documentation. This would enable creation agreements to be signed simultaneously with the granting of any planning permission. To the east of the site a footpath is proposed to link existing footpaths leading from the north and south of the site. To the west a bridleway is proposed which would link into the open access area of Rendlesham Forest.



- 4.39. The submission of this simultaneous proposal is sufficiently reassuring to address the rights of way requirements of policy AP161. The delivery of wider rights of way routes is beyond the realms of this application, however the applicant is encouraged to pursue this community benefit following any planning approval.

**E. Revised Building Use Schedule**

- 4.40. The latest update enabled the opportunity to formally address a number of changes that have taken place in the use of buildings on the site over the 4 years since the original submission was made. The use of buildings 668 and 669 has been discussed under the previous flying section. The only significant change on the schedule relates to building 45 which is a large 3238 sq. metre building located relatively close to the entrance to the site and at present this is vacant. The applicant cites a difficulty in finding tenants for this unit as reason for amending its proposed use. This was previously indicated for B2 use but it is now proposed for B2 or B8. The expanded flexibility of this building for B8 (storage and distribution) has potential traffic implications. The addition of this building as B8 would represent a 7% increase in the total floor space for B8 use.
- 4.41. The updated submission includes an update note to the Environmental Statement in respect of current traffic volumes. This has shown a significant decrease in daily HGV flows and the proposed range of uses over the site would remain within the flow capacity of the highway network. On this basis it is considered that the potential for building 45 to be used for a B8 use would make a negligible difference to traffic on the local highway network. The use for B8 remains acceptable in principle and no objection is raised to this amendment. All other changes to the building use schedule minor with slight or no impact on the overall use of the site. The previously recommended condition in respect of traffic movements would remain as a balance and check for any expansion on the site.
- 4.42. Calor gas tanks have now retrospectively been included as additions to the vegetable storage buildings. It is accepted that these are an incidental requirement for such a use and functionally these tanks can only be stored outside of the buildings. Considering the context of these buildings the gas tanks would have no adverse landscape effect.
- 4.43. Concerns were raised by members in 2012 over the potential to monitor future changes to buildings over the site. In response to this an agreement has been reached with the applicant to monitor the site over the first 10 years of use following approval. This would involve the submission of an annual building use schedule which should highlight any changes. Every other year the applicant will be required to pay the council £500 to cover monitoring costs and this will enable officers to commit time and resources to checking the schedule, inspecting the site and reporting any anomalies without implications to resources and other workloads. A process of checking the site thoroughly every two years is considered sufficient to enable detailed monitoring regularly enough to avoid unauthorised uses becoming lawful due to lapse of time. This monitoring process would not prohibit officers from making their statutory enforcement investigations should complaints or information

be received which was not in accordance with the agreed building use schedule. Officers would maintain the right to make unannounced visits to the site to check on any uses or activities taking place.

- 4.44. The previously consented anaerobic digestion plant located within the site is now operational and does not form part of this application. However due to some differences in the construction and operation of this plant it is likely that an updated planning application will be submitted to Suffolk County Council as the relevant planning authority in the near future.

**F. Traffic Monitoring**

- 4.45. The final recommendation of members was for traffic monitoring to be introduced at a cost to the applicant. As per the previously recommended condition, the installation of an automated counting system should be implemented within 3 months of approval. Previously this condition had been worded without an end to the 6 monthly intervals of reporting data. It is not expected that the applicant should permanently monitor vehicle movements from the site. Instead the counting system should give an accurate picture of the use of the site over its early consented period. The applicant has suggested this system be maintained for two years from installation. Officers consider that this will not give a sufficiently diverse spread of dates to show any variations in relation to changes in the economy. Instead a four year period is considered reasonable to monitor this element of the use.

**5. CONCLUSION**

- 5.1. The update to this application has consisted of a range of minor amendments to its content and one more substantial change in the form of increased aviation from the site. The reconsultation has been almost entirely focused on this proposed change and this report focusses on it in detail. Members gave detailed consideration to those areas within the rest of the 2010 application, these elements which remained unchanged and are referred to in depth at appendix II.
- 5.2. The past two years have offered the applicant and officers ample opportunity to discuss those changes to the proposed use of the site and for the applicant to address the recommendations of members from the 7<sup>th</sup> September 2012 committee meeting. The recommendations have been addressed to officer's satisfaction as detailed above.
- 5.3. The main theme of this report has been flying from the site, the proposal to allow 480 flights (960 air traffic movements) per year has been judged as suitable for this location and a reasonable expansion of the original proposal as supported by members in principle at the previous committee. Whilst the 480 flights have been seen by some as a significantly detrimental addition to the AONB, it is also acknowledged that there is a balanced level of support in the area for continued and the proposed increase in flying. Throughout the consultation responses there is a perception of fear that this proposal is the 'thin end of the wedge' and the precursor to a larger airport use of the site. The proposal does not represent airport scale

flying and it would be identifiably different from the plans dismissed by the Planning Inspectorate in 1999. There is no reason to refuse such a proposal based on a perception of fear regarding potential its growth. The permission would be conditioned and as such any unauthorised expansion would be enforceable. A further monitoring condition is proposed to require the submission of flight logs covering both aircraft based on the site and those flying into and out of the site. This would allow direct comparison with any disputed flight figures which may be raised in any potential complaints. Should the applicant choose to apply for further flights in the future they would be required to submit a variation of condition application which would enable full consultation and determination on their merits. This objection is therefore of given very limited material planning weight...

- 5.4. There are acknowledged benefits to the flying of genuine historic aircraft from the site and it is clear that there is local support for the presence of the Spitfire in particular. The applicants view that the additional aircraft are required to support the maintenance of the spitfire is understandable and a reasonable business case. In the interests of economic development on a substantial employment site such as this there is an appreciated benefit of business flying for established and future businesses and these reasons are of merit in favour of the application. The number of flights is considered proportionate and a sufficient provision for these purposes. There are flying activities which are noted to have greater impacts on the local area and which should be avoided on such a site. This includes pilot training and parachuting. These involve greater activity in the immediate area and a concentration of the use which officers consider should be avoided under the current proposal. Specific conditions on flying are now recommended following discussions with the applicant, who has sought independent aviation consultancy advice in forming conditions 1 and 2, as detailed below:

1) Flying at the site (which means taking off and landing) shall be limited to aircraft categorised as:

1. Historic, classic or vintage aircraft, or
2. Piston-engined General Aviation aircraft, or
3. All other aircraft below a maximum take-off weight of 15 tonnes (15,000kgs)

Unless in an emergency, where any aircraft movement shall be notified to the local planning authority within 24 hours of its landing at the site and within 48 hours details shall be provided to the local planning authority of the timetable for its departure from the site and the arrangements for its storage and supervision before departure.

Reason: for the precise control of the type of aircraft using the site.

*Informative note*

*For the avoidance of doubt in category 1:*

- *Historic aircraft will have the same meaning as that defined by the European Aviation Safety Agency Historic and Military Aircraft Definition as; non-complex aircraft whose initial design was established before 1 January 1955, and production has been stopped before 1 January 1975 or aircraft having a clear historical relevance, related to a participation in a noteworthy historical event, or a major step in the development of aviation, or a major role played into the armed forces of a member state.*

- *Classic aircraft will mean aircraft of not less than 25 years old (from date of production) on a rolling annual basis.*

- *Vintage aircraft will mean aircraft of not less than 40 years old (from date of production) on a rolling annual basis.*

*In category 2 Piston-engined describes the component of the propulsion system for an aircraft that generates mechanical power.*

*In category 3 the maximum take-off weight of an aircraft is the maximum weight at which the pilot of the aircraft is allowed to attempt to take off, due to structural or other limits.*

2) Operational aircraft at the site shall either:

- Be kept in a secured hangar when not attended, or
- Be monitored by the site's existing 24 hour security if not in a secured hangar and not attended

Reason: for the safe and secure operation of aircraft activities.

*Informative note*

*The term 'operational aircraft' distinguishes airplanes which are capable of flying from redundant airframes and static displays, like those at the Cold War Museum for instance.*

3) No more than 960 aircraft movements a year and no more than 40 aircraft movements a week which are not part of a flying display (air show).

*Informative note: An aircraft movement is a take-off or landing by an aircraft. The CAA define 'flying display'. 960 one-way movements is equivalent to 480 two-way flights.*

4) Time of Flying – No take offs or landings between 2100 and 0700 at the site. Except in the cases of emergency as described in this decision notice.

5) Site not to be used as a flying school or parachuting.

6) Maintenance of a flight log for all take offs and landings and a list of operational aircraft which are stored on the site shall be provided to the LPA on an annual basis simultaneously with the building use schedule required under condition x. The flight log shall also be made available at any other time upon formal written request from the Local Planning Authority.

*Informative note*

*The term 'operational aircraft' distinguishes airplanes which are capable of flying from redundant airframes and static displays, like those at the Cold War Museum for instance.*

7) No aircraft engaged in the business of commercial air freight shall be based on the site nor shall they land at the site for the purposes of commercial air freight.

8) Dates of any flying display to be notified to the Local Planning Authority 6 months in advance of any event taking place.

5.5. These conditions would go some length to meet the concerns of objectors. The conditions aim to restrict the scale and impacts of the use and all are considered to be;

- necessary;
- relevant to planning and;
- to the development to be permitted;
- enforceable;
- precise and;
- reasonable in all other respects.

5.6. It is unlikely that the site would be viable for commercial passenger or freight aircraft due to the site not having a commercial flight licence. A significant limitation in this regard is that the runway is not suited to large commercial airplanes landing due to the presence of structures within relatively close vicinity of the runway.

5.7. Based on the above conclusion, the carefully considered conditions detailed above along with the full range of conditions below the full application, including its 2014 update are considered acceptable and are recommended for approval.

**RECOMENDATION:**

**Authority to Approve Planning Permission subject to:**

**- Completion of a Section 106 agreement to include :**

- Provide funds of £8500 which shall be paid to Suffolk County Council to carry out works to provide bus stops and crossing points in on Raedwald Road.
- Require the submission of an annual building use schedule for 10 years following approval. On every 2<sup>nd</sup> year after the approval monitoring fee of £500 shall be paid to Local Planning Authority.
- Provide a contribution of £20,000 payable to Rendlesham Parish Council for community enhancements.

- Agree that a pilot's navigation chart, highlighting SPAs in the area and advising the avoidance of low flying, shall be supplied to all pilots using the site.
- **The completion of submitted Rights of Way Creation Agreements**
- **The following conditions:**
    1. The consent hereby permitted covers all buildings and uses specified within the Building/land use schedule (Feb 2014) except those buildings/uses with an extant planning permission.  
  
Reason: For the avoidance of doubt as to what has been considered and approved.
    2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (as amended by Amendment Order 2010) or any order revoking, re-enacting or replacing this order, no development permitted by Class J of Part 3 of Schedule 2 consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 from a use falling within Class B1 (a) (offices) of that Schedule, shall be permitted within the application site without the prior application for planning permission and approval given  
  
Reason: To protect the employment floor space on the site and to avoid the introduction of unsuitable residential uses within an employment/industrial area not benefiting from suitable infrastructure to support such a use. Also in order to protect the residential amenity of those occupying such potential sites which could be significantly harmed by activities occurring on the site.
    3. No more than 45,000 HGV's shall enter or leave the site in any calendar year. The monthly average of 3750 shall not be exceeded by more than 10% in any calendar month. The daily level of 150 movements shall not be exceeded by more than 20% on any day unless otherwise agreed in writing by the LPA.  
  
Reason: To maintain control over HGV movements in the interest of residential amenity of residents along the A1152. Note; this is based on the 7% figure stated by the highway consultant and a 25 day month. If a 30 day month figure is used, the monthly figure would be 4,500 and annual figure would be 54,000.
    4. No more than 690,000 vehicles shall enter or leave the site in any calendar year. The monthly average of 57,500 shall not be exceeded by more than 10% in any calendar month. The daily level of 2300 shall not be exceeded by more than 20% on any day unless otherwise agreed in writing by the lpa.  
  
Reason: To maintain control over vehicle movements in the interests of residential amenity and highway safety. Note: based on 'worst case' presented by highway consultant (rounded upwards), based on 25 day month. If a 30 day month figure is used, the monthly figure would be 69,000; yearly total 828,000.

5. Within six months of the date of this consent, details of an automated counting system to record HGV and general vehicle movements to and from the site shall be submitted to and approved by the LPA. The system shall be installed within 3 months of approval by the LPA. Further, a register of the number of HGV and other vehicular movements the data shall be maintained at all times and be made available for inspection by the LPA Details of the HGV and vehicle movements covering a 6 month period shall be submitted to the LPA at six monthly intervals from the date of installation of the counting system and for a total of four years.

Reason: To enable HGV and vehicular movements to be monitored by the LPA in the interests of residential amenity and highway safety.

6. There shall be no HGV movements to or from the site between 10.00pm and 7.00 am (except for those associated with agricultural B8 use) and no HGV movements to or from the site on Sundays or Bank Holidays, (except for those associated with agricultural B8 use) unless otherwise agreed by the LPA.

Reason: In the interests of residential amenity.

7. Vehicular access to the site shall be from the main entrance off the A1152 only, except for agricultural traffic and local domestic traffic, which may use any entrance except Ivy Lodge Gate which may not be used except for an emergency situation, unless otherwise agreed in writing by the LPA.

Reason: In the interests of amenity, impact upon AONB and highway safety.

8. The use of the aggregate product storage area identified on drawing PS3 rev A and Masterplan shall be used only for the storage of aggregate to a maximum height of 5m. Use of the area shall cease within 5 years of the date of this consent or upon completion of the bund required under C06/1410 which ever is the earlier.

Reason: In the interest of amenity and protection of the character of the AONB.

9. The areas identified for 'vegetable box storage' shall be used only for that purpose and for no other use within Classes B1, B2 or B8 of the Town and Country Use Classes Order 1987 (as amended). The maximum height of this storage shall be 6.6m.

Reason: To protect the character of the AONB and residential amenity from traffic movements.

10. The areas identified as outdoor wood drying areas shall be used only for that purpose and for no other uses within Classes B1, B2 and B8 of the Town and Country use Classes Order 1987 (as amended). Such storage shall be cut forest timber only within areas 2, 3 and 4. The maximum height of this storage shall be 5m.

Reason: In the interests of sustainability and to protect the character of this part of the AONB.

11. The areas identified as B8 storage (h) – storage on hardstandings shall be limited to those areas identified on the Bentwaters phased Masterplan Feb 2012. There shall be no other external storage on the site except as allowed within those areas covered by conditions 8, 9 and 10 identified on the Masterplan. Storage within the B8 storage (h) areas shall be limited to a maximum height of 5m.

Reason: In the interests of visual amenity and character of the AONB.

12. Notwithstanding the Town and Country Planning Use Classes Order, or any order revoking, amending, modifying or replacing the order, those buildings identified for B8 Storage for firework storage or wine cellarage within the 'building use schedule', shall be used only for those purposes and no other B1, B2 or B8 storage (or distribution) uses, unless otherwise agreed in writing by the local planning authority.

Reason: To limit traffic from the site in the interest of residential amenity and highway safety.

13. Notwithstanding the Town and Country Use Classes Order, or any order revoking, amending, modifying or replacing the order, those buildings identified for "Agri B8 use" within the 'building use schedule' shall be used for the storage of agricultural produce only and for no other B1, B2 or B8 uses.

Reason: To limit traffic to/from the site in the interests of sustainability, residential amenity and highway safety.

14. No B2 use shall be carried out on site between 10.00pm and 7.00am. There shall be no outside working in connection with B2 activity, unless otherwise agreed in writing by the LPA.

Reason: In the interest of amenity and tranquillity within the AONB.

15. The cumulative noise emitted by fan units within buildings in the Agri B8 area shall not exceed the background noise level by more than 5dBA. (Noise measurements for background noise shall be expressed as a 5 minute La90 and measurement of fans shall be expressed as a 5 minute Laeq). In the event that the fans have a distinguishing tonal element, the noise emitted from them shall not exceed the background noise level. (1/3 Octave band measurements shall be used to identify whether the fans have a tonal element). Noise levels shall be measured or predicted at the boundary of the receptor properties.

Reason: In the interests of amenity and environmental protection.

16. Within 4 months of this decision a detailed landscaping, planting and maintenance scheme (including improvements to the area at Ivy Lodge Gate) shall be submitted to the lpa for approval in writing. Such a scheme shall be prepared taking into account the recommendations within the LVIA.

Reason: In the interest of maintaining the amenity and landscape value of the AONB.

17. Subsequent to the approval of a detailed landscaping scheme, the joint applicants shall, with responsibility for their respective land ownerships,



implement the landscaping scheme not later than the first planting season following approval of the scheme (unless otherwise agreed in writing by the lpa). The implemented scheme shall thereafter be retained and maintained for a period of 10 years. Any plant material removed, dying, damaged or diseased within 10 years of planting shall be replaced within the first available planting season and shall be retained and maintained for the respective period.

Reason: To ensure the provision, establishment and maintenance of landscape, as advocated within the submitted application LVIA document, in the interests of the amenity and landscape value of the AONB.

18. The site shall be managed in accordance with the Biodiversity management plan. No temporary activities or uses should take place within the CWS area within the period 1<sup>st</sup> March to 1<sup>st</sup> August (bird breeding season), except within existing hardstandings, unless otherwise agreed in writing by the lpa.

Reason: In the interests of maintaining habitat and improving the biodiversity/environmental value of the site.

19. The policies of the Conservation Statement shall be implemented. Within 12 months of the date of this consent, details of the information and measures required by the policies of the Conservation Statement policies and management measures introduced/undertaken to comply with the policies of the CS shall be submitted to the LPA for approval in writing.

Reason: In the interests of cultural heritage.

20. Flying at the site (which means taking off and landing) shall be limited to aircraft categorised as:

- Historic, classic or vintage aircraft, or
- Piston-engined General Aviation aircraft, or
- All other aircraft below a maximum take-off weight of 15 tonnes (15,000kgs)

Unless in an emergency, where any aircraft movement shall be notified to the local planning authority within 24 hours of its landing at the site and within 48 hours details shall be provided to the local planning authority of the timetable for its departure from the site and the arrangements for its storage and supervision before departure.

Reason: for the precise control of the type of aircraft using the site.

21. Operational aircraft at the site shall either:

- Be kept in a secured hangar when not attended, or
- Be monitored by the site's existing 24 hour security if not in a secured hangar and not attended.

Reason: for the safe and secure operation of aircraft activities.

21. No more than 960 aircraft movements a year and no more than 40 aircraft movements a week which are not part of a flying display (air show).

Reason: In the interest of maintaining tranquillity within the AONB and residential amenity.

22. Time of Flying – No take offs or landings between 2100 and 0700 at the site. Except in the cases of emergency as described in this decision notice.

Reason: In the interest of residential amenity.

23. Site not to be used as a flying school or parachuting.

Reason: In the interest of maintaining tranquillity within the AONB and residential amenity.

24. Maintenance of a flight log for all take offs and landings and a list of operational aircraft which are stored on the site shall be provided to the LPA on the 1<sup>st</sup> April on an annual basis. The flight log shall also be made available at any other time upon formal written request from the Local Planning Authority.

Reason: for the precise monitoring of the number annual air traffic movements and the type of aircraft using the site.

25. No aircraft engaged in the business of commercial air freight shall be based on the site nor shall they land at the site for the purposes of commercial air freight.

Reason: In the interest of maintaining tranquillity within the AONB and residential amenity.

26. Dates of any flying display to be notified to the Local Planning Authority 6 months in advance of any event taking place.

Reason: In the interest of maintaining tranquillity within the AONB and residential amenity.