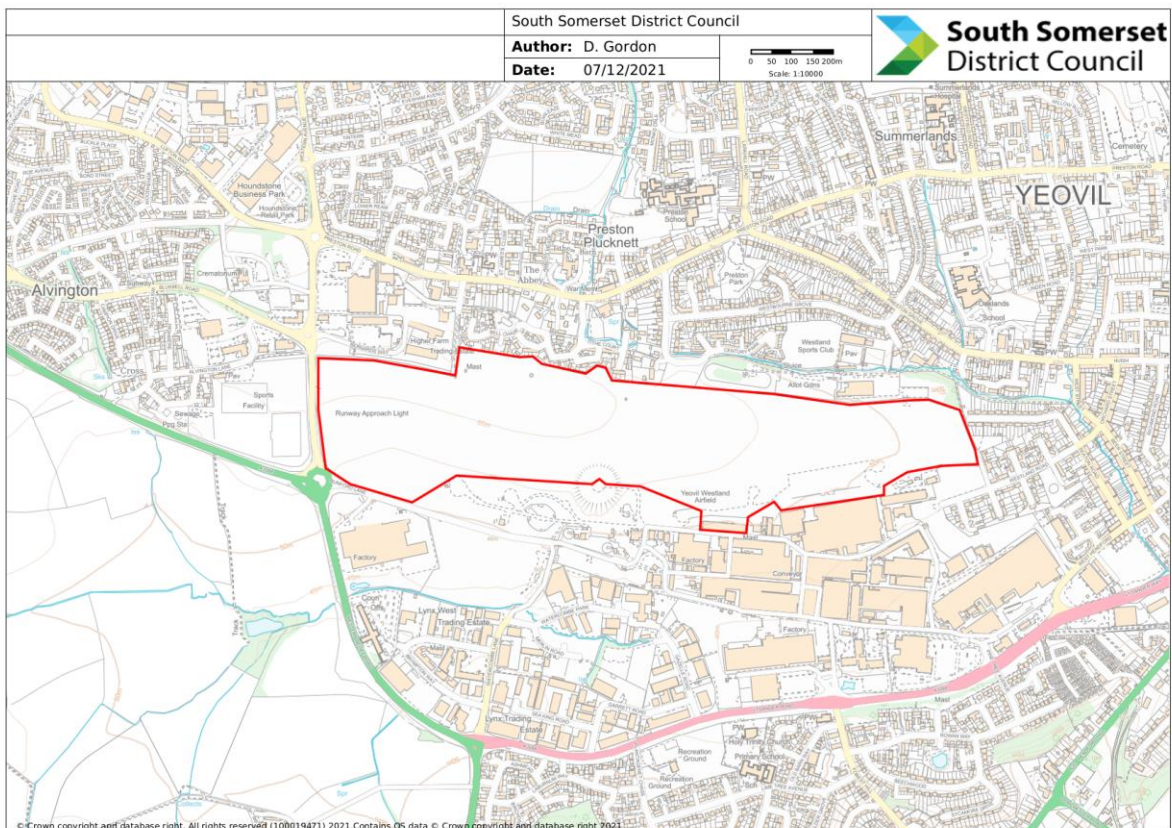


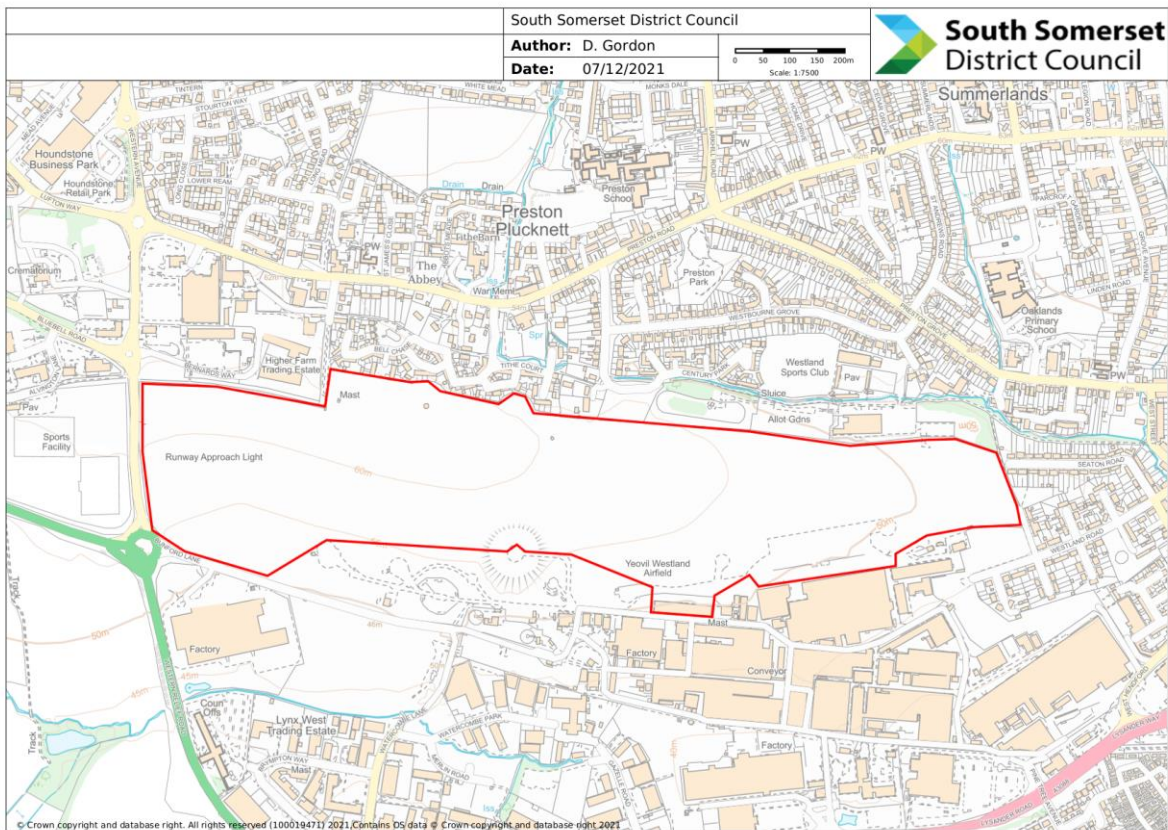
## **Officer Report On Planning Application: 21/02788/S73**

<b>Proposal :</b>	The formation of a hard surface airstrip, associated lighting and ancillary lighting control building. S73 application to vary conditions 04, 05, 07 and 08 of planning approval 19/02614/FUL to amend wording of pre-commencement conditions.
<b>Site Address:</b>	Leonardo Helicopters, Lysander Road, Yeovil, BA20 2YB
<b>Parish:</b>	Yeovil
<b>YEOVIL WESTLAND Ward (SSDC Member)</b>	Cllr D Gubbins Cllr A Soughton Cllr K Gill
<b>Recommending Case Officer:</b>	Linda Hayden (Specialist) Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date :</b>	14th December 2021
<b>Applicant :</b>	Shaun Travers
<b>Agent: (no agent if blank)</b>	Shaun Travers Boon Brown Architects Motivo Alvington Yeovil BA20 2FG
<b>Application Type :</b>	Major Other f/space 1,000 sq.m or 1 ha+

### **REASON FOR REFERRAL TO COMMITTEE**

The application is referred to Regulation Committee as it comprises a large scale major development proposal ('Major Major').





## SITE DESCRIPTION AND PROPOSAL

The application is in relation to the existing grass airstrip and surroundings at Leonardo Helicopters, Yeovil. The northern boundary is to a set of commercial uses to the north west, comprising of self-storage shed, garden centre and restaurant and takeaway/restaurant building. The central-northern section adjoins the residential development of Bell Chase and Yeovil Model Engineering Society and Westlands Allotment and Horticultural Society and Westland Leisure Centre. To the east lies the residential areas of Seaton and Westland Road. To the south is the Leonardo and Garador factory areas. The western boundary is formed by Bunford Lane (part of the Western Corridor link road network).

There is one listed building adjacent to the application site, Watercombe Farmhouse (Grade II). The Cottage (Grade II) lies 50m to the north of the airfield and next door to Watercombe Farm House. Bunford Railway Bridge to the southern boundary is also Grade II listed. A number of trees along the northern boundary are protected by way of a Tree Preservation Order. The site is within Flood Zone 1.

Planning permission (19/02614/FUL ) was granted in December 2019 for the formation of a hard surface airstrip, associated aviation lighting and ancillary control building to facilitate all operational and flight testing associated with Leonardo Helicopters. The current application seeks the amended wording of pre-commencement conditions to facilitate the development of the ancillary lighting control building (4.7m x 5.5m) and thus the commencement of the host permission without recourse to pre-start requirements which whilst suitable for the development of the airfield are not considered necessary in respect of the relatively minor development of the lighting building.

The agent has advised that: *'The development of the ancillary lighting building prior to the development of the airstrip is considered preferable to development during the airstrip construction process as it will facilitate normal operational flight movements throughout the airstrip construction process. You will appreciate that the building might ordinarily be considered as Permitted Development under the remit*

*of Class H, Part 7, Town and Country Planning (General Permitted Development) (England) Order 2015.'*

The proposal would therefore see a rewording of Conditions 04 (Construction Environmental Management Plan (CEMP)), 05 (Archaeological Written Scheme of Investigation), 07 (Dust management) and 08 (Drainage details) of planning approval 19/02614/FUL to amend wording of pre-commencement conditions to allow the lighting building to be constructed.

## **HISTORY**

There is an extremely lengthy planning history for the Leonardo site. The airstrip itself is historic and existed prior to the introduction of the original Town and Country Planning Act in 1947, the use is therefore not restricted by any planning conditions.

The most recent applications include:

19/02614/FUL - The formation of a hard surface airstrip, associated lighting and ancillary lighting control building. Approved 5/12/2019.

19/01740/EIASS - Request for a screening opinion in respect of a full planning application for a hard surface airstrip and associated aviation lighting and ancillary control building. Determined that EIA not required.

19/03143/FUL - Demolition of existing building and the erection of a new warehouse and distribution centre. Approved 02/07/2020.

19/02456/FUL - The formation of hardstandings and installation of 2 No. aircraft with associated landscaping. Approved 25/10/2019.

18/03866/FUL - The siting of 1 No. two storey temporary portakabin building to be used as a flight training centre (Part retrospective). Approved 21/02/2019

18/01630/S73 - Application to vary conditions 2 (approved plans), 16 (noise mitigation), and 17 (travel plan) and remove conditions 4 (finished floor levels) and 8 (access arrangements) of approval 16/03628/FUL. Approved 5/7/2018.

17/00658/FUL - The installation of 3 No. air receiver tanks with associated works to the roof of premises. Approved 31/03/2017.

16/03628/FUL - The erection of a research and development building, incubator office and light engineering facility (Use Class B1) with associated parking, landscaping, access and security facilities. Approved 2/12/2016

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise  
South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development

SS1 - Settlement Strategy  
YV4 - Yeovil Airfield Flight Safety Zone  
TA5 - Transport Impact of New Development  
EQ2 - General Development  
EQ3 - Historic Environment  
EQ4 - Biodiversity  
EQ7 - Pollution Control

National Planning Policy Framework

4. Decision-making  
6. Building a strong competitive economy  
8. Promoting healthy and safe communities  
12. Achieving well-designed places  
14. Meeting the challenge of climate change, flooding and coastal change  
15. Conserving and enhancing the natural environment  
16. Conserving and enhancing the historic environment

National Planning Practice Guidance

Air quality  
Conserving and enhancing the historic environment  
Design  
Flood Risk and Coastal Change  
Health and Wellbeing  
Light pollution  
Natural Environment  
Noise  
Tree Preservation Orders and trees in conservation areas  
Use of planning conditions

**CONSULTATIONS**

Yeovil Town Council:  
Support

Brympton Parish Council (adjacent Parish):  
Support the application.

West Coker Parish Council (adjacent Parish):  
Support the application.

County Highway Authority:  
*'The Highways Authority have no objection to the proposed amended wording of these conditions.'*

Environmental Protection:  
No comments.

MOD:  
No objection.

Ecologist (Somerset Ecology Services):

No comments.

Natural England:

No comments.

South West Heritage Trust:

No objection to variation of Condition 5.

Local Lead Flood Authority (LLFA):

*'Following review of the provided plans, and noting the small footprint of the building on an area of existing hardstanding, the LLFA requests that the first sentence is reworded as below but is otherwise content with the proposed variation of Condition 08.*

**Other than the development of the ancillary lighting control building, no development hereby permitted shall be commenced...**

The application is still subject to the discharge of all relevant and amended drainage conditions, which should be approved by the Local Planning Authority prior to commencement other work on site.

## **REPRESENTATIONS**

562 letters were sent to local residents, a number of site notices were displayed around the site and an advert placed within the local newspaper. Eight letters of objection, two letters of representation and two letters of support have been received their comments are summarised as follows:

Objections:

- o Noise pollution, impact on mental health
- o Impact on wildlife
- o Impact on property prices
- o Invasive lighting
- o Pollution
- o Lack of privacy
- o Will allow for increase in aircraft activity

Representations:

- o Concerns with times and frequency of flights
- o no objection to this application, but feel the argument against residential development of the land on the premise of the flight path should no longer be an issue

Support:

- o Welcome the investment and the jobs it will bring
- o This site is a longstanding aircraft factory and major employer
- o Development of airstrip is in the interest of local economy
- o Cannot understand why people would buy a house near a helicopter factory and then complain of the noise.
- o There is considerably less noise than when the jets used to fly from Yeovilton.

## CONSIDERATIONS

### Principle

Approval was granted in 2017 for this scheme but works have not yet commenced. With an existing permission remaining extant, the principle of development is considered to be established. The only matters that need to be considered here are those that the current application seeks to amend which relate to the erection of the ancillary lighting building and the associated amendments to conditions 04 (Construction Environmental Management Plan (CEMP)), 05 (Archaeological Written Scheme of Investigation), 07 (Dust management) and 08 (Drainage details).

### Residential Amenity

It is not considered that the erection of this small ancillary lighting building would result in a demonstrable loss of amenity to neighbouring properties. The site is within the urban area of Yeovil where there is already an accepted level of illumination at night.

In terms of the other objections raised by local residents, these were considered as part of the original application for the airstrip. It was accepted that the airstrip is a historic use and therefore there are no planning conditions in relation to number or timing of flights. The Civil Aviation Authority (CAA) currently govern the permissible flight patterns, timings and boundaries based on a number of criteria including residential amenity. As such, the concerns raised in respect of residential amenity by neighbours are regulated by another body.

The agent advised that Leonardo Helicopters continue to develop state of the art military, para-public and civil aircraft, as it has done for over a century, and the comprehensive flight-testing of those products remains an essential part of the success of that business, including night flying. They stated that the business is also very mindful that it supports Ministry of Defence (MoD) helicopter assets that are of critical importance to national defence and it must retain the capability to support urgent operational requirements unhindered. They considered that the CAA and MoD were perhaps better placed to balance the national interest with neighbour amenity in this instance.

It is also important to note that the airstrip will be shortened in length in order to allow for the installation of lighting at either end. This reduction in length means that currently only small fixed wing aircraft will be able to land and take off at the airfield.

The noise and air quality assessments submitted with the original application advised that there are no grounds to refuse the application with regard to noise or air quality and the Environmental Protection Officer did not object to the scheme.

Given these considerations, the Area South Committee considered that the historic use, controls of other authorities and the inability of the airstrip to cater for larger aircraft, meant it would not be reasonable to impose conditions on flights at the site. Furthermore, they accepted that the use is historic and, as such, all occupiers of housing within the vicinity would have been purchased in the knowledge that there was an active airstrip at the site. The Committee therefore agreed that it would not be reasonable to refuse the application on the grounds of impact upon residential amenity and the proposal was acceptable in relation to the requirements of Policy EQ2 of the South Somerset Local Plan 2006-2028.

Given that this application is for the installation of a very modest lighting building it is not considered that it would adversely impact upon residential amenity given that the principle of the hardsurfacing of the airstrip had been agreed in principle. The proposal is therefore considered to comply with Policy EQ2 of the Local Plan.

## Highway Safety

The Highway Authority did not object to the original application as it was considered that the proposals would not lead to any significant increase in traffic once complete. It was recognised that there would be an impact during construction and therefore the County Highway Authority required the imposition of a Construction Environmental Management Plan (CEMP) condition to ensure that details relating to construction traffic are agreed before works commence at the site (Condition 04) . This proposal would allow for the installation of a modest building prior to the agreement of the CEMP. The Highway Authority have confirmed that they have no objection to the rewording of the condition. As such, the proposal is considered to be in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

## Setting of Listed buildings and impact upon visual amenity

The impact upon the setting of listed buildings and visual amenity was considered as part of the original application and found to be acceptable. It is not considered that the bringing forward of this small ancillary building before the agreement of details in relation to the CEMP, archaeological report, dust management and drainage details would result in any additional impacts upon the setting of listed buildings or visual amenity.

The proposals are therefore in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

## Drainage

The LLFA have confirmed that subject to a small amendment to the proposed wording of condition 08 (which has been agreed by the applicant's agent) they are content with the proposed variation of the condition.

As such, the proposals are considered to be acceptable in regard to drainage.

## Ecology

The original application was accompanied by an Ecological Impact Assessment that did not raised any significant concerns about the implications of the development upon ecology within the site. A number of informatives relating to wildlife on the site were attached to the original consent and these will be re-imposed on the revised scheme.

The proposal does not include any additional development over that already approved and, as such, the proposals will not result in any additional ecological impact. The proposals are therefore in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

## Other issues

House prices - This is not an issue that can be given any significant weight in determining a planning application.

## Conclusions

The principle of development has been established with the grant of the original permission. This

proposal will allow for the installation of a very modest lighting control building with associated variation of Conditions 04 (CEMP), 05 (Archaeology report), 07 (dust management) and 08 (drainage) of planning approval 19/02614/FUL. It is not considered that the application could reasonably be refused on the grounds of impact upon residential or visual amenities and the proposals will not result in harm to the setting of nearby listed buildings/structures, highway safety, drainage or ecology.

## RECOMMENDATION

Approve

01. The proposal supports the essential infrastructure of an important local employer which will not unacceptably impact upon residential and visual amenities, the setting of adjacent listed buildings/structure, highway safety, drainage and ecology. As such, the proposals comply with Policies SD1, SS1, YV4, TA5, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan 2006-2028.

## SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the 05th December 2019, (being the decision date of original planning permission 19/02614/FUL).

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

Site Location Plan	3980-BB-XX-XXX-DR-A0001	16/09/19	
General Arrangement	129792/1000/D	05/02/19	
Construction Phasing General Arrangement	129792/1001	26/09/19	
Runway Plan and Long Sections			
1 of 3			
129792/1100/B		18/04/19	
Runway Plan and Long Sections			
2 of 3	129792/1101/B	18/04/19	
Runway Plan and Long Sections			
3 of 3	129792/1102/B	18/04/19	
Taxiway and Access Road Plan and Long Section	129792/1103/B		18/04/19
Proposed grading contours	129792/1104/B	18/04/19	
Runway Cross Sections Sheet 1 of 5	129792/1105/B	18/04/19	
Runway Cross Sections Sheet 2 of 6	129792/1106/A	28/06/19	
Runway Cross Sections Sheet 3 of 5	129792/1106/A	28/06/19	
Runway Cross Sections Sheet 4 of 5	129792/1108/A	28/06/19	
Runway Cross Sections Sheet 5 of 5	129792/1109/A	28/06/19	
Taxiways and Access Road Cross Sections	129792/1110/A	28/06/19	
External Works General Arrangement	129792/1200/B	28/06/19	
External Works Sections	129792/1201/B	28/06/19	
Proposed Sloping Ground Test Area General Arrangement	129792/1202/A		28/06/19
Proposed Runway External Works Details	129792/1203/B	28/06/19	
Vehicle Tracking	129792/1250/B	03/06/19	
Proposed Runway White Lining General Arrangement	129792/1500/B		28/06/19
Runway Plan AGL Ducting Layout			
Sheet 2 of 4	129792/2201/A	28/06/19	
Drainage Standard Details			



Sheet 1 of 2	129792/2002/B	24/06/19	
Drainage Standard Details			
Sheet 2 of 2	129792/2003/A	24/06/19	
Manhole Schedule	129792/2004/A	24/06/19	
Drainage Outfall	129792/2005/B	24/06/19	
Indicative Contractors Site Compound Location	129792/2100/B	23/05/19	
Runway Plan AGL Ducting Layout			
Sheet 1 of 4	129792/2200/A	28/06/19	
Runway Plan AGL Ducting Layout			
Sheet 4 of 4	129792/2203/B	28/06/19	
B-Centre Building Proposed External Works General Arrangemens (sic)	129792/4000/B	03/06/19	
B-Centre Building Proposed General Arrangement	129792/4001/B	03/06/19	

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

03. Prior to the first use of the airstrip hereby approved a detailed plan for the restoration of the site to include landscaping details shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the development hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan 2006.

04. Other than the development of the ancillary lighting control building, no development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- o Construction vehicle movements;
  - o Construction operation hours;
  - o Construction vehicular routes to and from site;
  - o Construction delivery hours;
  - o Expected number of construction vehicles per day;
  - o Car parking for contractors;
  - o Efficient means for cleaning the wheels of all lorries leaving the site;
  - o Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
  - o A scheme to encourage the use of Public Transport amongst contractors; and
  - o Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety and residential amenity in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan 2006-2028.

05. Other than the development of the ancillary lighting control building, the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority prior to the commencement of the hard surface airstrip hereby permitted. The WSI shall include details of archaeological evaluation and subsequent excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: To ensure appropriate recording of archaeological remains in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.

06. Prior to the installation of any lighting associated with the airstrip details shall be submitted to an approved by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved scheme and retained and maintained in the agreed manner unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

07. Other than the development of the ancillary lighting control building, a Dust Management Plan to follow the advice contained in the Air Quality Assessment (prepared by Air Quality Consultants Ltd dated April 2019) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the hard surface airstrip hereby permitted. The development shall take place in full accordance with the approved plan.

Reason: In the interests of residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

08. Other than the development of the ancillary lighting control building, no development hereby permitted shall be commenced until details of the surface water drainage scheme based on the Flood Risk Assessment and Drainage Strategy Issue 3 (dated 20/08/19) and sustainable drainage principles, together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- o Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- o Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- o Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- o Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- o A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

## **Informatives:**

01. Attention is drawn to the response from Wales and West Utilities dated 23/10/2019
02. The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
03. Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). As such, no vegetation removal works around the site should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and ensure that appropriate measures are in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
04. Water voles are fully protected under the Wildlife and Countryside Act 1981 (as amended). A riparian survey of stream banks for water voles and other notable and protected riparian species should be carried out prior to the final design of the drainage infrastructure proposed off-site to the north of the proposal. The results of the survey should inform the final drainage design, ensuring negative impacts are avoided. A copy of the survey report should be issued to South Somerset District Council before any drainage infrastructure is constructed.
05. It is recommended that the applicant consider a biodiversity and mitigation plan which could include (if in accordance with operational constraints at the site):
  - o Installation of 4 X Kent bat box, purchased or built, on to mature trees along the northern end on site, facing south or west, at a height above 3m.
  - o Planting of Three 10x2 metre stretches of wildflower beds along the northern boundary. All new plants must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)" provides a list of suitable plants both native and non-native.