MOTT MACDONALD

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Application for Prior Approval under Part 19 Class TA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) at MOD Lyneham

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Dear Sir/Madam,

This correspondence accompanies an application for Prior Approval under Class TA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (referred to hereafter as 'the GPDO') at MOD Lyneham.

The project aim is to provide the required facilities to allow for the relocation of 4 School of Technical Training (4SoTT) to MOD Lyneham. This will partly be met through the construction of a new technical building on site.

Mott MacDonald has been instructed by the Defence Infrastructure Organisation (DIO) to undertake a planning appraisal of the works able to be consented under permitted development rights. The DIO is the estate expert for defence, supporting the armed forces to enable military capability by planning, building, maintaining, and servicing infrastructure. DIO is part of the Ministry of Defence (MOD).

As you will be aware the MODs land interests for the purpose of planning legislation is defined as Crown land. Operational Crown land benefits from additional permitted development rights in Part 19 of Schedule 2 of the GPDO.

This letter supports the requirement for an application for prior approval to be made under the Order and that the development of a technical building at MOD Lyneham is considered to be permitted development under Class TA of Schedule 2, Part 19 of the GPDO.

The following drawings have been submitted with this letter outlining the proposed works:

- Location Plan (ref: Z9F7439Y13-TBC-07-XX-DR-A-0001)
- General Arrangement Plan (ref: Z9F7439Y13-TBC-07-ZZ-DR-A-0200)
- General Arrangement Elevations (ref: Z9F7439Y13-TBC-07-ZZ-DR-A-2000)

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Site Background

MOD Lyneham is located 15km south-west of Swindon, adjacent to the villages of Bradenstoke and Lyneham. The site is centred at Ordnance Survey Grid Reference SU 00824 78474. It houses the Defence School of Mechanical Engineering (DSEME) and trains the Royal Electrical and Mechanical Engineers (REME) as well as hosting the REME Museum and is entirely within the ownership of the MOD.

The site was in previous use as an RAF site with an active runway, however, the runway was closed in 2012 and the site has since been repurposed as a training centre. At present the site location comprises bare grassland and a small number of trees.

MOD Lyneham is not located within or adjacent to any statutory designated sites of nature conservation or heritage importance and therefore no designation would be impacted by the proposed works.

Proposed Works

The proposed works will be located amongst other existing services within the operational boundary of MOD Lyneham. A location plan has been submitted with the application for Prior Approval (drawing reference: Z9F7439Y13-TBC-07-XX-DR-A-0001).

The proposals involve the construction of a non-residential building to house a machine workshop and related facilities. The building is two storey and approximately 10.4m in height, 30m in width and 75m in length. The total floorspace of the building is 5269m^2 and will contain plant equipment, handwash and WC facilities and lathe and milling machinery with associated equipment.

The Legislative Context

Part 3 Section 55 (1) of the Town and Country Planning Act 1990 (as amended) ('the TCPA') defines development as 'the carrying out of building, engineering, mining or other operations in, on, over or under land' or the making of any material change in the use of any buildings or other land'.

Part 11 Section 263 (1) of the TCPA defines 'Operational Land' as '(a) land which is used for the purpose of carrying on their undertaking; and (b) land in which an interest is held for that purpose'.

The proposed works are located within the operational boundary of MOD Lyneham.

Class TA of Part 19, Schedule 2 of the amended GPDO outlines the relevant permitted development rights on or behalf of the Crown with regards to the construction of a non-residential building within a closed defence site.

Class TA

Permitted Development

The erection, extension or alteration on a closed defence site by or on behalf of the Crown of—

(a) single living accommodation;

(b) a non-residential building.

Development not permitted

***TA.1.**—(1) Development is not permitted by Class TA—*

(a) within 15 metres of the closed defence site's perimeter ("the perimeter");

(b) within 25 metres of the perimeter where the development would be visible from a highway and—

(i) in the case of a building erected, the height of the building would exceed 10 metres;

(ii) in the case of a building extended or altered, the height of the building would exceed the lesser of—

(aa)the height of the existing building, or

(bb)10 metres;

(c) at any other location if the height of—

(i) any building erected would exceed 12 metres;

(ii) any building extended or altered would exceed the lesser of—

(aa)the height of the existing building, or

(bb)12 metres;

(d) on land which is or forms part of—

(i) article 2(3) land;

(ii) a site of special scientific interest;

(iii) a listed building or land within its curtilage;

(iv) a scheduled monument or land within its curtilage.

(2) Development is not permitted by Class TA(a) if the total floor space of any buildings added to the closed defence site via erection or extension under Class TA(a) would exceed 25% of the total floor space of single living accommodation on the closed defence site immediately before 11th January 2022.

(3) Development is not permitted by Class TA(b) if the total floor space of any buildings added to the closed defence site via erection or extension under Class TA(b) would exceed 35% of the total floor space of non-residential buildings at the closed defence site immediately before 11th January 2022.

Interpretation of the Permitted Development Rights

The proposed works are deemed permissible under Schedule 2, Part 19, Class TA of the amended GPDO and would therefore constitute permitted development.

The development is located within the closed defence site and situated approximately 310m from the closed defence site's perimeter. The site boundary largely comprises of hedgerow, shrubbery, fencing and trees and acts as a buffer around much of the site. With regards to the building itself, the total height would not exceed 10.4m and as such complies with Section 1(c)(i) of Class TA.1. There are no statutory designated sites of nature conservation or heritage importance within the curtilage of site or the land to which the proposals relate.

In accordance with clause 3 of Class TA.1 the proposal would also not exceed 35% of the total floor space of non-residential buildings within the closed defence site before 11 January 2022 (also taking into account demolitions on site). This is further set out in the table below.

Estate summary at 11 January 2022	**Area (sqm)**
Existing non-residential development at MOD Lyneham	142,098
Non-residential 35% allowance	49,734.3

Amount of 35% allowed used previously as part of Class TA	11,018
This proposed scheme floorspace	5,269
Demolition	4,714
Remaining allowance (after this proposed development)	38,161.30

Furthermore, conditions under Class TA.2 of the amended GDPO set out that flood risk and contamination of the development must be assessed. Taking this into account, the site is located within Flood Zone 1, as per the Environment Agency's Flood Map for Planning, and as result is not at risk from flooding. Additionally, the drainage design for the proposed building will collect surface water run off and connect into the existing system.

With regards to potential contamination, a Ground Investigation study has been completed on site, together with a Land Quality Assessment and an additional desktop review which found that risks of contamination are low. A Construction Environmental Management Plan will be developed by the Contractor and will include mitigation of risks to receptors during construction should additional contamination be found.

To conclude, the proposed development would include works situated upon 'Operational Land' as defined in Section 263 of the TCPA, and constitutes permitted development in accordance with Class TA of Schedule 2, Part 19, Class TA of the GPDO.

Consenting Obligations

As outlined above, our appraisal has concluded that the DIO would be permitted to carry out the proposed works under permitted development rights afforded to them.

I trust that our interpretation of the GPDO is sufficient, however, if there are any queries/concerns or you would like to discuss the application further we would be happy to arrange a meeting. Please direct any correspondence to luke.atherton@mottmac.com and we can discuss accordingly.

Yours sincerely,



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