DELEGATED REPORT

APPLICATION REFERENCE	PL/2023/07019
APPLICATION TYPE	Prior Approval Part 19 Class TA: Development by the Crown on a closed defence site
SITE ADDRESS	MoD Lyneham, Calne Road, Lyneham, SN15 4XX

PROPOSAL

Prior Approval is sought under Class TA to Part 19 of the Town and Country Planning (General Permitted Development) Order 2015, as amended by the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 3) Order 2021 (hereafter referenced as The Order).

The submission sets out the proposed development as being the erection of a non-residential building to house a machine workshop and other facilities. The building is to be of a mixed single and two-storey pitched roof design, with a height to ridge of some 10.4m in height and footprint of 30m x 75m. Total floorspace is specified as being 5269m2.

The submission confirms that the buildings are to be used for training purposes ancillary to the operation of the MoD Lyneham as a military complex.

APPLICATION SITE

The application site relates to an extensive military complex known as MoD Lyneham. The complex is well-established and defined from the settlement of Lyneham, but which it nevertheless dominates in land take. Although residential properties do boarder the perimeter wire of MoD Lyneham, the location of the proposed development can be described as being deep inside the complex, in amongst the largest cluster of existing buildings and therefore separated from those boarding residential properties by hundreds of metres.

Large numbers of buildings can be found within the perimeter of the MoD Lyneham complex; those being of a wide range of scale, design and layout.

No specific planning policy designation covers the application site.

ISSUES

The Town and Country Planning (General Permitted Development) Order 2015 (as amended) confirms that the erection and extension on or on behalf of the Crown of single living accommodation and non-residential buildings on a “closed defence site” is permitted development, with no express planning permission required to be sought.

However, the erection of a new non-residential building is not permitted under Class TA to The Order where:

- The development is located within 15m of the perimeter fence

- The development is located within 25m of the perimeter fence and would be visible from a highway the height of the building would exceed 10m

- The development is located further than 25m from the perimeter fence and the height of the building would exceed 12m

- The development is located on land which is a SSSI, Listed Building or SAM

- Where the total floorspace of any buildings added to the closed defence site under Class TA exceeds 35% of the total floorspace of non-residential buildings at the closed defence site before 11th January 2022.

Further, paragraph TA.2(3), (4) and (5) require that where the proposed building would be visible from the public highway, would exceed 10m in height or that of other existing buildings at the site, Prior Approval must also be sought of the LPA by the developer as to the siting, scale and external appearance of the building.

The submission helpfully sets out the performance of the proposed development against the relevant criteria to Class TA, including the comparison required by paragraph TA.1(1)(3) between the amount of floorspace being proposed relative to the non-residential buildings erected at the site under Class TA (in this case the applicant concludes the remaining allowance to be in the order of 38,161m2 and in excess of the 35% threshold set out by The Order). There is no reason to believe that the applicant's submission is not accurate in that regard and that the proposed development is Permitted by Class TA to the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Although not clear from the covering letter, it is inferred that it is in view of the requirements of paragraph TA.2(3), (4) and (5) that the applicant has sought Prior Approval for the proposed new building at MoD Lyneham – in that the new building would exceed 10m in height, exceed 4000m floorspace and/or would be visible from a public highway.

CONSULTATION

Lyneham and Bradenstoke Parish Council – No comment.

REPRESENTATIONS

No representations received.

RELEVANT HISTORY

Many planning permissions have been sought and granted since the MoD Lyneham complex was converted to a military training centre (under N/13/01522/FUL). However, due to the relatively recent enactment of the 2021 amendment to the GPDO, only two applications seeking Prior Approval under Class TA to Part 19 of The Order have been sought at the site, under reference PL/2022/01779 and PL/2022/04372.

At the time of preparation of this report, a separately submitted application seeking prior approval under Class TA from the LPA for a building at the MoD is currently under consideration under reference PL/2023/06770.

ASSESSMENT

Siting, scale and external appearance

Located behind the wire of the MoD Lyneham complex, the new building would relate closely to existing buildings, which are of a variety of scale, construction and design (including buildings of substantial scale and mass) as well as hard surfaced car parking area and the substantial former runway and taxing areas. The proposed location of the new building will result in its being surrounded on all sides by those existing buildings and, when combined with the intervening distances, there is little prospect that any overt, uncontextualized (by other existing buildings) views of the new building will be possible from outside the perimeter fencing.

Nevertheless, whilst the proposed building is to be of a substantial scale (and perhaps one of the larger buildings on the MoD Lyneham complex), it is not of a scale that is disproportionate within the context of the complex, which already hosts hanger type buildings connected to the previous aviation activities at the site (though since repurposed) as well as more recently erected residential accommodation and training buildings of significant scale. Those existing buildings are positioned in close proximity to the proposed site, providing direct context.

The external appearance of the buildings are of a functional appearance, thereby perhaps reflecting the stated purpose for a machine workshop. Although not expressly stated, it can be inferred from the submitted plans that the external facing materials would be reflective of other recent buildings constructed at the site, those being masonry to the lower part of the walls with insulated steel sheeting above and roof.

Other matters

The application site is located within flood zone 1. For this reason, there is no reason to reach a different conclusion to that of the applicant that there was no prior need to consult with the Environment Agency, the specific requirements of which being set out within paragraph TA.3 to The Order.

CONCLUSION

In light of the above, it is considered that the siting, scale and external appearance of the building is acceptable when assessed against policy CP57 to the Wiltshire Core Strategy and that prior approval under Class TA to The Order is not required.

RECOMMENDATION: THAT PRIOR APPROVAL IS NOT REQUIRED