

APPLICATION FOR PRIOR NOTIFICATION – PART 19 CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/01844
APPLICATION TYPE:	Prior approval Part 19 Class TA: Development by the Crown on a closed defence site
SITE ADDRESS:	Mod Lyneham, Calne Road, Lyneham, Chippenham, SN15 4XX
DEVELOPMENT DESCRIPTION:	Moving the location of a garage and training building previously approved under application reference PL/2022/04372
RECOMMENDATION:	That Prior Approval is not required

SITE DESCRIPTION/CONTEXT

The application site forms part of the extensive former military complex known as MoD Lyneham. The complex is well-established, clearly defined, and physically distinct from the settlement of Lyneham over which it historically dominated. While there are residential properties located adjacent to sections of the MoD Lyneham perimeter fencing, the proposed development site (identified as Site 2 within the submission) is situated deep within the wider complex. As such, it is separated from the nearest residential properties by several hundred metres.

MoD Lyneham contains a substantial number of buildings within its perimeter, representing a wide range of scales, layouts, and architectural forms, reflective of the site's historic military use.

The proposed development would be located on an existing area of hardstanding, which is likely to have formed part of the former runway and taxiway infrastructure associated with the site's previous military aviation activities.

The application site is not subject to any specific planning policy designation.

PROPOSAL

Prior Approval is sought under Class TA of Part 19, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. The submitted plans indicate that the development would involve a reconfiguration of the garage and primary building previously approved under application reference PL/2022/04372. Specifically, the garage would be repositioned to the western side of the primary building, while the primary building itself would be relocated further east within the site, broadly to the position originally approved for the garage.

The previous submission suggests that the buildings were to be used for training purposes ancillary to the operation of the MoD Lyneham as a military complex. The plans show a mix of garage space, classrooms and other ancillary floorspace. There is nothing in the revised scheme to indicate any deviation from this use.

RELEVANT LEGISLATION, POLICY AND GUIDANCE

This application is assessed under Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which grants planning permission for certain types of development described in Schedule 2 of the Order. The grant of permission is subject to the limitations, conditions, and provisions set out within the relevant Classes of permitted development.

Under Schedule 2, Part 19, Class TA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), certain types of permitted development may be permitted subject to prior approval from the Local Planning Authority.

RELEVANT PLANNING HISTORY

Proposal / Summary
PL/2025/00670: Provision of temporary ablution facilities to serve the 2000 series SLA (Single Living Accommodation) blocks. 14 March 2025
PL/2024/10301: Installation of 2 no. ablutions blocks each of 142 m2. Prior Approval not required 24 January 2025
PL/2023/07019: Construction of non-residential building to house a machine workshop and related facilities. Prior approval not required 02 November 2023
PL/2023/06770: Temporary office (Portakabin) to support 96 personnel that will be working at MoD Lyneham. The projected lifespan is two years whilst a permanent building is constructed. Prior approval not required 07 November 2023
PL/2022/04372 - Proposed new training facility at MoD Lyneham- Prior Approval Not Required Date: 25/07/2022
PL/2022/04276: Notice of Intended Development under Part 19 Class TA - Construction of a New Non-Residential Building (referenced B103 Annex) to House a Machine Workshop and Related Facilities. Notification acknowledged 06 July 2022
PL/2022/01779: Erection of a strength and conditioning (S & C) facility contained within a single storey (sectional, removable structure) located on an existing hardstanding area. Prior Approval granted 25 April 2

CONSULTATIONS

Parish/Town Council: No Objection

ASSESSMENT

Class TA of Part 19 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) grants permitted development rights for the erection, extension or alteration of buildings on a closed defence site, where the development is carried out by or on behalf of the Crown. The right is limited to the provision of single living accommodation for unaccompanied persons or non-residential buildings. Development under Class TA is subject to a requirement for prior approval in respect of specified matters such as siting,

design and external appearance, but only where the site meets the strict eligibility criteria of being a closed defence site in Crown control.

Does the Proposal Qualify as Permitted Development?

Development under Part 19 Class TA is subject to a number of conditions and limitations. Development is not permitted by this class if any of the specified restrictions apply. These are set out at Appendix 1. Subject to compliance with these criteria and any limitations or conditions specified within the Order, the proposed development may be considered permitted development.

Having completed the detailed checklist at Appendix 1, it is concluded that the proposed development qualifies as permitted development under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the assessment may now proceed to consider whether prior approval is required by the LPA.

Is Prior Approval Required?

Where a proposal complies with all the provisions limitations set out under Class TA of Schedule 2, Part 19 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the developer must apply to the Local Planning Authority (LPA) for a determination as to whether prior approval is required for the specified impacts and, if so, whether it should be granted.

In respect of this proposal, the following considerations must be assessed as part of the prior approval process as set out by Schedule 2, Part 19, Class TA, paragraph TA .2. (1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- (a) assess the contamination and flood risks of the development,*
- (b) identify measures to reduce so far as practicable any contamination or flood risks of the development,*
- (c) where the development is in an area within Flood Zone 3, carry out prior consultation in accordance with paragraph TA.3, and*
- (d) in any event, provide written notification to the local planning authority—*
 - (i) of the date on which it is proposed to begin development, and*
 - (ii) including a description of the development containing sufficient information to enable the local authority to satisfy itself that the development complies with the provisions of Class TA .*

Contamination risks

Policy Context

Paragraph 196 of the National Planning Policy Framework (NPPF) sets out the expectations for planning decisions in relation to land quality and safety. It states that:

- a) Sites must be suitable for their proposed use, taking into account ground conditions and any risks arising from land instability or contamination. This includes risks from natural hazards or former activities such as mining, and any proposed mitigation measures, including land remediation and its potential environmental impacts.
- b) Following any necessary remediation, land should not be capable of being determined as contaminated under Part IIA of the Environmental Protection Act 1990.

- c) Adequate site investigation information, prepared by a competent person, must be available to inform the assessment of these risks.

In the context of this proposal, the Local Planning Authority must be satisfied that the site is not subject to contamination or instability that would render it unsuitable for the proposed use, and that any necessary investigations or mitigation measures have been appropriately considered.

Assessment

The applicant states that the Ministry of Defence holds no records of known contamination within the confines of the proposed development area. On this basis, it is concluded that the overall risk of contamination is low. The site forms part of the established MoD Lyneham complex and comprises existing hardstanding within a long-developed military environment, with no evidence submitted to suggest the presence of land instability or contamination arising from former uses.

Given the nature and scale of the proposed development, the absence of known contamination, and the lack of identified risk pathways, the Local Planning Authority is satisfied that the site is suitable for its proposed use. In the circumstances, it is not considered necessary to require the submission of further site investigation or remediation details at this stage.

Conclusion

Prior approval in relation to contamination matters is not required.

Flooding risks

Policy Context

The NPPF makes clear that inappropriate development in areas at risk of flooding should be avoided by steering development towards areas with the lowest risk, whether that risk is current or future. Where development is necessary in areas at risk, it must be demonstrated that the development can be made safe for its lifetime without increasing flood risk elsewhere.

Assessment

The application site at MoD Lyneham is confirmed to be located wholly within Flood Zone 1, which represents an area of lowest probability of flooding. The applicant has confirmed that there are no identified flooding issues affecting the site and that the overall flood risk is considered to be low. Given the site's location within Flood Zone 1, the nature of the proposed development, and the absence of any evidence to suggest vulnerability to flooding, the proposal accords with national policy guidance. Accordingly, it is considered that the development would be safe for its lifetime and would not increase flood risk elsewhere, and no further flood risk mitigation measures are required.

Conclusion

Prior approval in relation to flood risk matters is not required.

(2) Development is permitted by Class TA subject to the condition that it is carried out in accordance with any measures identified under paragraph TA.2(1)(b) to reduce so far as practicable any contamination or flood risks.

Accounting for the submission, the proposal has been assessed against the eligibility criteria set out under Class TA, including those relating to contamination and flood risk as addressed under

condition (1). The applicant has confirmed that there are no known contamination risks associated with the proposed development area and that the site lies wholly within Flood Zone 1, where the probability of flooding is low. As the proposal complies with the criteria set out in condition (1), no specific mitigation measures have been identified under paragraph TA.2(1)(b) in respect of contamination or flooding. Accordingly, it is considered that the development would be carried out in compliance with condition (2) of Class TA, insofar as there are no measures required to be implemented to reduce contamination or flood risks so far as practicable.

(3) Where the total footprint of any buildings added to the closed defence site via erection or extension under Class TA exceeds (or would, as a result of the proposed development, exceed) 4,000 square metres, development is permitted by Class TA subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and scale of the development.

The proposed development would add a total building footprint of 2,723 square metres to the closed defence site. This amount does not exceed the 4,000 square metre threshold. Accordingly, it is considered that the proposal complies with condition (3) of Class TA, and no procedural conflict arises in respect of the total footprint of development.

(4) The conditions in sub-paragraph (5) apply where proposed development relates to the erection or extension of a building which will be—

(a) visible from a highway,

(b) of height in excess of 10 metres, and

(c) either—

(i) single living accommodation which will be higher than the highest existing single living accommodation on the closed defence site, or

(ii) a non-residential building which will be higher than the highest existing non-residential building on the closed defence site.

Accounting for the submission and the accompanying plans and supporting information, the proposed development relates to the erection of a non-residential building within the MoD Lyneham complex. While elements of the proposed building would exceed 10 metres in height, and parts of the development may be visible from a public highway at distance, the submitted material confirms that the proposal would not exceed the height of the highest existing non-residential buildings within the closed defence site. The development therefore does not meet criterion (c)(ii) of sub-paragraph (4), and as such the conditions set out in sub-paragraph (5) are not engaged. Accordingly, the proposal complies with the requirements of paragraph (4) of Class TA.

Sub-Paragraph 5, while not engaged in this case, is set out and assessed below for context:

(5) Proposed development described in sub-paragraph (4) is permitted by Class TA subject to the conditions that—

- (a) the proposed development is sited and its external appearance designed so as to minimise so far as practicable its effect on the amenity of the area, and*
- (b) before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the external appearance of the building.*

Design or external appearance of the building

Policy Context

Paragraph 131 of the National Planning Policy Framework (NPPF) highlights that good design is a fundamental aspect of sustainable development, helping to create better places in which people live and work, and making development more acceptable to communities.

Relevant to this application type, Paragraph 135 sets out key principles to ensure that new development:

- a) Functions well and contributes positively to the overall quality of the area, not just in the short term but over the lifetime of the development;
- b) Is visually attractive through high-quality architecture, thoughtful layout, and effective landscaping;
- c) Is sympathetic to local character and history, including the surrounding built environment and landscape setting;
- d) Creates places that are safe, inclusive, and accessible, promoting health and well-being and providing a high standard of amenity for both existing and future users.

The NPPF also encourages Local Planning Authorities to make appropriate use of design tools and processes to assess and improve the quality of development proposals. This includes reference to national guidance such as the National Design Guide and assessment frameworks like Building for a Healthy Life, which support the delivery of well-designed, contextually appropriate development.

Assessment

Located behind the wire of the MoD Lyneham complex, the new buildings would relate closely to existing buildings, which are of a variety of scale, construction and design (including buildings of substantially greater scale and mass) as well as hard surfaced car parking area and the substantial former runway and taxing areas. Nevertheless, it is clear that residential properties at Bakers Field will likely be able to view the new buildings, albeit at substantial distance (the submission documents themselves identify a distance of some 30m to the security perimeter fence in this location).

Although of sectional utilitarian construction, contextually, the proposed building is not exceptional at the MoD Lyneham complex. Indeed, the scale, siting and external appearance of the building would not be uncharacteristic, inappropriate or cause an unacceptable impact upon the amenities of the nearest residential properties at Bakers Field or beyond.

The proposed buildings are to be of a substantial scale, and would include perhaps one of the larger buildings on the MoD Lyneham complex. However, its scale is demonstrably not

disproportionate within the context of the complex, which already hosts 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.

Given its intended purpose, the external appearance of the buildings are understandably to be of a utilitarian appearance. Indeed, its height and span reflecting the activity of training of soldiers to repair vehicles and machinery of all types, including the headroom to provide for an internal overhead crane. External facing materials are specified as being masonry to the lower part of the walls with insulated steel sheeting above and roof.

Conclusion

Prior approval in relation to design matters is not required.

CONCLUSION

The proposed development has been assessed against the provisions, limitations, and conditions set out in Schedule 2, Part 19, Class TA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Based on the submitted plans, supporting information, and the findings of this report, it is concluded that the proposal complies with the criteria for permitted development, and therefore falls within the scope of Class TA.

Following the assessment, it is concluded that prior approval is not required in respect of the Contamination, Flood Risk, or Design and Appearance of the building and prior approval will therefore not be required.

RECOMMENDATION:

That Prior Approval is not required.

APPENDIX 1 – PERMITTED DEVELOPMENT CHECKLIST CLASS TA

Class TA – development by the Crown on a closed defence site

		Yes / No
TA	Permitted Development Note: <i>If the answer is "Yes", proceed to assessment under TA.1. If the answer is "No", the proposal does not qualify as permitted development under this class.</i>	
	Does the development consist of the:- 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.	Yes - the description of development identifies the proposal as the relocation of the previously approved buildings under application reference PL/2022/04372.
R.1	Development is not permitted by Class TA if - Note: <i>If the answer to any of the questions below is "Yes", the proposed development would not constitute permitted development under this class</i>	
1 (a)	Within 15 metres of the closed defence site's perimeter ("the perimeter");	No - The submitted plans indicate that the repositioning of the buildings would remain well within the interior of the site and would not encroach upon or be sited adjacent to the site boundary.
(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;	No - The proposed development would not be located within 25 metres of the closed defence site's perimeter in a location where it would be visible from a highway.

(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;	No - The submission confirms that the proposal does not involve the erection of any building exceeding 12 metres in height, nor the extension or alteration of an existing building such that its height would exceed the lesser of the height of the existing building or 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.	No - The application site lies wholly within the established MoD Lyneham complex and does not fall within Article 2(3) land, nor does it comprise or affect a Site of Special Scientific Interest, a listed building or land within its curtilage, or a scheduled monument or land within its curtilage.
(e)	Is the building a listed building or a scheduled monument?	No - the building is neither a listed building nor a scheduled monument, and it is not located within the curtilage of any listed building or scheduled monument. The site forms part of the established MoD Lyneham complex and is not subject to any such heritage designations.
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.	No- The submitted figures confirm that the total floor space of single living accommodation on the closed defence site immediately before 11 January 2022 was 0 sqm, and that no additional single

		living accommodation would be added as part of the proposed development.
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.	No – The submitted details suggest that the total floor space of non-residential buildings on the closed defence site immediately before 11 January 2022 is identified as 142,098 sqm, and the proposed development would add 2,723 sqm of non-residential floorspace. This represents an increase of approximately 8%. The assessments includes taking into account other approvals not all of which are necessarily to be built out