

**9 DCCE2007/0151/F - VARIATION OF CONDITION 5 REF SW1999/2550/F BROADMEADOW FLYING CLUB, BROADMEADOW FARM, HAYWOOD LANE, HEREFORD**

**For: Mr. R.J. Coppin, 70 Harold Street, Hereford, HR1 2QX**

**Date Received: 17th January, 2007      Ward: Hollington      Grid Ref: 47777, 36638**

**Expiry Date: 14th March, 2007**

Local Member: Councillor W.J.S. Thomas

## **1. Site Description and Proposal**

- 1.1 This application seeks permission to vary Condition 5 attached to planning permission SW1999/2550/F, Condition 5 states:

*Take-offs shall only occur between the hours of 0900 and 2000 local time.*

*Reason: To enable the planning authority to retain control over the development in the interests of the residential amenity of local residents.*

The application seeks permission to vary these hours to 0800 to 2100.

- 1.2 The application site is a microlight strip with an associated hangar converted from a building previously in agricultural use. The hangar is reached via a tree lined access road that leads westward just north of Haywood Lodge Cottages. This access road connects to the C1226. The grass strip is aligned roughly west to east and is located to the south of the hangar building. The strip was approved originally on Appeal following the refusal of application SH961068PF. The hangar was approved through the same Appeal following the refusal of application SH970457PF. Both approvals were for temporary permission for a two year period. Subsequent to this, permanent permission was secured for both the strip and the hangar through applications SW1999/2550/F and SW1999/2549/F.

## **2. Policies**

- 2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft):

|      |   |  |
|------|---|--|
| S2   | - | Development requirements                               |
| S8   | - | Recreation, sport and tourism                          |
| DR2  | - | Land use and activity                                  |
| DR4  | - | Environment  |
| DR13 | - | Noise  |
| E6   | - | Expansion of existing businesses                       |
| RST1 | - | Criteria for recreation, sport and tourism development |

### 3. Planning History

- 3.1 SH940110PF - Grass strip for use by light aircraft. Temporary planning approval granted on 23rd March, 1994 (expired 31st March, 1996).
- 3.2 SH960251PF - Continuation of use of grass strip. Refused 12th June, 1996.
- 3.3 SH961068PF - Grass strip for use by microlight aircraft also light aircraft. Refused 27th November, 1996. Allowed on Appeal, 2 year permission.
- 3.4 SH961115PF - Use of building to store microlight and light aircraft. Refused 27th November, 1996.
- 3.5 SH970457PF - Change of use from agricultural building into a hangar for 15 microlight aircraft. Refused 4th June, 1997. Allowed on Appeal, 2 year temporary permission.
- 3.6 SW1999/2550/F - Grass strip for use by microlight aircraft on a permanent basis Ref: SH961068/PF. Approved 15th March, 2000.
- 3.7 SW1999/2549/F - Renewal of use of agricultural building for use of storage of 15 microlight aircraft on a permanent basis Ref: SH970457PF. Approved 15th March, 2000.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 None.

#### Internal Council Advice

- 4.2 Environmental Health Manager: No objection.
- 4.3 Traffic Manager: No objection.

### 5. Representations

- 5.1 Much Dewchurch Parish Council: No objection.
- 5.2 Haywood Parish Council: No objection.
- 5.3 Local Residents: A single letter of objection has been received from Mr. and Mrs. Priddle of Haywood Lodge, Haywood. The comments raised can be summarised as follows:
  - There is not an excellent relationship between the club and residents of the area as is suggested by the applicant. There has previously been considerable and widespread disharmony but the view has subsequently been taken to avoid complaints to the Council, but instead we have endeavoured to advise the club when we are not happy with flying behaviour;
  - Since the permission in 1999 we have approached the club in writing on several occasions identifying anti-social flying behaviour and contraventions of planning conditions;

- The controls include no fly areas, one of which is our house and land, as we are the most materially affected by the flying;
  - Some of the contraventions involve flying beyond the conditioned hours, so we would be most concerned if these hours were extended;
  - We intend to continue to try and deal with the problems directly with the club but if this proves unsuccessful we will have to resort to the Environmental Health Department;
  - We are opposed to any increase in the flying hours at this site.
- 5.4 The full text of these letters can be inspected at The Hereford Centre, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 This application seeks the extension in hours of take-offs only. No change is proposed to the number of flights or the aircraft proposed to use the field. The strip and hangar have the benefit of permanent permission for the activities on site. On this basis, the sole matter for consideration is the impact of an extra hour at each end of the day.
- 6.2 The variation in hours is intended to allow greater flexibility in the use of the field. As noted above, no additional flights are proposed. It is considered that the variation in hours will not impact upon the visual amenities of the locality, or upon highway safety having regard to the potential for vehicle movement to be varied with the altered hours. The implications of the alteration will be the impact upon the residential amenities of the nearby residential properties.
- 6.3 The original approval for this activity, secured through an Appeal, was on a temporary basis to allow for the assessment and review of the use. Subsequent to this, permanent permission was secured with the Environmental Health Department advising that no noise nuisance issues had arisen from the use of the field as a microlight airfield under the then current conditions. Therefore no objection to the application was made. The Environmental Health Manager has assessed the proposal and considered the requirement for a noise survey. It was advised that such a survey could be requested. However, if noise complaints were received they would not be dealt with by the Council, rather the Civil Aviation Authority (CAA) would have the responsibility as the enforcing authority. As such a survey is not considered necessary or appropriate at this time. The CAA are also the responsible authority for the assessment of aircraft and the associated issuing of worthiness certificates. The Environmental Health Department have confirmed that they are not in receipt of any noise complaints regarding the site.
- 6.4 The Environmental Health Manager advises that he has no objection to the extension of hours and on this basis it is considered the application can be supported.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1. A01 (Time limit for commencement (full permission)).**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

- 2. Take-offs shall only occur between the hours of 0800 and 2100 local time.

Reason: To enable the local planning authority to retain control over the development in the interests of the residential amenity of local residents.

- 3. The permission hereby granted is an amendment to planning permission SW1999/2550/F and, otherwise than is expressly altered by this permission, the conditions and informatives attached thereto remain.

Reason: For the avoidance of doubt.

**Informatives:**

- 1. N15 - Reason(s) for the Grant of PP/LBC/CAC.
- 2. N19 - Avoidance of doubt.

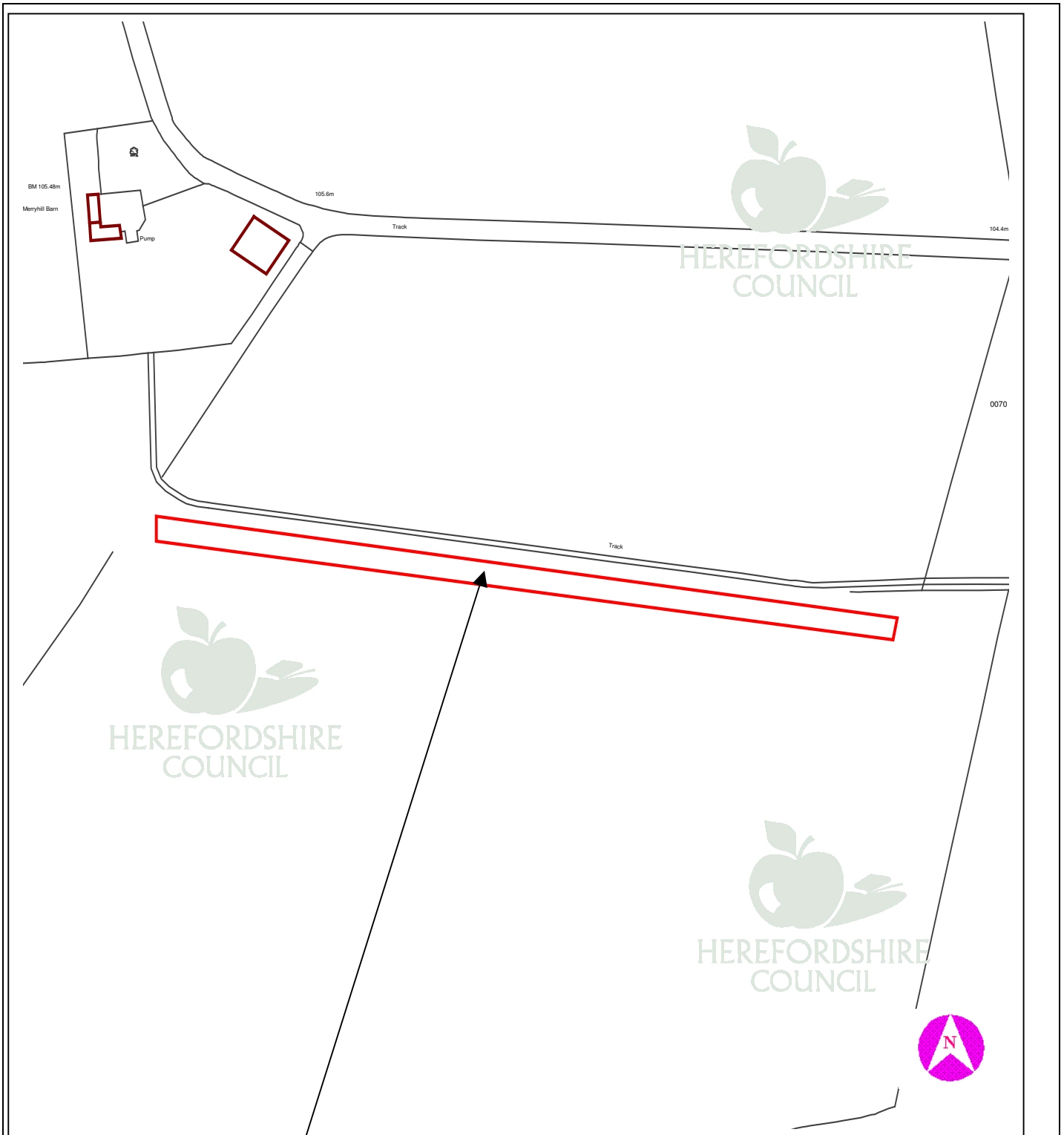
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2007/0151/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Broadmeadow Flying Club, Broadmeadow Farm, Haywood Lane, Hereford

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