

**North Yorkshire Council**

**Community Development Services**

**Thirsk and Malton Area Planning Committee**

**19 December 2024**

**ZB24/00064/FUL – Application for proposed development of Bagby airfield to include:- demolition and rebuild of hangar G; extension and external alteration of Hangar F; demolition of the existing maintenance facility and erection of a new facility to form a ground floor Museum Hangar with first floor accommodation; Retrospective consent for the construction of a new clubhouse following demolition of the existing clubhouse and control tower; construction of a new control tower and new Tractor Shed/Workshop; demolition and replacement of two temporary Hangars with a New Hangar; creation of a new aircraft electric charging point; extension to the runway geotextile tiling; hard and soft landscaping and creation of a new bowser.**

**At Bagby Airfield, Bagby, North Yorkshire.**

**For: Mr M Scott**

**Report of the Head of Development Management – Community Development Services**

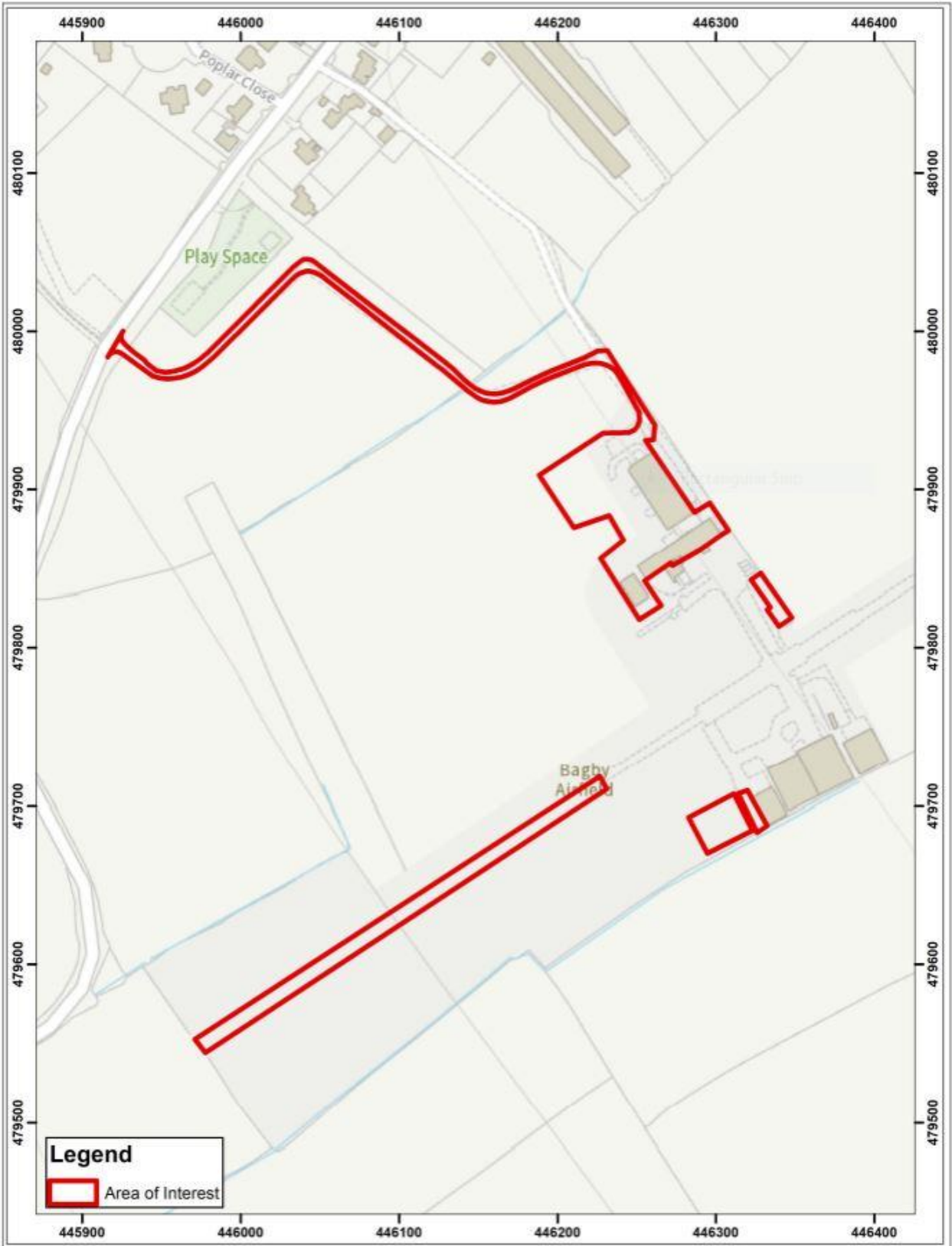
**1.0 PURPOSE OF THE REPORT**

- 1.1 To determine an application for full planning permission for proposed development of Bagby Airfield to include:- demolition and rebuild of hangar G; extension and external alteration of Hangar F; demolition of the existing maintenance facility and erection of a new facility to form a ground floor Museum Hangar with first floor accommodation; construction of a new control tower and new Tractor Shed/Workshop; demolition and replacement of two temporary Hangars with a New Hangar; creation of a new aircraft electric charging point; extension to the runway geotextile tiling; hard and soft landscaping and creation of a new bowser at The Airfield, Bagby.
- 1.2 One part of the application is retrospective and permission is being sought for the construction of a new clubhouse which will be used as a new clubhouse (not at present) following demolition of the existing clubhouse and control tower.
- 1.3 The application is considered appropriate to be determined by the Planning Committee due to the proposal raising significant planning issues as considered by the Director of Community Development.

**2.0 SUMMARY**

**RECOMMENDATION:** That Planning Permission be **GRANTED** subject to the conditions set out in Section 12 of this report.


- 2.1 The proposed development comprises of the following: demolition and rebuild of hangar G; extension and external alteration of Hangar F; demolition of the existing maintenance facility and erection of a new facility to form a ground floor Museum Hangar with first floor accommodation; Retrospective consent for the construction of a new clubhouse following demolition of the existing clubhouse and control tower; construction of a new control tower and new Tractor Shed/Workshop; demolition and replacement of two temporary Hangars with a New Hangar; creation of a new aircraft electric charging point; extension to the runway geotextile tiling; hard and soft landscaping and creation of a new bowser.
- 2.2 Due to the technical nature of the proposed development and the potential harm this may have on the local community the Council has sought professional aviation advice from York Aviation to determine if the proposed are required or needed as part of the development of the Airfield. York Aviation were used previously by the Council (Hambleton District Council) in the determination of planning application reference: 16/02240/FUL and have knowledge of the site and its history.



 **NORTH YORKSHIRE COUNCIL**  
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MAP TITLE: **Map for Committee site visit: The Airfield, Bagby, Thirsk, North Yorkshire, YO7 2PH**  
 Date: 09/12/2024  
 Application Number: ZB23/02537/MRC and ZB24/00064/FUL

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 1:3,000 (Main Frame)  
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 Ordnance Survey 100017948



### **3.0 PRELIMINARY MATTERS**

3.1 Access to the case file on Public Access can be found here: [Planning documents](#)

#### **Planning history**

3.2 16/02240/FUL - Change of use and external alterations of the engineering building to be used as a clubhouse and control tower, erection of a new tractor shed, erection of a new hangar, formation of a new access drive, the introduction of hard and soft landscaping and amended on 14 March 2018 to include the creation of a fixed fuel facility and the use of Hangar B for aircraft maintenance. Works include the demolition of the existing clubhouse, control tower, hangars and storage buildings and partial demolition of one other hangar. Air Movements to be capped at a maximum of 8,440 per annum. – Approved 30 July 2019.

18/00524/FUL - Retrospective application for the temporary siting of a portable aircraft engineer's office and document storage cabin – Approved 30 July 2019.

20/00766/MRC - Application for variation of condition 1 for approved application 18/00524/FUL - The condition to be varied to extend the date to which the planning permission is valid until for one year from the approval of this application, or upon completion of Hangar B. – Approved 5 June 2020.

21/00081/FUL - Retrospective application for an access road off Bagby lane to provide access to the airfield – Approved 7 June 2021.

21/00668/FUL - Retrospective extension to Hangar A and proposed hard standing adjacent to Hangar A – Refused on 22 October 2021 – Allowed on Appeal on 21 December 2022.

21/01058/FUL - The retention of 2 temporary hangers on site for a use for aircraft storage and ancillary storage of airfield machinery and equipment for a period of 24 months – Refused on 22 October 2021– Allowed on Appeal on 21 December 2022.

21/01243/FUL - Retrospective and proposed concrete alterations to existing runway, reinforced geotextile matting to runway and earthworks to facilitate drainage – Refused on 22 February 2022 – Allowed on Appeal on 21 December 2022

21/01709/FUL - Retrospective application for hardstanding, associated drainage, door and walkway to Hangar C1 and proposed lean-to for office to Hangar B – Approved 22 February 2022.

21/02087/FUL - Retrospective siting of fuel pump and fuel bund – Refused 22 February 2022.

22/01387/FUL - Proposed replacement hangar door and relocated windsock – Approved 14 April 2023.

ZB23/00807/FUL - Retrospective planning permission for the erection of a pole mounted CCTV security system – Approved 17 May 2023.

ZB23/02537/MRC – Application for the modification of condition 22 of approved application 16/02240/FUL – Pending Decision.

### **4.0 SITE AND SURROUNDINGS**

4.1 Bagby Airfield occupies a piece of land to the south and south west of the village of Bagby. The land lies east of the A19 and is currently accessed via an access track which is to the

south of the children's play area and is to the south of the village of Bagby. The site is about 500m from the southern edge of the village of Bagby. The nearest residential property within the village of Bagby to the infrastructure of the Airfield is Rozel at approximately 235 metres away.

- 4.2 The Airfield occupies 15.6 hectares. The land is in use for the purposes of operating an airfield. Some of the surrounding land is fallow and other parts of the application site continue to be used for arable agricultural purposes.
- 4.3 Boundaries to the land around the Airfield are formed by hedges of varied species and heights. The north, south and west boundaries have substantial hedges, the eastern end of the airfield is not fully bounded by hedgerows. Local landform allows some views of the central and western end of the airfield from viewpoints to the west but changes in ground levels, hedgerows and trees shield the remainder of the airfield from public view.
- 4.4 In addition to the relationship with Bagby, there are dwellings to the south west, south and south east of the application site and notably in the vicinity of the village of Great Thirkleby and Thirkleby Hall Caravan Park (630 metres to the south east) that are potentially affected by activities at the airfield (in particular noise).
- 4.5 Beyond the boundaries of the application site of the Airfield the land is in agricultural use except for the children's play area on Bagby Lane which is now bounded by fencing around the play area to prevent any children from entering the Airfield's grounds. This is located beyond the northern edge of the Airfield land.

## **5.0 DESCRIPTION OF PROPOSAL**

- 5.1 The application seeks planning permission for a re-development of Bagby Airfield, which includes demolition and rebuild of hangar G; extension and external alteration of Hangar F; demolition of the existing maintenance facility and erection of a new facility to form a ground floor Museum Hangar with first floor accommodation; Retrospective consent for the construction of a new clubhouse following demolition of the existing clubhouse and control tower; construction of a new control tower and new Tractor Shed/Workshop; demolition and replacement of two temporary Hangars with a New Hangar; creation of a new aircraft electric charging point; extension to the runway geotextile tiling; hard and soft landscaping and creation of a new bowser.
- 5.2 The applicant has set out that their proposals centre on the Airfields transition from a site accommodating smaller hobbyist aircraft and microlights which remain close to the Airfield flying above nearby settlements to an operator base serving more modern, intrinsically quieter aircraft that would use Bagby Airfield as a stepping stone and base for longer haul trips, minimising the frequency of overflight above the nearby settlements. The applicant advises that the transition is predicted on providing upgraded high quality hangarage capable of accommodating the more modern aircraft safely and securely, providing facilities to accommodate UK Border Force inspections for in/outbound flights to EU and/or Non-EU destinations, upgraded taxiways, a safe and secure runway able to operate in all-weather, alongside an upgraded and enhanced recreational offer through the clubhouse, museum and short-stay accommodation. The applicant sets out that the proposed transition will secure greater levels of income, supporting the future sustainability of the Airfield.
- 5.3 Due to its location and topography, Bagby Airfield is intrinsically limited to primarily non-commercial air transport and hobbyist small aircraft. The applicant sets out that the Business Case prepared by the applicant as part of previous planning permission: 16/02240/FUL sought to work within the airfield's constraints to provide a transformation plan which secured the long term sustainability of the business and provided co-benefits to

the local community from increased economic activity and employment opportunities through a significant reduction in disturbance.

- 5.4 The applicant states that the business case set out that the airfield must shift activities to a more balanced portfolio of income streams rather than its traditional dependence on fuel sales upon which the airfield has made marginal profits. The need to continue to upgrade the airfield facilities is crucial to unlock the potential for increased income as set out in the Business Case. This includes improving the quality and functionality of hangarage to cater for and prioritise higher value modern aircraft as opposed to smaller hobbyist aircraft and microlites. In tandem, the airfield needs to enhance on-site recreational facilities and aligned with the transition to longer departures/arrival windows, provide short stay accommodation for operators and pilots.
- 5.5 The applicant considers that the proposed development would help secure the airfield's business development goals of attracting new and profitable client groups, shifting priority away from smaller aircraft which fly near to the Airfield, to more modern intrinsically quieter aircraft which will depart/arrive from further afield including EU or non-EU destinations. This cannot be achieved without adequate safe and secure hangarage, appropriate facilities, a safe and secure runway and the necessary Border Force storage facility.
- 5.6 It is the applicant's opinion that the proposed development, in line with the Business Case would secure the sustainability of the airfield and the frequency of movements particularly those circling above local settlements, will be reduced. In addition, the proposed development would provide both direct on-site and indirect off-site economic impacts, with the proposed investment in the airfield having a multiplier effect, driving additional spend and new employment at the Airfield through the supply chain and amongst local businesses.
- 5.7 It is noted that the red line on the originally submitted Site Location Plan did not link up to the highway and therefore a revised site location plan has been submitted.

## **6.0 PLANNING POLICY AND GUIDANCE**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2 The Adopted Development Plan for this site is the Hambleton Local Plan (adopted February 2022).

Emerging Development Plan - Material Consideration.

- 6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.
- 6.4 Relevant guidance for this application is:
- National Planning Policy Framework 2023
  - National Planning Practice Guidance
    - General Aviation Strategy 2015

## **7.0 CONSULTATION RESPONSES**

The following consultation responses have been received and have been summarised below.

Bagby and Balk Parish Council wishes to see the application withdrawn until an EIA has been undertaken and full safety audit has taken place. The Parish Council are concerned about the increase in size of the runway and believe this is too big a change to be considered without a full safety audit.

Other comments made by the Parish Council are as follows:

- The Council should be provided proof that there is a qualified manager on site and qualified radio controllers are available on site
- Airfield is not controlled by cameras and the monitoring system is not reliable
- The employment status stated 12 full time employees, 28 part time employees, is this correct if Fox Aviation have had their license suspended.
- Airfield drainage already runs into the Fisher Beck, flooding occurs regularly on the village road where water runs off the Airfield land. Engineering works on the runway will result in more rainfall into nearby water course. More development, buildings and hard standing will also increase this flooding.
- The new hangars will result in more noise for villagers
- The application states there would be no increase in traffic so why double the number of parking spaces
- If the old hanger is now a museum this will result in more people visiting the site and increase noise within the area.
- The temporary hangars are required to be removed as required by the appeal and not replaced within a new permanent hangar.
- The fuel storage of an extra 32,000 tonnes of fuel is a large quantity increasing more traffic.
- The increase in the various hangars is an over development of the site
- The overnight accommodation is taking away business from the local area
- Consideration needs to be made towards the bats noted within the Control Tower.

NATS (National Air Traffic Systems) – No safeguarding objection to the application.

Ministry of Defence – No objections.

Natural England – No objections.

Yorkshire Water – Recommended a condition to imposed to control surface water

No comments have been received from:

- Civil Aviation Authority
- Yorkshire Wildlife Trust
- Woodland Trust

### Local Representations

58 representations have been received of which 52 are in support and 6 are objecting. A summary of the comments is provided below, however, please see website for full comments.

Support:

- A great opportunity to develop the Airfield and improve the facilities on offer
- The development will secure the long viability and local employment
- This is good growth from the village of Bagby
- The improvements will greatly increase the utility of the Airfield
- The improvement to the runway surface would allow use during the wetter months and would enhance safety at all times
- The change to the hangars would improve the situation enormously for aircraft storage and aesthetically
- The change to silent electric aircraft shows the owner is future proofing the site for the future and his commitment to sustainability.
- The change to the clubhouse with the viewing area will encourage visitors to take interest in airfield operations
- The airfield is a highly valuable local asset, which is the sole provider of high-skilled employment in the parish
- The Airfield attracts visitor to the area which supports the local community
- The investment in the airfield is needed as the aviation in North Yorkshire is declining with various Royal Air Forces airfields closing

#### Objections:

- The Engineering business of Fox Engineering states that there are full time equivalent employees at the Airfield however this is factually incorrect.
- The proposals represent an exponential upscaling in infrastructure, significantly increasing the capacity for traffic with the consequential loss of amenity to neighbours.
- Employment generation is merely speculative.
- The provision of accommodation and dining leaves no prospect of economic benefit in the locality.
- If the site is to be assessed against Policy EG7(d) surely more explanation is required.
- In total the application requests an increase in floor space of 77% almost doubling the floor space at the site.
- The new tractor shed is a large increase to what was previously approved and will be unmissable and have a detrimental impact on local residents.
- Noise at the site is caused by non-hobbyist aircraft who take off in the early hours of the morning and evening which cause more disruption to local residents and have engines that idle which cause noise disturbance to local residents.
- If there are more non-hobbyist aircraft using the airfield, they are likely to spend less time at the Airfield and subsequently will require less maintenance and therefore the employment generated by the maintenance will be minimal and less opportunities for local people for employment.
- Overdevelopment in a small rural village which is not being justified by any wider economic gains for the village
- With a bat noted within the Control Tower removing it would be a criminal act
- The number of car parking spaces at the site has doubled and therefore this will result in an increase in traffic to the site.
- The fuel bowser is likely to impact the associated amenity, safety and environmental protection measures.
- The increase in airfield infrastructure will increase air traffic and will result in an increase in noise and pollution for local villages.
- Numerous incidents have occurred at the Airfield, which requires what safety is taking place at the Airfield.



- The maintenance facility at the Airfield Fox Engineering has their license suspended and therefore how is there employment opportunities at the Airfield. Fox Engineering is subsequently only allowed to maintain planes for leisure, and therefore any commercial aircraft have to be maintained elsewhere and for the foreseeable future. Therefore, no commercial elements of maintenance means that the airfield turning into an international airfield is just fantasy.
- There is no scenario where the Airfield can be viable, and a development gain achieved. Sufficient leisure traffic and helicopters cause intolerable noise, and large commercial planes cannot be accommodated as they cannot operate safely or require noise limits to be breached.
- Within the biodiversity report no consideration of the biodiversity losses resulting from the historic lowering of the hedge boarding Keels Field designed to facilitate the take-off of unsafe large planes.
- There is no consideration of any contamination of land near the Harpin Hangar due to the temporary fuel facilities.
- A full EIA exercise should take place and not just stating the planting of 0.02 of hedges gives a green light.
- The proposal to reinforce the remaining third of the airfield runway and subsequently a full safety audit should be undertaken.
- Furthermore, the air taxi operations will become more expensive and with the current noise restrictions in place then the business at Airfield will not be successful.
- No business case can exist for an unsafe and illegal operation occurring at the Airfield.
- The museum will not succeed and will be used as further hangar storage.

## **8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)**

- 8.1 The development proposed does not fall within Schedule 1. However, the proposed development does fall within Schedule 2 of the Environmental Impact Assessment Regulations 2017 (as amended). Therefore, a screening opinion was undertaken to ascertain if an Environmental Impact Assessment was required for the development.
- 8.2 The proposed development is considered to fall within Category 10(e) of Schedule 2 of the EIA Regulations 'Construction of airfields'/ The site is not located within a sensitive area as defined by the EIA Regulations, but the proposals are above the indicative criteria and screening thresholds.
- 8.3 In the 2016 planning permission (reference no.:16/02240/FUL) considered that an Environmental Impact Assessment was required for the following reasons:
- The site has a complex and significant planning history and established lawful use of the site.
  - The previously approved alterations to the runway, associated apron, demolition and rebuilding of hangars, access to hangars, increase in maintenance area and the size of development in consideration of the cumulative impacts, was considered to result in significant environmental impacts that resulted from incremental changes caused by other past, present or reasonably foreseeable actions together with the project that was granted planning permission that would intensify the use at Bagby Airfield which required consideration through an Environmental Statement.
- 8.4 The associated impacts included the assessment of noise and nuisance pollution derived from the level of Aircraft Movements (AM's), especially dependent on the type of aircraft undertaking such AM's, landscape character, relationship to sensitive receptors, bats and protected species. The probability and extent of the impact was dependant on the reliability of the underlying evidence. Impacts extended beyond the application site to include

movement from aircraft taking off, landing and manoeuvring around the site. Impacts of road traffic movement from operational development, drainage, asbestos and remediation were also assessed.

- 8.5 Upon reviewing the proposed application, the proposed development in itself does not propose to alter any of the previously approved AM's or type of aircraft allowed to use the Airfield and therefore no such further impact on the Environment would be noted than previously. However, it is noted that a planning application submitted under section 73 of the Town and Country Planning Act: ZB23/02537/MRC is also under consideration by the Council which seeks to vary a condition to allow an increase in the noise controls imposed by the Council on the 2019 planning permission by no more than 3dB. This would enable different aircraft to land and and take off from the Airfield should it be granted planning permission. However, it is considered that the proposed changes are minor in nature as assessed and determined in the officer committee report of ZB23/02537/MRC and subsequently when considering the impacts of both planning applications together it is considered that an Environmental Impact Assessment is not required as part of this planning application.

## **9.0 MAIN ISSUES**

- 9.1 The key considerations in the assessment of this application are:

- 9.2 -Principle of Development  
-Impact on neighbouring residential amenity  
-Impact upon the character and appearance of the site and locality  
-Impact on Contamination  
-Impact upon the local Ecology  
-Highway Safety  
-Impact on Flood Risk and Drainage

## **10.0 ASSESSMENT**

### Principle of Development

- 10.1 In determining application's, the decisions should be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan for Hambleton is the Hambleton Local Plan (Adopted February 2022), of which Policy S1 of the Local Plan states the Council will seek to ensure that development makes a positive contribution towards sustainability of communities, enhances the environment and adapts to am mitigates the impact of climate change.
- 10.2 The application site is beyond the built form of any settlement and is within a countryside location, therefore Policy S5 is applicable. This sets out that the Council will seek to ensure that new development recognises the intrinsic beauty, character and distinctiveness of the countryside as an asset that supports a high-quality living and working environment, which contributes to the identity of the district, provides an attractive recreational and tourism resource and is a valued biodiversity resource. A proposal for the conversion of an existing building in the countryside will only be supported where it can be demonstrated that:
- A. The building is:
    - a. Redundant or disused;
    - b. Of permanent and substantial construction;
    - c. Not in such a state of dereliction or disrepair that significant reconstruction would be required; and
    - d. Structurally capable of being converted for the proposed use; and
  - B. The proposal;

- a. Would enhance the immediate setting; and
- b. Any extension or alteration would not adversely affect the form, scale, massing or proportion of the building.

10.3 Furthermore, the application is for the operation of a business from the site and therefore Policy EG7 is applicable in this instance which seeks to support businesses in rural areas, subject to the application meeting certain criteria. The Policy states that employment generating development will only be supported in locations outside of the built form if:

- a. the expansion of an existing business where it is demonstrated that there is an operational need for the proposal that cannot physically or reasonably be accommodated within the curtilage of the existing site; or
- b. the re-use of an existing building of permanent, structurally sound construction that is capable of conversion without the need for substantial extension, alteration or reconstruction and can accommodate the functional needs of the proposed use including appropriate parking provision; or
- c. a new building provided that it is well-related to an existing rural settlement and where it is demonstrated that the proposal cannot be located within the built form of a settlement or an identified employment location; or
- d. other proposals specifically requiring a countryside location.

Where new or replacement buildings are required, where possible they should be in close proximity to an existing group of buildings and the siting, form, scale, design and external materials of the new buildings should not detract from the existing buildings nor the character of the surrounding area.

10.4 Policy EG7 of the Hambleton Local Plan provides a criteria whereby the expansion and diversification of businesses in rural areas will be supported. Policy EG7(para d) supports proposals which require a countryside location. By its very nature the Airfield cannot be located anywhere within the built form of a settlement.

10.5 As set out in paragraph 85 of the NPPF, significant weight should be placed on the need to support economic growth, taking account of both local business needs, and taking an approach that builds upon existing strengths, counters weakness and address the challenges of the future. Paragraph 110(f) mirrors the intent of paragraph 85, setting out the need for General Aviation airfields to adapt and change over time and that planning policies should account for HM Government's (2015) General Aviation Strategy (GAS). As set out in the GAS (2015) improving hangar facilities and associated infrastructure, and creating all-weather runways are crucial adaptations enabling general aviation airfields to survive change.

10.6 Furthermore, Policy EG7 also requires new or replacement buildings to be proximate to other buildings of appropriate scale, siting and design and materials so as to not detract from the character of the surrounding area. This will be considered below.

10.7 Each of the policies detailed above are relevant to be considered in each development proposed on the Airfield in order to aid if the development is acceptable in principle or not. The policies will be discussed and appraised further under each development below.

#### Hangar F

10.8 Hangar F was previously a pig barn which was partially adapted during the 1990s/2000s to accommodate aircraft, following which the hangar has been used primarily for the storage of smaller home-built aircraft and weight shift microlights. However, going back to its previous use there are multiple levels which results in the movement of aircraft in and out of

the hangar difficult and this restricts the type of aircraft that can be stored currently in the hangar.

- 10.9 The applicant's supporting information sets out that due to restrictions imposed by the current access arrangements to Hangar F aircraft are stored in a linear arrangement running several aircraft deep. This causes significant disruption with multiple aircraft having to be removed and reshuffled whenever an aircraft is withdrawn. Additionally the location of the accesses limits the use of the hangar to smaller, weight-shift microlights, which is at odds with the airfield Business Development Strategy which seeks to reduce the number of smaller hobbyist aircraft and microlights and pivot to provide greater emphasis on the needs and demands of the more economically productive aviation users who are characterised as having more modern, well equipped aircraft which require higher quality hangarage with unfettered access at all times.
- 10.10 It is proposed that Hangar F be refurbished externally and internally, removing internal obstructions and introducing new access doors of appropriate heights to enable access by aircraft. The hangar would be extended westwards on the existing by a further 7 metres, creating additional storage space amounting to 300 square metres increase in size. Materials would match in with the existing hanger and the height would remain the same
- 10.11 As the current external access to hangar is a mix of type 2 aggregate and grass, partially supported by areas of poor-quality rubber mesh it is proposed that the taxiway to and from the hangar be comprised of a stable, non-contaminated and suitably levelled surface to ensure the movement of aircraft without power is viable. This material would be a grass crete surface and similar arrangement as what is on the runway of the Airfield.
- 10.12 The proposals to refurbish, extend and improve Hangar F were not part of the planning permission granted in 2019 (16/02240/FUL). The proposed changes would retain the use of the hangar for storage of aircraft and associated day to day maintenance of aircraft for the purpose of keeping aircraft airworthy. The use of the Hangar is in-line with that which was approved in 2019. The only alteration proposed is the inclusion of a 300m<sup>2</sup> extension. This is unlikely to materially change of the capacity of the building.
- 10.13 York Aviation have advised that the alteration to Hangar F retains the lawful use of the Hangar. Although there is a 300m<sup>2</sup> extension, it is unlikely to materially change the capacity of the building. They consider that these proposals appear reasonable to allow for the provision of higher quality facilities and should not, in themselves, risk an increase in activity to the extent that it would cause a breach of the existing planning conditions.
- 10.14 It is therefore considered that the existing hanger, which is an existing building of permanent, structurally sound construction would be re-used to ensure that the hangar is fit for purpose and can logically serve its purpose of hangar storage. The height would not be increased but the building would be wider to accommodate the proposed extension to the west of the hangar. The extension of the hangar would be constructed using similar materials to the existing hangar. The hangar is within the built form of the Airfield. It is considered that the proposed extension would not adversely affect the form, scale, massing or proportion of the building and it is a suitable extension to address the alteration in the levels of the building and is considered to be in accordance with Policy E1, S5 and EG7 of the Hambleton Local Plan.

#### Hangar G

- 10.15 Hangar G is currently located between the maintenance facility and Hangar H and is accessed via a large door on the southern elevation. Hangar G is currently utilised as the club house hangar (currently adjoined to the clubhouse and can be accessed through the clubhouse), storing mainly microlight and smaller planes. The proposed redevelopment

proposes for Hangar G to be demolished and replaced with a new hangar on the same footprint, with a modest extension to the south of the building, providing alignment with the southern elevation of Hangar H. The proposals would increase the footprint from 289m<sup>2</sup> to 328m<sup>2</sup>. Materials would match in with the existing hanger.

- 10.16 These proposals did form part of the 2019 planning permission (16/02240/FUL) albeit without the extension to the floorspace. The proposed extension is a modest extension and would only add approximately 2 metres in depth to the hangar, which in practical terms would not fundamentally change the capacity of the building but rather add some flexibility to positioning and manoeuvrability of aircraft. Therefore, it is considered that there are no material adverse impacts in the context of the planning conditions and the proposal is in line with the airfield aspiration as set out in the supporting submission documents of providing higher quality facilities as part of The Airfield's business plan transition from high volume low value flying activities to lower volume high value activity.
- 10.17 York Aviation commented on this aspect, advising that a new hangar would be constructed in largely the same footprint with what is described as a 13.5% extension to the floor space along the front edge of the hangar to align the facade with that of adjacent Hangar F. These proposals formed part of the 2019 consent albeit without the extension to the floorspace. It is considered that the extension is modest. York Aviation estimate it adds only around 2m depth to the hangar, which in practical terms would not fundamentally change the capacity, of the building but rather add some flexibility to positioning and manoeuvrability of aircraft. Furthermore, there is no indication that the current use as a club house hangar would change post any planning permission granted. As such, it is not anticipated that there would be material adverse impacts in the context of the planning conditions and would accept that the proposals are in line with the airfield providing higher quality facilities as part of their business plan transition from high volume low value flying activity to lower volume high value activity. It is reasonable that a condition is imposed to ensure that the hangar is kept for storage only.
- 10.18 The proposed changes would retain the approved use of the hangar for storage of aircraft and associated day to day maintenance of aircraft for the purposes of keeping aircraft airworthy. The proposed extension would add around 2 metres in depth which is unlikely to materially change of the capacity of the building. Policy S5 makes reference in regard to the replacement of existing buildings and states the following:
- “A proposal for the replacement of an existing building (including a dwelling) in the countryside will only be supported where it is of permanent and substantial construction and the proposal is of a high-quality design, being sympathetic with its surroundings and takes opportunities to enhance the immediate surroundings. Only limited increases in floorspace will be supported and development proposals must be proportionate to the building(s) that they replace.
- The position of the replacement buildings within the site should be considered comprehensively so that it is located where it would have the least possible adverse impact on the immediate surroundings, the wider landscape and the amenity of the users of existing buildings nearby”.
- 10.19 It is considered that the proposed increase in floor space of this hangar is minimal and equates to an increase in floor space from the existing building by 39m<sup>2</sup>. The building is sited adjacent to existing buildings and would not cause additional impact on the immediate surroundings or the wider landscape of the area. The height of the hangar would be the same height as previously. It is considered that the redevelopment of the hangar would not adversely affect the form, scale, massing or proportion of the building or surrounding buildings. Furthermore the proposed extension is a modest extension and is considered to be in accordance with Policy E1, S5 and EG7 of the Hambleton Local Plan.

## Replacement of Two Temporary Hangars

- 10.20 The existing temporary hangars currently located to the south of the runway are proposed to be removed and replaced with a new singular permanent structure. The new hangar would measure 832m<sup>2</sup> and would be used for the storage of aircraft.
- 10.21 The proposed replacement seeks to regularise the hangars which have been subject to formal enforcement action and appeals, both in 2020 and 2022. As required by the most recent Inspectors appeal decision, the temporary hangars are due for removal on the 21 December 2024, with use restricted to storage in association with the airfield.
- 10.22 The proposed new hangar would continue the existing storage use and would align with the siting of the temporary hangars. The hangar would have a height of 4.1 metres to ridge and would be approximately 21 metres in width and a depth of 17 metres. The proposed hangar would allow the storage of up to three aircraft.
- 10.23 It is noted that the Council previously refused planning permission (21/01058/FUL) for the retention of two temporary hangars. The application was refused at the time was for the following reason:
- “The proposal is contrary to the Local Development Framework Policies CP1 and DP25 as an appropriate business case has not been supplied. Any economic benefit arising from the increased capacity of the aircraft hangar cannot be properly assessed and the potential harm to the amenity of the local population arising from the proposal is not outweighed by any known economic or other benefit and is also contrary to the Local Development Framework Policy DP1.”*
- 10.24 During the Informal Hearing for the appeal, the principal dispute between the parties was which policy from the Local Plan is relevant. The applicant stated that the development can take support from Policy EG2, whereas the Council considered Policy EG7 of the Local Plan to be relevant. In summary the disagreement related to whether a business plan was required in order to justify the proposed development.
- 10.25 The Planning Inspector stated that Policy EG2 of the Local Plan relates to the protection of employment land. Amongst other matters, it states that proposals for the expansion, intensification, upgrading or redevelopment of an existing employment site for employment uses will be supported, provided that adverse environmental and amenity impacts are avoided or minimised to an acceptable level.
- 10.26 The Inspector noted that the justification to the Policy sets out a definition of the term employment use and states that some uses that are referred to in the Use Classes Order as ‘sui generis’ may as an exception be considered as employment uses. However, such a use is not referred to as sui generis in the Use Classes Order. Since the airfield does not fall within the definition of employment use, it cannot take support from this policy.
- 10.27 The Inspector noted that policy EG7 of the Local Plan relates to businesses in rural areas. The airfield is a business in a rural area. The justification to the policy sets out that the purpose of the policy is to promote a vibrant rural economy and to support businesses with a genuine need to be located in the countryside.
- 10.28 The Inspector further noted that unlike the definition of employment use discussed above, which is an aid to the interpretation of the policy, the justification in respect of Policy EG7 essentially sets out an additional criterion which proposals must satisfy. However, there is no requirement in the policy itself, for development, which it is accepted, requires a

countryside location, to demonstrate an operational/functional need. It would therefore be inappropriate to attach significant weight to the requirement of a Business Plan.

- 10.29 The inspector concluded that the policy nor the justification refer to a viability assessment being part of any such plan and no evidence has been provided to demonstrate a development plan policy justification for requiring one.
- 10.30 At the appeal hearing an explanation for requiring a further 24 months was essentially limited to the need to insulate hangar C1. However, no harm in respect of the impact on the character and appearance of the area was identified by the Inspector and it is noted from the Inspector's comments that they do not seriously impinge upon the rural character of the site's surrounds.
- 10.31 There was also no suggestion that they are being used for purposes that cause harm to the living conditions of residents in respect of noise and disturbance.
- 10.32 Overall, it was found that the development would serve an operational and functional need and since they require a countryside location, accord with Policy EG7 of the Local Plan. Accordingly, the Inspector found that there was no conflict with Policies S1 and S5 of the Local Plan which together seek sustainable development which does not harm the character, appearance, and environmental qualities of the area.
- 10.33 It was found by the Inspector that the development also accorded with the National Planning Policy Framework which states that decisions should enable the sustainable growth and expansion of all types of business in rural areas and which recognises the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time.
- 10.34 The applicant contends that the proposed larger and higher quality hangar would allow for the airfield to transition catering for higher value activity and does not in itself, mean that more aircraft would be based at the airfield. This is on the basis that the users that this hangar is focussed on would have larger aircraft. The airfield proposes this hangar as a replacement for the temporary shelters that are only suitable for hobbyist and leisure aircraft that are smaller in size. Furthermore, the planning conditions imposed by the 2019 decision would prevent additional activity, meaning that the planned change in the nature of operations from improvement and expansion of the hangar space would have to be contained within the same overall controls.
- 10.35 York Aviation reviewed this aspect of the proposal and have advised that the two temporary hangars were the subject of an enforcement notice requiring their removal and subsequent appeal which allowed the retention of the hangars for a period of a further 24 months from October 2022. In light of the decision made on the appeal, they would agree that the proposed larger and higher quality hangar allows that airfield to transition to catering for higher value activity and does not, in itself, mean that more aircraft would be based at the airfield. This is on the basis that the users that this hangar is focussed at would have larger aircraft. Overall, we think it reasonable that the airfield proposes this hangar as a replacement for the temporary parking shelters that are only suitable for hobbyist and leisure aircraft that are smaller in size. Again, the planning conditions imposed as a result of the 2019 decision would prevent additional activity, meaning that the planned change in the nature of operations from improvement and expansion of the hangar space would have to be contained within the same overall controls.
- 10.36 As the temporary hangars were never granted Permanent planning permission, the replacement of these hangars by a new building has to be considered. Policy S5 states that development in the countryside will only supported where it is accordance with national planning policy or other policies of the development plan and would not harm the character,

appearance and environmental qualities of the area in which it is located. Policy EG7 states that employment generating development in the countryside will be supported if a new building is required provided that it is well related to an existing rural settlement and where it is demonstrated that the proposal cannot be located within the built form of a settlement or an identified employment location.

- 10.37 The proposed new hangar has to be located in a countryside location due to the position of Bagby Airfield. The new hangar is within the curtilage of the Airfield and is located adjacent to existing built form of the Airfield. It is therefore considered that the development would not result in any harm on the immediate countryside and is considered to be in accordance with Policies EG7 and S5 of the Council's Local Plan.

#### Tractor Shed

- 10.38 Planning permission 16/02240/FUL secured permission for the erection of a tractor shed with a 90m<sup>2</sup> footprint sited at the northern boundary of the site. The principal use of the shed being the storage of machinery.
- 10.39 The applicant seeks permission for a larger structure replacing the permitted tractor shed, in the same location as the already permitted tractor shed immediately to the north of Hangar F and serving instead as a combined workshop, tractor and temporary customs hangar with a footprint of 600m<sup>2</sup>. The building would have a height of 5.6 metres to the ridge and would be approximately 49 metres in width and a depth of 17 metres. The proposed tractor shed would be constructed out of similar materials of the existing hangars on site. The building would be constructed on existing hardstanding within the confines of the built form development of the Airfield. The Tractor shed does not extend into the open fields beyond the confines of the site.
- 10.40 As with the permitted tractor shed, the proposed facility would remain 260 metres away from the nearest residential property and would not be readily visible for most residents of Bagby, where visible the structure would be read alongside the surrounding hangars.
- 10.41 York Aviation have commented on this aspect of the development stating that in the 2019 consent, proposals for a 90m<sup>2</sup> facility located to the north of Hangar F were approved. The updated proposals are for a much larger 600m<sup>2</sup> facility in broadly the same location as previously proposed. It is not completely clear from the documents associated with the 2019 consent precisely what functions the tractor shed was originally intended for. However, York Aviation assume that, in light of the size, it was intended for the storage of up to two tractor sized vehicles with some working/manoeuvring space as well as perhaps ancillary storage space around the perimeter. The current proposals state that the larger facility is to accommodate the tractor storage function as before along with workshop space and a temporary customs storage hangar function in connection with Border Force regulations for international flights. This latter function is understood to be necessary for the occasional international flights that might, for example, relate to jockeys or VIPs arriving and departing for local horse racing events or similar. In terms of the functions as proposed they appear reasonable to allow the operator to adequately store machinery such as tractors, as well as maintain them with the addition of the workshop proposal. There is no indication that there would be any aircraft engineering or engine testing carried out in this facility that would bring with it noise issues. However, it may be prudent to condition the use of the shed for aircraft storage only and light maintenance of other (non-aircraft) machinery and equipment.
- 10.42 It is considered the functions as proposed appear reasonable to allow the operator to adequately store machinery such as tractors, as well as maintain them with the addition of the workshop proposal. There is no indication that Aircraft maintenance is to take place within this building and therefore it would be prudent to impose a condition accordingly to



ensure that the shed is for the storage of aircraft and light maintenance of other machinery and equipment (non-aircraft).

- 10.43 It is noted this is a significant increase in floor space from what was previously approved by the Council under planning permission 16/02240/FUL. It is noted that this is a 510m<sup>2</sup> increase in floor space from that which was previously approved. However, the tractor shed that was originally approved has not been constructed and therefore this tractor shed in policy terms would be considered a new building in the countryside.
- 10.44 Policy S5 states that development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located. Policy EG7 states that employment generating development in the countryside will be supported if a new building is required provided that it is well related to an existing rural settlement and where it is demonstrated that the proposal cannot be located within the built form of a settlement or an identified employment location.
- 10.45 The tractor shed has to be located in a countryside location due to the location of Bagby Airfield. The tractor shed is within the curtilage of the Airfield and is located adjacent to existing built form of the Airfield. It is therefore considered that the development would not result in any harm on the immediate countryside and is considered to be in accordance with Policy EG7 and S5 of the Council's Local Plan.

#### Clubhouse and control tower

- 10.46 The demolition of the existing dilapidated clubhouse and control tower both received planning permission in 2019 (16/02240/FUL). However, the applicant now seeks to utilise the existing, un-consented on-site portable building to the west of the existing clubhouse (retrospective) with a new control tower erected to the immediate east of the portable building. The clubhouse is a single storey building and is a prefabricated building. Leading onto the front of the portable building is a raised decking area with railings around the decking area. The control tower would be attached to the clubhouse and would lead to a second storey to ensure onlooking views of the Airfield.
- 10.47 The proposed clubhouse would extend the existing built form of the site to the west and beyond the built form of the Airfield. However, it is considered that where the current clubhouse/control tower is situated adjacent to Hangar G, the relocation of the clubhouse/control tower would declutter the entrances to Hangar G and the museum hanger and would provide a more linear form to the site. The proposals would not move the development closer to neighbouring properties and would not be considered to have an adverse impact on the character of the area or amenity of neighbouring developments.
- 10.48 The proposed new clubhouse and control tower would provide an increase in the current footprint of the small clubhouse and control tower from 92m<sup>2</sup> to 195m<sup>2</sup>, in turn allowing a higher quality of provision within the clubhouse, including dining facilities and bar.
- 10.49 The proposed clubhouse would serve as a check in point for all users of the airfield which would be separated from the car parking area via a security fence, in line with the requirements set by UK Border Force.
- 10.50 York Aviation have commented on this aspect of the proposal and advise that the portacabin which now operates un-consented as the clubhouse is around 195m<sup>2</sup> which is twice the area of the old clubhouse building. However, the scale of the new facility is not considered unreasonable in comparison to the scale of clubhouse facilities at other similar sized airfields. The proposal notes that the new facility would allow for a higher quality facility than previously, with the ability to include dining facilities and a bar. In addition, a

new tower structure would be provided immediately adjacent to the new clubhouse to replicate the facility lost with the demolition of the old tower and clubhouse that is required to enable the rebuild and extension of Hangar G. As presented, York Aviation does not have any concerns about the proposals in the context of the planning conditions linked to the movement and operational constraints, building usage constraints or noise constraints. Overall, the proposals appear reasonable in terms of the airfield's wider plans to improve the condition and quality of the facilities.

- 10.51 The proposed changes would still retain the clubhouse and control tower which was approved as part of the previous planning permission (16/02240/FUL) but with a new portable building used as a clubhouse. There would be an increase of 103m<sup>2</sup> in floor space in addition to what was previously approved. Policy S5 makes reference in regard to the replacement of existing buildings and states the following:

“A proposal for the replacement of an existing building (including a dwelling) in the countryside will only be supported where it is of permanent and substantial construction and the proposal is of a high-quality design, being sympathetic with its surroundings and takes opportunities to enhance the immediate surroundings. Only limited increases in floorspace will be supported and development proposals must be proportionate to the building(s) that they replace.

The position of the replacement buildings within the site should be considered comprehensively so that it is located where it would have the least possible adverse impact on the immediate surroundings, the wider landscape and the amenity of the users of existing buildings nearby”

- 10.52 It is considered that the increase in floor space in this clubhouse is a significant increase and equates to an increase in floor space from the existing building by 103m<sup>2</sup>. The building is sited adjacent to existing buildings and would not cause any further impact on the immediate surroundings or the wider landscape of the area. It is therefore considered that the proposed re-development of the clubhouse and control tower is in accordance with Policy EG7 and Policy S5 of the Local Plan.

#### Museum and Short-Stay Accommodation

- 10.53 The engineering building adjoining Hangar G to the north, served as a maintenance facility between 1985 and 2016, following a CAA programme to improve the quality and auditability of aircraft maintenance organisations, the previous tenant, Graham Fox Engineering had to move to a larger premises within the Airfield (a hangar on the opposite side of the runway), previously tenanted by Swift Aviation. The engineering building has since been tenanted by two private operators who relocated their vintage aircraft to Bagby Airfield.
- 10.54 The applicant has advised that, at 35 years old and comprising light timber and single skin corrugated steel, the engineering building is in need for refurbishment. The current tenants have attempted to make the hangar weather proof however the hangar remains in a poor state of repair and lacks any form of natural light provision.
- 10.55 the applicant considers that given the historical and cultural significance of the two aircraft, it is considered appropriate to update the physical condition of the hangar to better reflect the significance of the aircraft and enable their display to visitors and other interested parties.
- 10.56 The proposed refurbishment would replace the doors on the principal elevation with large glass panels on the front elevation, the remaining exterior is to be clad and together with major internal works, including insulation, upgraded electrical systems and improved security features. The applicant considers that the proposed refurbishment would secure a

high standard of finish commensurate to transform the engineering building into a visitor attraction.

- 10.57 Alongside the ground floor museum, the first floor would comprise short stay accommodation units which benefit from extant permission under planning permission 16/02240/FUL which also established the principal for the conversion and change of use of the engineering building. The first floor would comprise three separate units with a single bedroom and ensuite for use in instances where airfield users require temporary short-stay accommodation.
- 10.58 York Aviation consider that it advisable that a condition on the use of the accommodation is imposed on any grant of planning permission. It is anticipated there may be a need to control the use of the accommodation such that it is only available to airfield members and pilots/users visiting aircraft rather allowing the accommodation to be potentially made available for more general use, which could have wider impacts in terms of traffic and parking. A condition to control use of the accommodation may also prevent growth above the proposed three units to ensure any consent could not be used in the future to set a precedent for the development of some form of hotel or altogether larger capacity facility that might bring with it a range of issues in terms of car parking provision and unwanted additional general site activity. Furthermore the proposals refer to the museum housing two specific vintage aircraft already kept at the airfield. York Aviation advise that they do not anticipate any specific issues that may adversely affect the conditions of use.
- 10.59 The building is not proposed to be extended but to be refurbished and the external elevations of the building to be altered to ensure that the museum building becomes an attractive building with a glass frontage to the principal elevation of the building. As part of this proposed change from an engineering building to a museum it is important to consider Policy EG8 of the Council's Local Plan which states that a proposal for new tourism attractions will only supported where it is demonstrated that:
- a. the scale, form, layout and design is appropriate to its location and would not unacceptably harm the character, appearance or amenity of the surrounding area or wider countryside;
  - b. it would not cause unacceptable harm to the living conditions of neighbours or prejudice the operation of existing land uses; and
  - c. where a countryside location is proposed, the development cannot be located within or adjacent to the built form of an identified settlement in the settlement hierarchy, see policy 'S3: Spatial Distribution', and will be accessible by sustainable travel options.
- 10.60 The proposed tourist facility is re-using an existing building on the site which is situated in a countryside setting, however as the building is an existing building the alterations to the building are appropriate for the location and would not cause any harm to the character and appearance of the countryside. Furthermore, the building is within the confines of Bagby Airfield and is 300 metres away from the nearest property of Rozel, Bagby. Furthermore, as the museum is to demonstrate vintage aircraft the building cannot be located within a defined settlement and subsequently has to be situated within a countryside setting. It is therefore considered that the proposed museum building is in line with Policy EG8 of the Council's Local Plan.
- 10.61 On the first floor of the building it is proposed that a proposal for new tourist accommodation will only be supported under Policy EG8 if:

d. the scale, form, layout and design is appropriate to its location and would not unacceptably harm the character, appearance or amenity of the surrounding area or wider countryside;

e. it would not cause unacceptable harm to the living conditions of neighbours or prejudice existing land uses;

f. occupation can be limited to holiday purposes only;

g. a proposal for a new, or an extension to an existing, caravan, camping or holiday chalet site is accessible to local services and public utilities; and

h. where a countryside location is proposed, the development cannot be located within or adjacent to the built form of an identified settlement in the settlement hierarchy, see policy 'S3: Spatial Distribution', and it will be accessible by sustainable travel options.

In particular support will be given to proposals that meet the above criteria and form part of a comprehensive farm diversification scheme, see policy 'EG7: Businesses in Rural Areas', or are directly linked to the long term conservation and enjoyment of publicly accessible natural and cultural heritage assets. In all cases the approach roads and access to the site have the capacity to cater for the type and levels of traffic likely to be generated by the development.

- 10.62 It is considered that the short term accommodation would only be used for users of the Airfield and would not be open to general members of the public. This limits the amount of people that can use the facility to a maximum of 6 people at any one time being able to use the accommodation. It would be appropriate to impose a condition accordingly on the grant of any planning permission to ensure that the holiday accommodation is limited to users of the Airfield only. It is considered that the scale of the accommodation is of a small nature and does not result in taking away the need for short term accommodation within the village of Bagby. Furthermore, the short-term accommodation meets all the points raised within Policy EG8 and is considered to be acceptable subject to conditions.

#### Runway Extension

- 10.63 The runway at Bagby Airfield comprises a section of geotextile matting and a central apron, the remaining section of the runway is unsurfaced.
- 10.64 It is proposed that the remaining 33% of the runway is reinforced by the addition of heavy duty plastic tiles. The works propose the top layer to be removed, drainage and a sand substrate introduced and topped with heavy duty plastic tiles to hold reseeded soil. Unlike other small airfields which often incorporate a separate tarmacked runway, once the grass has matured there would be no obvious change to the current characteristics of the runway.
- 10.65 The applicant has stated that the primary purpose of the proposed change to the runway surfacing is to ensure the safety of aircraft movements permitted under current planning controls in most weather and ground conditions. The proposed alteration would not result in performance improvements and has no bearing on the type, size and mass of aircraft utilising the runway.
- 10.66 The applicant has advised that the currently unsurfaced portion of runway has been prone to waterlogging compounded by surface water run-off from the surfaced sections of the runway. Without adequate surfacing there is a risk that saturated ground loses structural integrity, in turn risking a breakthrough of wheels leading to structural failure of the undercarriage, potential damage to the aircraft and loss of control.

- 10.67 The applicant advises that consistency of surface is extremely important and the proposed surface alterations to the runway would provide pilots with a reliable and stable surface, reducing aquaplaning and in turn facilitating landings at reduced power. In contrast the currently unsurfaced section, due to the aforementioned risks, leads to pilots landing at maximum power in turn increasing noise.
- 10.68 York Aviation have commented on this aspect of the proposed development advising that the proposals include for the remaining 33% of the runway length to be reinforced with geotextile matting similar to works carried out in the past on the other sections of the runway. The primary justification of these works is to ensure aircraft safety in relation to water logging of the existing surface and the potential for damage to aircraft wheel gear and risk of loss of control of the aircraft. In work carried out for Hambleton District Council previously (Planning reference: 21/01243/FUL), York Aviation concluded that the proposed benefits of the matting were genuine and that they were unlikely to facilitate increased movements or use by larger aircraft. As such, York Aviation find it again reasonable to assume that the provision of the additional matting in itself is unlikely to result in larger, noisier aircraft or a higher number of movements such that it would lead to a breach of the planning conditions.
- 10.69 The operation of an airfield would normally require a countryside location due to the amount of land required and for separation distance from dwellings to attenuate noise. Bagby Airfield is in a countryside location and the business of operating at the airfield, together with enterprises which depend upon a physically close relationship to the Airfield and that will help support a sustainable rural economy, can take support from policy S5.
- 10.70 The proposed reinforced matting, runway alterations and earthworks for drainage are of a small scale. The site benefits from a runway already, with geo-textile matting. Furthermore, as the proposed development would be located within the developed area of the Airfield the proposed alterations would reflect the existing development at the Airfield and as such, would not result in any harm to the surrounding natural or built environment.
- 10.71 The reinforced matting would also support the activities of the Airfield, albeit not increasing movement beyond the limits set by the planning conditions of planning permission 16/02240/FUL but allowing aircraft to utilise the Airfield more efficiently and when the ground is wet. Policy S5 indicates Development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located. The runway extensions would support the development to better meet the needs of tourism and recreation. This type of development is not feasible in any other setting and it is considered that the works to the runway are in principle acceptable under Policy S5 and to the guidance of Government that supports the General Aviation sector.
- 10.72 It is considered that the proposed benefits of the matting are unlikely to facilitate increased movements or use by larger aircraft. As such it is reasonable to assume that the provision of the additional matting in itself is unlikely to result in larger, noisier aircraft or higher number of movements which are controlled by conditions from the 2019 planning permission.

#### Aircraft Electric Charging Point

- 10.73 It is noted that the charging point is positioned adjacent to the south of the aircraft refuelling bowser. It is considered that the introduction with the provision of a charging point should lead to the first generation of light electric powered aircraft at the Airfield.
- 10.74 York Aviation commented on this proposal advising that the charging point is proposed to be positioned adjacent and to the south of the aircraft refuelling bowser. York Aviation do

not have concerns with the provision of a charging point as this should lead to the introduction of the first generation of light electric powered aircraft at the airfield. These new aircraft types such as the Pipistrel Velis are quieter and cleaner than piston engine or turbo prop aircraft and so come with significant benefits. It is worth noting, however, that at present that the range of available aircraft in this category is limited and as they are both new types and technologically advanced, are expensive in comparison to many of the traditional light aircraft types. Aside from electric light aircraft, there is also the possibility in future for electric vertical take-off and landing eVTOL aircraft to use small airfields such as Bagby. However, while these types of aircraft are likely to be quieter than traditional engine types, they are very much in their infancy with use at present confined to experimental and testing operations. As such, it is not possible to comment with any confidence on the use of this type of aircraft in the future. In terms of these proposals in the context of the planning conditions, York Aviation consider there to be no obvious risk that the introduction of electric charging facilities would give rise to an increase in activity and would certainly not generate an issue in terms of noise nuisance. Furthermore, the Council have imposed conditions to control noise from aircraft, which limits the type of aircraft allowed to land and take off from the Airfield. Therefore, any future electric aircraft would have to comply with noise controls imposed by the Council in respect of this condition.

- 10.75 Policy RM6 of the Council's Local Plan states that renewable and low carbon energy installations including associated infrastructure will be supported. It is considered that the aircraft electric charging point is being situated within the confines of the Airfield and would not result in any direct impact on the countryside. It is also proposed to be sited on a parcel of land where there was previously some old shed buildings which were demolished as part of the previous permission: 16/02240/FUL. It is therefore considered that the aircraft electric charging points are in accordance with Policy RM6 of the Council's Local Plan.

#### New Bowser

- 10.76 As part of the application a new fuel bowser is proposed to be used on the site, however this would be mobile and has no fixed position on site. There is already one on site with a capacity of 14,000 litres in 4 Pods. The new bowser features eight pods, each capable of holding around 5000 litres of Jet A1 fuel. Importantly, the tank is designed with a double-skinned structure, ensuring compliance with road safety regulations. The applicant hopes that this additional capacity would meet monthly demand even in the high season without resorting to two weekly deliveries as has happened in the past (the applicant has stated that on a summer average for jet A1 fuel sales is approximately 1200 litres per day).
- 10.77 It is worth noting that on the 6 May 2015 the Council issued an enforcement notice alleging a breach of planning control in regard to a mobile fuel facility. The appeal was allowed by the Planning Inspector as it was considered that the fuel facility was not considered to be a building as defined by Section 336 of the Town and Country Planning Act 1990 (as amended) and therefore was not considered to be development. Therefore, as the proposed fuel bowser is proposed to be moveable and not of a large size and has no degree of permanence to the ground it technically does not require planning permission. However, as it has been included within the proposed description it is considered that as it is located within the confines of the Airfield and within a countryside location it is an acceptable form of development which is in accordance with the Council's Local Plan Policies.

#### Cumulative Impact

- 10.78 It is noted that the various proposed developments on the Airfield would result in an increase in floorspace on several of the hangars. Although this increase could potentially be considered harmful, all the proposed development is taking place within the built form of the

Airfield and is not extending further into the open countryside. Furthermore, the applicant has stated their desire to move away from the hobbyist aircraft and towards more higher end aircraft and subsequently suitable storage space is required. The increase in floorspace of the hangars does not increase the number of aircraft that can be stored in the hangars but ensures they are suitable for the type of aircraft they are seeking to accommodate. It is therefore considered that the proposed changes are acceptable in principle subject to other material planning considerations.

### Landscape Impact

- 10.79 Policy E7 of the Local Plan states that the Council will protect and enhance the distinctive landscapes of the district. A proposal will be supported where it takes into consideration the degree of openness and special characteristics of Hambleton's landscapes; and takes account of areas that have been identified as being particularly sensitive to/or sensitive for certain forms of development.
- 10.80 There is limited visibility of the application site from publicly accessible receptors, except for locations around the perimeter of the Airfield. Visibility is principally confined to public highways such as the A19, Moor End Land and Sandy Lane. Beyond its immediate context, there are no negative impacts upon wider landscape character.
- 10.81 The nearest Area of Outstanding Natural Beauty is the Howardian Hills approximately 7.4km to the southeast of the Airfield, with the North York Moors National Park approximately 3.5km to the east.
- 10.82 Whilst the local landscape is small-scale and complex, falling within a traditional area gradually opening out towards the simpler landscapes of the Vale of Mowbray there are overt modern features including the A19 and overhead power lines, these have a localised effect on landscape sensitivity.
- 10.83 The proposed buildings are similar in design, height and materials to those already on the Airfield and as such the development would not result in notable change to the appearance of the site within the landscape. None of the proposed buildings would exceed the highest building on the site which is approximately 9.1m above ground level and it would not be unusual to see buildings of similar form on the Airfield or on agricultural land close to the Airfield. Overall, it is considered that the proposed new and altered buildings are of a design that would not result in harm to the openness, intrinsic character or quality of the landscape; accordingly the proposal complies with the Policy S5.

### Contamination

- 10.84 Policy RM5 of the Council's Local Plan states that where there is a potential for a proposal to be affected by contamination the Council will require an independent investigation to determine the nature and extent of the contamination.
- 10.85 The majority of the site is covered with hardstanding and has formed part of the wider airfield operations for many years. Overall, there are no visual or olfactory signs of contamination and the site is considered suitable for its proposed use and therefore no further investigation is required and is considered to be in accordance with Policy RM5 of the Council's Local Plan.
- 10.86 It is noted within the comments of contamination near the Harpin Hangar due to the operation of the temporary fuel facilities. However, this hangar and the fuel facilities are

outside the red line boundary of the application site. Any contamination or leaks from a mobile fuel facility falls under the remit of the petroleum licensing authority at the Council.

### Ecology

- 10.87 Policy E3 of the Council's Local Plan states that all developments will be expected to demonstrate the delivery of a net gain for biodiversity. The development will not be supported if there is significant harm to biodiversity resulting from the development has been avoided (through locating on an alternative site with less harmful impact), adequately mitigated, or, as a last resort, compensated for; and b. they demonstrate proportionate long-term maintenance arrangements to ensure that biodiversity net gain will be resilient to future pressures from further development or climate change; and c. they clearly demonstrate that there is an overriding public need for the proposal which outweighs the need to safeguard biodiversity with no satisfactory alternative site with less or no harmful impacts
- 10.88 As part of the application an ecology report has been submitted which assesses the current status of the buildings which are proposed to be renovated or demolished. The ecological report provided notes that a small common pipistrelle day roost was identified in the control tower. A license would be required to be obtained from Natural England prior to any demolition works. As part of the Council's Policy the applicant has to demonstrate that any significant harm to biodiversity is avoided or is adequately mitigated or compensated for. The works to the building are required as part of the development of the site and due to the poor condition of the building and subsequently suitable mitigation is required to ensure protected species are protected from any harm. The submitted Bat Survey noted the presence of bats. The submitted report sets out that works on the control tower/clubhouse should be the undertaken last as part of the whole development. This would ensure that any bats present move away of their own accord and avoid the chance of them relocating to other crevices in other buildings on site. Then prior to the demolition of the building an interim box would be installed to encourage the bat to roost away from the building. It is then proposed to install a new bat roost box on the new build to ensure adequate mitigation has been afforded to the biodiversity habitat and protected species. It is necessary to impose a suitably worded condition to ensure that the recommendations of the bat survey are implemented on site and further details of the position of the bat roost can be agreed with the Council. It is considered that the proposed mitigation is adequate and consequently the proposed development accords with Policy E3 of the Council's Local Plan.
- 10.89 A Biodiversity Net Gain assessment has been carried out which has demonstrates that there would be overall net gain of 1.83 habitat units and no change in hedgerow units. The net gain would be largely secured through enhancements of grassland along the western boundary to a more valuable species rich grassland in better condition. All these works would be carried out within the blue line of the application site and within the applicant's ownership.
- 10.90 The planning application was submitted to the Council on the 12 January 2024, and Biodiversity Net Gain became mandatory for all major developments in the Country on the 12 February 2024. As the application was submitted before mandatory biodiversity net gain requirements the applicant only needs to justify that the proposed net gain of biodiversity complies with Policy E3 of the Council's Local Plan. Policy E3 states that states that all developments will be expected to demonstrate the delivery of a net gain for biodiversity. An assessment has been undertaken by the applicant which demonstrates a net gain of 1.83 habitat units this equates to a 51.45% net gain being achieved. It is therefore considered that the development is in accordance with Policy E3 of the Hambleton Local Plan.



### Highway Safety

- 10.91 Policy IC2 of the Council's Local Plan states The Council will work with other authorities and transport providers to secure a safe and efficient transport system that supports a sustainable pattern of development that is accessible to all. Paragraph g states appropriate provision for parking is incorporated, taking account of; i. highway safety and access to, from and in the vicinity of the site; ii. the accessibility of the development to services and facilities by walking, cycling and public transport; iii. the needs of potential occupiers, users and visitors, now and in the future; iv. the amenity of existing and future occupiers and users of the development and nearby property; and v. opportunities for shared provision, where locations and patterns of use allow.
- 10.92 The existing access connecting to Bagby Lane would be retained. As the proposed development seeks to upgrade existing hangars on site and provide enhanced facilities for existing and future members. The hangars are proposed to be improved and facilities on the site are to be improved and thus it could be conceived that this could attract more people to the site. The access to the site has been approved as part of planning permission 21/00081/FUL and it is considered that the current access arrangements to the site would be able to safely enable any additional traffic movements to the site. The access to the site has been built to highway standards and is of suitable width to accommodate vehicles leaving and entering the site at the same time. Furthermore, the site also provides ample parking provision within the site to accommodate the number of visitors to the site.
- 10.93 The proposal also involves a museum and short stay visitor accommodation however this would not be open to members of the public and would only be available to people who are using the Airfield facilities. This can be controlled by the imposition of a condition to ensure that further visitors are not visiting the site and causing pressure on the car parking and access into the site. It is therefore considered that the development does not cause a severe danger to highway safety and is considered to be in accordance with the Council's Local Plan and the overarching principles of the National Planning Policy Framework.
- 10.94 The proposed changes to the rear of the new clubhouse would increase pedestrian safety by ensuring a segregation between operating aircraft and pedestrians whilst also ensuring non-authorised individuals cannot gain access to airside without checking in at the clubhouse beforehand. It is therefore considered that the development is in accordance with Policy IC2 of the Council's Local Plan.

### Drainage and Flood Risk

- 10.95 It is noted that the site is not within a Flood Zone however as the site is a major development the applicant has submitted a Flood Risk Assessment as part of this application. The site is in flood zone 1.
- 10.96 The proposals consist of mostly upgrades to the existing buildings on site, with the exception of the proposed Tractor Shed to the north of Hangar F which would utilise existing drainage provided at the rear of Hangar F.
- 10.97 As set out in the submitted Flood Risk Assessment and Drainage Strategy a series of precautionary mitigation measures have been recommended and implemented as part of the design to mediate the residual risks of surface water flooding arising from the site topography. It is therefore recommended that the following mitigation measures are undertaken:

- Finished Floor Levels should be set a minimum of 150mm above general external levels.
- External levels should be designed with falls to direct overland flows away from the building entrances where possible, so that any flooding remains in less vulnerable areas such as landscaped areas, car parks, or roads, where the consequences of surface water flooding would be less significant. Where falls towards buildings are unavoidable, additional cut-off drainage and gullies/channel drains should be provided to prevent water entering buildings during extreme events.
- The proposed ground floors shall comprise solid concrete slabs or beam and block floors with screed construction.
- Incoming electricity supplies shall be raised above lower ground floor level (after the meter).
- A sustainable surface water drainage system shall be provided to manage surface water run-off from the site itself up to the 1 in 100 year plus climate change event.

10.98 It has been determined that infiltration techniques are unsuitable on this particular site, and discharge to the drainage ditches around the site is therefore the next hierarchically preferential solution. It is proposed that surface water from the proposed Northern development area shall be discharged to the drainage ditch to the northwest. It is then proposed that attenuation storage within the northern system and 30m<sup>3</sup> of storage within the southern system. Storage shall be provided within below-ground tanks. Open SuDS features are not proposed due to the risk of attracting birds and endangering aircraft. It is considered appropriate to impose a suitably worded condition to ensure details of the drainage strategy are implemented as set out in the recommendations above and also for further details to be provided by the imposition of a planning condition in regard to any surface water drainage off the site to ensure that sustainable surface water drainage system would be provided to manage surface water run-off from the site itself up to the 1 in 100 year plus climate change event.

10.99 As the Airfield site is already served by a foul drainage system, it is proposed that foul water from the proposed development shall be discharged to the existing on-site system, subject to further condition and capacity checks prior to detailed design. It is therefore considered subject to suitable conditions, to include final foul water drainage proposals once condition and capacity check has been undertaken, the development will be in accordance with Policy RM3 of the Council's Local Plan in which a development will only be supported where surface water and drainage has been addressed.

### Noise

10.100 Policy E2 of the Council's Local Plan states that all proposals will be expected to provide and maintain a high standard of amenity for all users and occupiers including both future occupants and users of the proposed development as well as existing occupants and user of neighbouring land and buildings. A proposal must ensure that there are no significant adverse impacts in terms of noise, odour and obtrusive light pollution.

10.101 The proposed development will not facilitate an intensification of operations at the Airfield, as set out previously the airfield is transitioning to prioritise higher value operators with more modern aircraft over hobbyists and larger volumes of microlights and smaller aircraft.

10.102 The airfield would continue to operate within the limitations controlled by the conditions imposed on planning permission: 16/02240/FUL. It is recommended that these conditions

should be re-imposed on any grant of planning permission. These include conditions regarding the type of aircraft allowed to land and take off from Bagby Airfield; noise controls on the type of aircraft and time of movements of aircraft. The new hangars proposed would operate as storage for aircraft only with only maintenance allowed on the aircraft to ensure the aircraft is airworthy. The proposed tractor shed would store aircraft and equipment to maintain the airfield.

- 10.103 The proposed Tractor Shed would result in a northwards expansion of 19 metres towards the built form of Bagby, however a significant distance of 160 metres would be retained between the buildings on site and the nearest residential property Cherrytree Farm. This would result in no additional noise impact on the neighbouring residential properties.
- 10.104 Currently under consideration by the Council is an application seeking to vary noise controls in regard to fixed wing aircraft (Planning Reference: ZB23/02537/MRC). The proposed application seeks to increase the noise controls on the site by 3dB. However, as noted within the officer report in relation to this application an increase in 3dB is considered minor in nature and would not be noticeable to members of the public. Therefore, if planning application ZB23/02537/MRC is approved by members of the planning committee it is suggested that the revised condition should also be imposed on any grant of planning permission in respect of this planning application to ensure continuity, consistency and enforceability.
- 10.105 Another matter to consider is that the potential for more visitors to the site could cause more noise and disturbance to local residents. However, it is noted that the access to the site is outside the confines of the village of Bagby and the majority of visitors to the site would access the Airfield via the A19 and therefore would not have to travel through the village of Bagby. It is therefore considered that any increase in visitors to the Airfield would not cause any significant noise and disturbance to the village of Bagby.
- 10.106 It has been raised that aircraft are using the Airfield and flying in the early hours of the morning and evening which causes more disturbance to local residents. The operating hours of the Airfield has the ability to and is capable of being controlled by condition and a suitably worded condition has been imposed to control movements in and out of the Airfield. It is worth noting in 2024 that there have been two breaches of the operating hours of the Airfield and no breaches of the operating hours occurred in 2023. The Council are continuing to monitor alleged breaches in relation to the operating times.
- 10.107 It is therefore considered that imposing the previous conditions on the operations of the Airfield, controlling the type of aircraft and the times aircraft can use the Airfield would ensure that the development does not result in any significant noise and disturbance to local residents. It is therefore considered that the proposed is in accordance with Policy E2 of the Council's Local Plan.

### Safety Audit

- 10.108 It is noted within the comments received from objectors and the Parish Council a Safety Audit has been requested to be conducted on the site. It is worth noting that in 2021 an application for "Retrospective and proposed concrete alterations to the existing runway, reinforced geo-textile matting to runway and earthworks to facilitate drainage" (Planning Reference: 21/01243/FUL) incorporated changes. These changes were to the north of the runway and clarity was sought to ensure that these alterations to the runway were necessary to achieve aviation safety. The works as part of this application to the south of

the site which involve geotextile matting is a consideration and the same matters raised should be considered here as follows:

*Does the changing of the surface improve safety of aircraft landing and taking off from the Airfield?*

The applicant's supporting statement in response to this question in the consideration of planning application 21/01243/FUL sets out the following:

'When aircrafts land or take off from an Airfield they prefer well drained surfaces to avoid aquaplaning. Consistency of grip over the length of the runway aids a pilot's confidence and reduces workload at a critical point. Smaller aircraft do not have anti-lock systems, so therefore skidding and subsequently gripping destroys the tyres. Skidding tends to force the pilot to release the brakes with the risk of insufficient brake application resulting in running off the end of the runway.

Soft areas along the runway are unpredictable in nature, have a very significant and detrimental impact on the aircraft's performance and makes it very difficult for the pilot to make the crucial call of whether to attempt to continue a take-off or landing in real time, often in challenging conditions, be that rain, wind, or at night. Plastic tiles with grass growing through ameliorate that condition. Furthermore, transitions in surface levels caused by tramping, compaction or subsidence are most harmful to smaller aircraft to the point of causing possible airframe damage as they, are by definition, less robust'.

Subsequently, following the receipt of this additional information, officers have consulted with York Aviation regarding their views in respect of the additional information received, who have advised as follows:

'Other than a review of photographs provided in support of the application, we have been unable to verify many of the aspects related to the condition of the previous matting and general ground conditions. If the conditions described are accurate then we believe these may act as an impediment to operators choosing to use Bagby. This may manifest itself as operators not flying into Bagby from their usual bases, or in operators choosing not to take up hangarage and base themselves at the Airfield, particularly where they wish to operate over a longer period of the year than the summer months when the grass runway conditions could generally be expected to be better than in the shoulder periods and the winter. Both of these could damage the ability of Bagby Airfield to deliver local economic benefits.

*In changing the surfaces of the runway, is this a performance aid, thereby allowing larger, noise aircraft to use the airfield?*

The response to this question from the applicant in the consideration of planning application 21/01243/FUL was as follows:

'The airfield is only really accessible by small aircraft can approach the airfield slowly and land in a limited distance. Larger aircraft (over 5.7 tonnes) would need typically 1,000 to 1,500 metres to take off and land. This is twice the available landing distance available at Bagby Airfield.

Smaller jet aircraft would also require much longer runways, irrespective of size or weight.

Changing from a well groomed grass runway to a concrete runway would only improve performance by 10%. In the scope of typical pilot calculations this is not a significant factor and does not open the airfield to a greater number of larger/noisier aircraft. Also, under the previous planning approval there are a number of restrictions in regard to noise levels, and the maximum take off weight of aircraft, so this issue is largely irrelevant as the Council's restrictions are a very limiting factor on size and type of aircraft that can use the Airfield'.

Subsequently the view of York Aviation in response to the above information in the consideration of planning application 21/01243/FUL was as follows:

'In our review of the original matting installation, undertaken for Hambleton District Council in 2011, we determined that the provision of matting was unlikely to expand the types of aircraft using Bagby due to the constraints associated with the overall weight bearing capabilities of the ground under the matting. Even with the substrate works (which we understand are for drainage rather than structural support) we believe this to remain the case, particularly when it is considered that not all the runway is covered with the matting and therefore many aircraft will still be required to travel across the non-matted section of runway as they take-off or land. Furthermore, we agree with Caledonian Aerospace's assertion that the runway length will remain a constraint on the types which could operate at Bagby Airfield. We believe our findings in 2011 remain valid today and that the matting is unlikely to lead to additional types using Bagby. In so far as an expanded fleet may choose to use the Airfield, these will be subject to the controls already in place related to individual aircraft noise and (where relevant) weight'.

#### Other Issues

- 10.109 Comments have been received in regard to the status of Fox Engineering and the suspension of a license from the CAA (Civil Aviation Authority). Fox Engineering currently operate out of the Maintenance Hangar on the far side of the runway and were responsible for the maintenance of commercial aircraft which can operate in and out of Bagby Airfield. However, Fox Engineering does have a partial suspension of a license and cannot currently maintain aircraft of a commercial aircraft and subsequently are only allowed to maintain leisure aircraft such as hobbyist. It has been raised that as maintenance is not able to take place on the site and only hobbyist aircraft can be maintained this does not comply with the applicant's vision of the business that it seeks to come away from hobbyist aircraft.
- 10.110 Although, a license has been suspended commercial aircraft can still operate out of the Airfield without a maintenance facility. The maintenance of aircraft is the responsibility of the owner of the aircraft and not the owner of the Airfield. Therefore, the applicant's vision to have more commercial aircraft operating out of the Airfield is still applicable.
- 10.111 It has been raised that the Airfield is not controlled by cameras and the monitoring system is not reliable. It is noted that a monitoring system is operational and is recording data of aircraft movements in and out of Bagby Airfield. The Council are satisfied that the monitoring system is collecting data accurately and is working in accordance with the planning permission granted in 2019: 16/02240/FUL.
- 10.112 It has been noted that the Council should be provided with proof that there is a qualified manager on site and qualified radio controllers on site. As part of the Section 106 Agreement for planning permission 16/02240/FUL there is a requirement that a manager is on site at all times during the operating hours of the Airfield. This has been raised with the Council previously and evidence was presented that the Airfield does have a manager on site during the operation of the Airfield. In regard to radio controllers, all airfields require one

in order to have communication with aircraft, however the license and controls are managed by different organisations and therefore is outside of the planning regime.

## **11.0 PLANNING BALANCE AND CONCLUSION**

- 11.1 The application seeks planning permission for a re-development of several buildings within Bagby Airfield. As the site is within a countryside location and is a business in a rural area it is considered that the proposal to re-develop certain buildings is in accordance with the Council's Local Plan Policies as the majority of the re-builds are on the same footprint as existing buildings or involve appropriate increases in floor space of existing buildings. The proposal is considered acceptable and in accordance with Local Plan policies in respect of all other material considerations, as set out in the above assessment, subject to the imposition of the recommended planning conditions.
- 11.2 It is important to acknowledge that the proposed development is not the operational expansion of the airfield and would not result in operations at the airfield surpassing that to which they are limited under condition 13 of planning permission ref. 16/02240/FUL (the number of aircraft movements allowed within a calendar year). Rather, the expansion of the business would be in the form of increasing the quality of existing on-site facilities and providing sufficient storage space to support the goals outlined in the applicants Business Plan.
- 11.3 The proposed development would enable Bagby Airfield to move away from smaller hobbyist aircraft and microlights to more modern aircraft. Alongside enhancing the security of the airfield and the safety of its operators, the proposed works would enable the airfield to comply with UK Border Force regulations and attendant HMRC import/export rules, enabling arrival and departure from, and to, EU and non-UK destinations. The proposals would improve the current hangar space on the site and also provide upgraded clubhouse facilities to accommodate visitors to the site. Furthermore, the application also proposes the introduction of a museum for visitors to the airfield to view vintage aircraft on display at the Airfield. It is considered that these changes are in line with the Council's Local Plan Policies and the overarching principles of the NPPF.
- 11.4 As set out in HM Government's (2015) General Aviation Strategy (GAS), to survive GA airfields must adapt, the adaptations proposed within the subject application will secure the airfield's future in the face of rapid change and financial pressures. Particular support is received at the National Level, with Bagby Airfield forming an important component in a broad network of UK aerodromes, the protection and enhancement of which is key to the UK Aviation Policy Framework.
- 11.5 Overall, the proposed developments at Bagby Airfield secure the long-term sustainability of a general aviation airfield whilst improving the quality facilities available to its members and visitors. Therefore, it is proposed that the development is in accordance with the Council's Local Plan Policies and is recommended that the development be approved.

## **12.0 RECOMMENDATION**

**That planning permission be GRANTED subject to the conditions listed below:**

1. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing detailed below received by North Yorkshire Council on the dates shown:

Proposed Elevations Hangar F (Drawing Number:033) – 12 January 2024

Site Location Plan (Drawing Number: 001) – 12 January 2024

Floor Plan Proposed (Drawing Number: 020) – 12 January 2024

Proposed Elevations Club House and Control Tower – 12 January 2024  
Proposed Site Plan (Drawing Number: 003) – 12 January 2024  
Proposed Elevations Hangar G (Drawing Number: 015) – 12 January 2024  
Block Plan Proposed (Drawing Number: 004) – 12 January 2024  
Proposal for a Tractor Shed – 12 January 2024  
Proposed Elevations New Hangar (Drawing Number: 021) – 12 January 2024  
Proposed Plans – 12 January 2024  
Proposed Elevations Museum (Drawing Number: 013) – 12 January 2024  
Floor Plans Proposed (Drawing Number: 011)  
Floor Plan Proposed Hangar F (Drawing Number: 031) – 12 January 2024  
Drainage Strategy – 25 April 2024  
Proposed Plans and Elevations – 25 April 2024  
Manufacturer Details of Geotextile Matting – 25 April 2024  
Site Layout Plan – 22 May 2024  
Landscape Proposals – 22 May 2024

Reason: In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the adopted Local Plan Policies S1, E1, E2 and E7.

2. The Aircraft Surveillance Cameras and Virtual Radar approved under discharge of condition application 16/02240/DCN shall be maintained in accordance with the approved details and shall provide the data on a freely and publicly accessible website(s).

Reason: In order to ensure that surveillance of aircraft is undertaken to enable records to be kept to ensure that in turn controls over the numbers and tracking of aircraft movements detailed in other conditions and the associated planning obligation can be enforced and so that the amenity of the local population is safeguarded in accordance with the adopted Local Plan Policies S1 and E2.

3. No oils shall be stored outdoors unless impervious bund walls have been formed in accordance of details previously submitted to and approved in writing by the Local Planning Authority. The bund shall be retained and maintained in accordance with the industry best practice guidance at all times that fuel is stored within the bund.

Reason: To prevent pollution to the water environment in accordance with the Local Plan Policies S1 and RM5.

4. The number of all movements at the Airfield shall not exceed 8,440 per calendar year of which:
  - a) A maximum of 676 may be by helicopters;
  - b) A maximum of 1,700 may be Touch & Go movements; and
  - c) There will be a maximum of 1,518 movements of all types in any calendar month.

(For the avoidance of doubt a landing is one movement. A take-off is one movement. A touch and go is two movements. A take-off, followed by a touch and go, and then a landing is four movements.)

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

5. The airfield operating hours shall not exceed:
  - a) 0700-2200 local time Monday to Friday for resident aircraft, with no movements permitted outside of these hours except in the case of emergencies;

- b) 0800-2100 on Saturdays, Sunday and Public Holidays for resident aircraft, with no movements permitted outside of these hours except in case of emergencies;
- c) 0900-1900 each day for non-resident aircraft, with no movements permitted by non-resident aircraft outside of these hours except in case of emergencies.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 6. No more than 5 aircraft movements may occur between 0700 and 0900 hours local time, Monday to Friday, of which a maximum of 2 may operate between 0700 and 0730 hours.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 7. No more than 4 aircraft movements may occur between 0800 and 0900 hours local time on Saturdays.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 8. No more than 2 aircraft movements may occur between 0800 and 0900 hours local time on Sundays and Bank Holidays.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 9. No more than 6 aircraft movements may occur between 2000 and 2200 hours local time, Monday to Friday, of which a maximum of 2 may operate between 2100 and 2200 hours.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 10. No more than 4 aircraft movements may occur between 2000 and 2100 hours local time, on Saturdays, Sundays and Public Holidays.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 11. No more than 10 helicopter movements may occur on any day.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 12. No more than 4 non-resident helicopter movements may occur on Saturdays, Sundays and Public Holidays.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

- 13. No fixed wing aircraft may operate at other than in accordance with the following requirements:

- 1.a) In the case of aircraft with Noise Certification in the UK under Chapter 6 Noise Register with a maximum overflight limit of 79.7 dB(A) or



b) In the case of aircraft with Noise Certification on the UK Register under Chapter 10 Noise with a maximum overflight limit of 85.7 dB(A) for aircraft types certified between the 17 November 1988 and 4 November 1999.

c) In the case of aircraft with Noise Certification on the UK Register under Chapter 10 Noise with a maximum overflight limit of 84.6 dB(A) for aircraft types certified after 4 November 1999.

Fixed wing	Movement	Limit dB(A)
Chapter 6	Overflight	79.7
Chapter 10	Overflight	85.7 (Aircraft between 17 November 1988 and 4 November 1999)
Chapter 10	Overflight	84.6 (Aircraft certified after 4 November 1999)

d) In circumstances where fixed-wing aircraft do not have a Noise Certificate on the UK Register no aircraft with a certified Maximum Take-Off Weight (MTOW) of greater than 2,730kg may operate.

(The relevant data for UK registered aircraft is available on the G-INFO website)

2. Aircraft that do not meet the terms of 1. a) or b) may only operate on notified Fly-In days when they are proven to have at least two of the three characteristics:

- a) The aircraft was first manufactured more than 50 years prior to the current date;
- b) They do not currently have an internationally recognised certification basis;
- c) They can evidence that the aircraft (or their type) were at one time, on a military register.

Any aircraft operating under 2 above shall not arrive more than 48 hours prior to the commencement of a Fly-In day. The aircraft may not depart from and return to the airfield prior to or during the Fly-In day. The aircraft shall leave either on the day of the Fly-In day or at the earliest reasonable opportunity thereafter consistent with weather related conditions, at Bagby, their intended destination, any diversion and the en-route weather. No return shall be permitted after departure from the Fly-In day.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

14. No helicopters may operate other than in accordance with the following requirements:

a) In the case of aircraft with Noise Certification on the UK Register under Chapter 8, a maximum Take-Off limit of 92 EPNdB and a maximum Approach limit of 94 dB(A); or

b) In the case of aircraft with Noise Certification on the UK Register under Chapter 11, a maximum overflight limit of 84 dB(A) SEL (single event limit).

Rotary wing	Movement	Limit
Chapter 8	Take-Off	92 EPNdB
Chapter 8	Approach	94 EPNdB
Chapter 11	Overflight	84 dB(A) SEL

c) In circumstances where a helicopter does not have a Noise Certificate on the UK Register no aircraft with a certified Maximum Take-Off Weight (MTOW) of greater than 2,730kg may operate.

(The relevant data for UK registered aircraft is available on the G-INFO website.)

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

15. No more than 3 Fly-In days shall be permitted in any one calendar year, each of which shall have been previously notified to the Local Planning Authority at least 30 days in advance. There shall be a maximum of 150 aircraft movements on any Fly-In day

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

16. The scheme for the provision and enforcement of transponders on aircraft has been submitted under discharge of condition 16/02240/DCN03. The scheme includes provision for:

- (i) a list of all resident aircraft; and (
- ii) all resident aircraft ('resident aircraft' are those kept at the Airfield for 14 days or more) must be fitted with transponders compatible with the virtual radar required in conditions 2 and 23.

The agreed scheme shall include the timetable for implementation and be implemented as agreed and retained thereafter.

Reason: In order to ensure that radar surveillance of aircraft can be undertaken to enable records to be kept and ensure that controls over the numbers and tracking of aircraft movements detailed in other conditions and the associated planning obligation can be enforced and so that the amenity of the local population is safeguarded in accordance with the Local Plan Policies S1 and E2.

17. The scheme for aircraft movement recording, shall be implemented as per details provided under discharge of condition 16/02240/DCN03. The scheme includes provision for:

- (i) the surveillance of each and every air movement on the application site;
- (ii) details of time and date of each air movement;
- (iii) reporting requirements; and
- (iv) public access by website.

The agreed schemes shall be implemented as agreed and retained thereafter.

Reason: In order that the records of aircraft movements are kept and ensure that controls over the numbers and tracking of aircraft movements detailed in other conditions and the associated planning obligation can be enforced and so that the amenity of the local population is safeguarded in accordance with the Local Plan Policies S1 and E2.

18. Hangars F, G, New Hangar, Tractor Shed, shall not be used other than for the purpose of aircraft storage and ancillary maintenance of aircraft for the purposes of keeping aircraft airworthy. No commercial maintenance activities are to be permitted within hangars F, G, New Hangar and Tractor Shed.

Reason: In order to ensure that the aircraft hangars are not used other than for their authorised purposes to both safeguard the amenity of the local population and to enable the economic benefits of the commercial use to be achieved in accordance with Local Plan Policies S1 and EG7.

19. With the exception of Low Rev engine running, all ground running and High Rev testing of engines may only take place at the threshold of Runway 06. Low Rev testing of

engines associated with the use of Hangar B, as shown on drawing 1452-10 with 16/02240/FUL, must take place only to the immediate west of the entrance to this building.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

20. No aircraft of any type shall enter the area on the northern side of the runway shown hatched on the attached plan as detailed within planning approval 16/02240/FUL.

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

21. Other than the existing runway lighting and /or its replacement, no additional external lighting shall be installed other than in complete accordance with details submitted under 16/02240/DCN04.

Reason: In accordance with Local Plan Policies S1, E1 and E2 to safeguard the amenity of the local population and the environment from the adverse of light pollution.

22. Bagby Airfield shall not be used by any fixed-wing turbo-jet or turbo-fan aircraft, excluding fixed wing turbo-prop aircraft

Reason: In accordance with Local Plan Policies S1 and E2 to safeguard the amenity of the local population.

23. No external lighting for the access or access road or parking areas shall be provided other than in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with Local Plan Policies S1, E1 and E2 to safeguard the amenity of the local population and the environment from the adverse of light pollution.

24. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority

Reason: To ensure that surface water is discharged via appropriate means in accordance with Policy RM3 of the Council's Local Plan.

25. The first floor short stay accommodation located above the museum building must comply with the following requirements that:

- (i) the accommodation shall be for holiday purposes only;
- (ii) the accommodation shall not be occupied as a person's sole, or main place of residence;
- (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the accommodation on the site, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the economy without undue

demands on local schools, social and health services etc, and in accordance with the objectives of the Hambleton Local Plan policies S1, S3 and EG8.

26. The first floor short accommodation hereby approved shall only be used by people associated with Bagby Airfield. The accommodation shall not be used by members of the public who are not using any of the facilities at Bagby Airfield.

Reason: To ensure that the accommodation is only used by members associated with Bagby Airfield to ensure that there is not a influx of people not associated with the Airfield visiting the site in accordance with Policies EG8, IC2 and S1.

27. Prior to the occupation of the hangars and in the next available planting season the landscaping plan submitted on the 22 May 2024 shall be implemented and maintained in accordance with the details as provided to the Local Planning Authority.

Reason: In order to ensure that the landscape and biodiversity mitigation measures are achieved in accordance with Local Plan Policies S1 and E7.

28. The Bat survey submitted to the Local Planning Authority on the 12 January 2024, shall be implemented in accordance with all the mitigation measures set out within the section titled "Natural England License". Prior to the demolition of the existing clubhouse details of the proposed bat roost box to be installed on the site shall be submitted to and approved by the Local Planning Authority. The approved bat roost box shall installed in accordance with the approved details before the demolition of the existing clubhouse building.

Reason: To ensure that appropriate adequate mitigation measures are in place to protect the existing habitat on site in accordance with Policy E3 of the Council's Local Plan.

29. The Flood Risk and Drainage Strategy document submitted to the Local Planning Authority on the 12 January 2024, shall be implemented in accordance with the summary section (pages 29-30). Surface water drainage details demonstrating the management of surface water run-off from the site up to the 1 in 100 year plus climate change event shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

Reason: To ensure that adequate maintenance of the drainage systems are maintained in accordance with Policy RM3 of the Council's Local Plan.

30. Prior to the commencement of development details of the maintenance plan for surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that adequate maintenance of the drainage systems are maintained in accordance with Policy RM3 of the Council's Local Plan.

31. Prior to the commencement of development details of how the foul water will be discharged to the existing on-site system (or any new system if required) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that measures are in place to manage foul sewage off the site in a controlled manner in accordance with Policy RM3 of the Council's Local Plan.

**Target Determination Date: 19 September 2024**

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