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## Appeal Decision

Site visit made on 7 February 2017

**by Siobhan Watson BA(Hons) MCD MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 27 February 2017**

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**Appeal Ref: APP/Y2003/W/16/3161961**

**Former RAF Kirton in Lindsey, Gainsborough, Lincolnshire, DN21 4HY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Acorn Recyclers against the decision of North Lincolnshire Council.
  - The application Ref PA/2015/0901, dated 7 July 2015, was refused by notice dated 27 April 2016.
  - The development proposed is the change of use of three vacant hangars for B8, ancillary B1 uses and agricultural storage.
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### Decision

1. The appeal is allowed and planning permission is granted for the change of use of three vacant hangars for B8, ancillary B1 uses and agricultural storage at former RAF Kirton in Lindsey, Gainsborough, Lincolnshire, DN21 4HY in accordance with the terms of the application, Ref PA/2015/0901, dated 7 July 2015, subject to the conditions in the attached schedule.

### Main Issues

2. The main issues are the effect of the proposed development upon (i) highway safety; (ii) heritage assets; (iii) the living conditions of future occupiers of nearby land; and (iv) whether the proposed development is suitable for its location in the countryside, having regard to development plan policies.

### Reasons

#### *Highway Safety*

3. The Council says that, arising from the change of use, there would be 212 two-way vehicle movements per day of which 99 would be HGV movements. In addition, there was a proposed change of use to a waste recycling plant in an adjacent hangar although I have no information in respect of the outcome of this application<sup>1</sup>. The waste recycling proposal is anticipated to generate a further 20 two-way HGV movements per day.
4. The site access would be via an existing access to the site off the B1400. The B1400 connects to the B1205 which in turn connects to the A15. The Council's Transport Planner has confirmed that there is sufficient capacity at the B1205/B1400 junction to accommodate traffic from the proposal. That said, the Council has requested that HGVs should be routed to and from the site via

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<sup>1</sup> Council Ref: WD/2015/0019

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the A15, where possible, in order to keep away from the B1398 through the village of Kirton in Lindsey. Accordingly, the appellant has submitted a unilateral undertaking to ensure the management of the HGVs to prevent them going through the village. I consider that the undertaking is reasonable and necessary to protect the living conditions of nearby residents.

5. Lincolnshire County Council has advised that the A15 is a "high incident" route and that due to the resultant increase in right turn movements at its junction with the B1205, the development should not proceed until a ghost island right turn facility has been provided. However, the Council has not provided detailed evidence about why the development would necessitate the provision of such a right turn facility and the appellant has queried its need. In the absence of a convincing justification, I attach little weight to this matter and consequently, I have not been persuaded that the highway improvements should be undertaken as a direct result of the proposal.
6. Aside from these matters, the local highway authority does not object to the proposal and the Council has not produced any technical evidence to substantiate its reason for refusal.
7. I therefore conclude that the proposed development would not harm highway safety. Consequently, I find no conflict with Policy T2 of the North Lincolnshire Local Plan 2003 (LP) which seeks to ensure that development is provided with satisfactory access.

#### *Heritage*

8. Kirton in Lindsey airfield was opened in 1940 and was active during the Battle of Britain. Two of the buildings subject to this appeal are 1940s aircraft hangars and are recorded on the North Lincolnshire Historic Environment Record. No external alterations are proposed to these buildings and therefore, there will be no material impact upon their fabric.
9. There is a control tower, a sector operations building and blast walls, all Grade II Listed Buildings, close to the hangars. They have intrinsic architectural interest as a significant building type associated with the development of Second World War military aviation sites. The setting of the buildings is dominated by the surrounding former RAF development and the airfield. The proposal does not include external alterations and therefore the setting of the listed buildings will be preserved.
10. I therefore conclude that the proposed development would not harm heritage assets or their settings. Consequently, I find no conflict with North Lincolnshire Core Strategy 2011 (CS) Policy CS6 which seeks to protect, conserve and enhance North Lincolnshire's historic environment.

#### *Living Conditions*

11. The Council's Housing and Employment Land Allocations Development Plan Document (HELA DPD) indicates that the northern operational land (former barracks) associated with the developed area of the former RAF site is suitable for residential development and could accommodate a maximum of 300 dwellings. This area is adjacent to the buildings subject of this appeal.
12. Currently, this area remains undeveloped for new housing and therefore, any new residential layout and its relationship to the hangars is unknown. B8 uses

can generate noise, especially by vehicular movements. However, specific design details of the residential development, along with suitable conditions in respect of the appeal proposal, would prevent unacceptable disturbance. Existing dwellings are too far from the site to be affected.

13. Consequently, I conclude that the proposal would not harm the living conditions of the occupiers of future dwellings on land to the north of the site. The Council has not drawn my attention to any development plan policies in this respect but I find no conflict with Paragraph 17 of the National Planning Policy Framework which says that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

#### *Countryside Location*

14. CS Policy CS3 indicates that outside of the defined boundaries, development will be restricted to that which is essential to the functioning of the countryside or that which will contribute to the sustainable development of the tourist industry. The explanation to the policy says that the exact extent of development limits will be defined in the HELA DPD.
15. The HELA DPD says that the 4 hangars on the RAF site (3 of which are subject to this appeal) are considered suitable for renovation for commercial and business uses that are compatible with surrounding land uses. Therefore, there is a clear indication in the DPD that the hangars are suitable for commercial development and, in my view, the proposal is in accordance with the aims and objectives of CS Policy CS3.
16. Furthermore, LP Policy RD6 indicates that proposals for the re-use of rural buildings in the open countryside for industrial and commercial uses are permissible.
17. I therefore conclude that the proposed development is suitable for its location in the countryside and I find no conflict with CS Policy CS3, LP Policy RD6 or the HELA DPD.

#### **Other Matters**

18. I have no technical evidence that the development would increase the risk of flooding. I have considered all other matters, including representations from interested parties but none outweigh the conclusions I have reached.

#### **Conditions**

19. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition it is necessary in the interests of precision, to define the plans with which the scheme should accord. In the interests of the living conditions of future residential occupiers, conditions are necessary in respect of noise management, lighting, installation of plant, and the prohibition of open storage, waste storage and livestock. In the interest of sustainable transport choices I impose conditions in relation to travel plans.
20. I have not attached conditions requiring the improvement of the vehicular access as I have no convincing evidence why improvement is required. I have not attached a condition relating to the provision of parking and turning

facilities within the site as in my view, the existing provision is adequate. I have not limited the number of HGV movements, cumulative with that of the proposed waste recycling plant, as that site is not indicated as being within the appellant's control on the submitted plans and in any event, the HGV movements will be limited by the size of the hangars themselves and therefore such a condition is not reasonable or necessary. I have not imposed a condition requiring a record of HGV movements as I consider the appellant's unilateral undertaking to be sufficient to address the HGV movements.

## **Conclusion**

21. For the reasons above, the appeal is allowed subject to conditions.

*Siobhan Watson*

## **INSPECTOR**

### **Schedule**

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: D01.
- 3) Prior to the commencement of the use hereby permitted, a noise management plan shall be submitted to and approved in writing by the local planning authority. The noise management plan shall take into consideration as a minimum the following:
  - hours of operation
  - traffic movements and controls
  - local residents' enjoyment of their property during noise sensitive hours, i.e., prior to 7am and after 7pm, and at weekends and on public/bank holidays
  - the repair of large plant outside the buildings
  - the use of power and other tools.The development shall be permanently carried out in accordance with the approved details.
- 4) No plant for extraction, refrigeration, ventilation, air conditioning, grain drying or any agricultural processing shall be installed until the details have been submitted to and approved in writing by the local planning authority. This shall include fixed or mobile plant. The details shall include an assessment of likely impact of the plant on residential amenity, specifying noise output and any mitigation measures necessary. All plant shall be installed and maintained in accordance with the details approved by the local planning authority.
- 5) At no time shall open storage take place on the site.
- 6) At no time shall the B8 Use hereby approved include the storage and distribution of waste.
- 7) At no time shall livestock be housed on the site.
- 8) No external lighting shall be installed until details of the proposed lighting has been undertaken, submitted to and approved in writing by the local planning authority.

Details shall include:

- identification of sensitive receptors likely to be impacted upon by light nuisance;
- a lighting scheme which proposes methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

The lighting shall be implemented and retained in accordance with the approved details.

- 9) The Framework Travel Plan by Matrix dated July 2015, hereby approved, shall be fully implemented prior to the proposed development being brought into use and all conditions and requirements of the plan shall be fully implemented and retained at all times that the use is in operation.
- 10) A detailed final travel plan (as referred to in the approved Framework Travel Plan) shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and maintained thereafter.