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**Item No:** 7.2

**Application:** 182217

**Applicant:** Mr Steve Jones

**Agent:**

**Proposal:** Application for the use of Touring Motor Gliders (TMG). All other existing uses to remain the same. This application is for permanent consent following temporary consent given on Application Ref 150972.

**Location:** Essex & Suffolk Gliding Club, Wormingford Airfield, Fordham Road, Wormingford, Colchester

**Ward:** Rural North

**Officer:** Lucy Mondon

**Recommendation:** Approval subject to conditions

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because it constitutes a major application where objections have been received.

## **2.0 Synopsis**

- 2.1 The use of the site for Touring Motor Gliders (TMG), in addition to the existing use of the site for non-motorised gliders, was granted a temporary permission in 2015. The current application seeks to make this arrangement permanent. The main considerations in this case are whether the trial period has resulted in any harmful impacts and whether there have been any changes in circumstances that influence the acceptability of the proposed use.
- 2.2 Having considered the impacts of the use during the temporary period, as well as other material planning considerations, the proposal is considered to be acceptable on a permanent basis subject to conditions.

## **3.0 Site Description and Context**

- 3.1 The application site is on Wormingford Airfield. It is a predominantly grassed area with a range of buildings, including a hanger and club house facilities and parking for cars, glider storage and associated caravans. The site is screened from the road by hedging. There are views from public footpaths around the perimeter of the airfield (those in closest vicinity being PROW 14, 24, 30, 46, 48). The site is surrounded by agricultural land. Approximately half a mile to the north is the Dedham Vale AONB and the Wormingford Settlement Boundary. There is sporadic housing around the edges of the airfield.

## **4.0 Description of the Proposal**

- 4.1 The application seeks planning permission for the use of the site for Touring Motor Gliders (TMG) in addition to the current use of the site for non-motorised gliders. The use has previously been granted temporary permission for three years which is due to expire on 31<sup>st</sup> December 2018. All conditions from the temporary permission (other than the temporary period) would remain in force. Further details of the conditions are set out in section 6.0 (Relevant Planning History) of this report.
- 4.2 The application is supported by an Explanatory Statement and Noise Assessment. The Applicant has also issued a response to the objection comments received.

## **5.0 Land Use Allocation**

- 5.1 Unallocated.

## **6.0 Relevant Planning History**

6.1 A summary of relevant planning history is as follows:

- COL/91/0338 Use of the land for gliding club and ancillary purposes allowed on appeal;
- COL/96/1085 Removal of conditions restricting hours and days of use allowed on appeal;
- 150972 Temporary permission granted for the use of Touring Motor Glider (TMG) in addition to permitted uses

Further details are as follows:

6.2 The current planning application follows on from the temporary permission granted in January 2016 (ref: 150972). The application was recommended for approval, with the Planning Committee resolution being to approve planning permission for a temporary period of three years. The conditions attached to the Decision Notice include:

1. The permission will expire on 31<sup>st</sup> December 2018.
2. Confirmation that the conditions of planning permission COL/91/0338 remain in force, other than condition 2 which is varied to allow for Touring Motor Glider (TMG) use.
3. There is to be a space of at least sixty minutes between take offs (with the exception of one day per annum).
4. The Council is to be notified two months in advance of the Essex and Suffolk's Gliding Club's Open Day.
5. The club must not operate or fly the TMG outside the hours 0800-2100.
6. The club must not make any more than eight take-offs in the TMG per day.

6.3 For completeness, the 1991 permission referred to above for the use of the land for gliding club and ancillary purposes (ref: COL/91/0338) was allowed on appeal and included the following conditions:

1. The permission relates solely to the use of the site for the purposes of a gliding club and ancillary purposes, excluding the use for general aviation and other aero sports including parachuting and microlight aircraft or model aircraft flying.
2. No powered aircraft of any kind (including tug aircraft and motorised gliders) shall land or take-off from the site except on four specified days per year [Case Officer note: this condition was varied to include TMG use as per the temporary permission 150972.]
3. Hours of use removed under application COL/96/1085 allowed on appeal.
4. Days of use removed under application COL/96/1085 allowed on appeal.
5. There shall be no launches of any kind from the north-south runway or from within 50 metres of a public footpath.

## **7.0 Principal Policies**

7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations  
ENV1 - Environment  
ENV2 - Rural Communities

7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity  
DP10 Tourism, Leisure and Culture  
DP22 Dedham Vale Area of Outstanding Natural Beauty

7.4 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

Eight Ash Green Village Design Statement

### **7.5 Submission Colchester Borough Local Plan 2017-2033**

The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. The degree of consistency of relevant policies to the policies in the Framework.

The Emerging Local Plan is at an advanced stage and is, therefore, considered to carry some weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

## **8.0 Consultations**

8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

### **8.2 Archaeological Adviser**

No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. There will be no requirement for any archaeological investigation.

### **8.3 Cadent Gas**

Identifies a high or intermediate pressure (above 2 bar) Gas Pipeline and associated equipment in the vicinity of the site. A member of the Cadent Pipelines Team will provide comments.

### **8.4 Dedham Vale AONB and Stour Valley Project**

The AONB team submitted 2 responses to the previous application 150972. In its first response, the team raised the need to consider potential impacts on the natural beauty and special qualities of the AONB, particularly impact on tranquillity from noise associated with the use of the Touring Motor Glider (TMG) at Wormingford airfield. In its 2nd response to this application, following receipt of additional information from a noise monitoring survey and information about limits to the number of take-offs per day, the AONB team were of the opinion, that from the evidence submitted, no significant harm would be caused to the natural beauty and special qualities of the AONB.

Approval of this application would permit the use of a TMG at Wormingford Airfield permanently. Noise generated by the TMG during take-off and landing has been shown to be within acceptable levels so as not to constitute a nuisance and there are likely to be quite a few days when the TMG will not be useable.

As the only change being sought through application 182217 is for permanent permission to use a TMG at the airfield, the AONB team considers that the current proposal will not harm to the natural beauty or special qualities of the Dedham Vale AONB or its setting. As such it is considered to comply with Colchester's Borough Council's adopted Development Management Policies DP1 criteria iii (Design and Amenity) and DM22 (Dedham Vale AONB) and with the objectives of the AONB Management Plan with regards tranquillity.

If the Council is mindful to approve the application we would request that conditions 1 and 5 attached to planning approval for application 150972 are also attached to the current application to continue to protect residential amenity of communities living close to the airfield and to continue to conserve the natural beauty and special qualities of the AONB.

#### 8.5 Environmental Protection

We have had only one complaint and that was a visitor demonstrating a jet sustain motor. I went out and spoke to them and was satisfied it was a one off and nothing to do with the T.M.G.

The complainers about the motor glider were advised to call us to witness but never did and the extensive work carried out by us showed the T.M.G not to be a nuisance and with the conditions attached to the use of the T.M.G would prevent it from ever becoming one.

We would therefore have no objection to the temporary permission becoming permanent.

#### 8.6 Essex Bridleways Association

No comments received.

#### 8.7 Essex County Council Highways

No comments received.

#### 8.8 Essex County Council (PROW)

No comments received.

#### 8.9 Essex Wildlife Trust

No comments received.

#### 8.10 Health Safety Executive (HSE)

No objections

#### 8.11 Landscape Officer

As with 150972: The principal concern relating to this proposed development in landscape terms relate to impacts on tranquillity, particularly in relation to the area and setting of the Dedham Vale Area of Outstanding Natural Beauty, to which the Touring Motor Gliders activity could have a potentially detrimental impact. However this concern has been addressed by the Environmental Protection Officer, who, following assessment of the 150972 proposal, concluded in his email of 22.07.15 that:

*My role is to be impartial I have looked at this and I do not believe relaxing the condition to allow the use of one TMG from this site could constitute a Statutory Nuisance under law. Yes the residents may hear it, they may even hear it several times a day but that does not constitute a nuisance.*

Provided there is no change in the opinion of the Environment Protection Officer, there is no objection to the application in landscape terms.

#### 8.12 Natural England

No comments; the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. Standing advice provided regarding protected species and ancient woodland.

#### 8.13 Planning Policy

No comments received.

#### 8.14 The Ramblers Association

No comments received.

### **9.0 Parish Council Response**

9.1 Alphabetical order for ease of reference only.

#### 9.2 Chappel Parish Council

No comment to make on the application.

#### 9.3 Eight Ash Green Parish Council

No objection

#### 9.4 Fordham Parish Council

Support the proposal provided the terms of the previous permission remain unchanged.

#### 9.5 Wakes Colne Parish Council

Objections from parishioners are noted. Request that all other conditions from 150972 permission remain unchanged.

#### 9.6 Wormingford Parish Council

Support the proposal provided the conditions from 150972 remain in force.

### **10.0 Representations from Notified Parties**

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.

## 10.2 Objections (46)

- This summer has seen more gliders in the Stour Valley and the noise level is higher than expected;
- Noise pollution (take-off and landing, as well as flight time);
- Pollution from motorized engines;
- There is a gas pipeline on the airfield and gas supply will be severely jeopardized with danger of accidents and gas leaks;
- Peace and tranquility of the area will be destroyed;
- Loss of wildlife;
- The current use does not comply with the permitted use: more than one powered glider took off at once during an open day, as well as other plane flying throughout the day;
- Strongly object to an extension of the current flying times due to excessive noise harming the quality of life for local people;
- The application does not detail the intended or likely number of daily TMG powered flights;
- There is little economic or social contribution from the club to the community as a result of the proposal;
- The club is a gliding club and not an airfield for powered craft; there is a distinct change in the potential impact of the Club's activities;
- Winched gliding activity at the site is audible but not generally a noise issue. The use of TMG is significantly more audible and intrusive. Any increase in the use of powered flights will add to noise to the detriment of environmental tranquility;
- The noise survey does not address the impact of overhead TMG engine noise upon properties below likely flight paths;
- The area between the Stour and Colne is an area of significant natural beauty, history, and tranquility and Mount Bures Road is designated as a Protected Lane; its tranquility and biodiversity should be respected and protected;
- There is a Wildlife site at Sergeant's Orchard to the west of the airfield and a woodland at the eastern side of the airfield and any increase in airfield activity, particularly in respect of noise, is undesirable;
- Already subject to daily noise from Stansted commercial flights and flights from Earls Colne airfield. Powered flights will increase disturbance and pollution;
- Issues of noise since the club started in 1990;
- Breaches of permission 150972 with use of a jet powered glider;
- If permanent permission is granted the club will breach any restrictions;
- Launch numbers should be controlled;
- Granting permanent permission will increase the use of motor gliders and related noise levels;
- There are existing facilities at Essex Gliding Club and Earls Colne Airfield that can be used instead
- The application should be refused unless the club can prove their intention of trying to cause minimal inconvenience to local residents;
- Permission would not limit the number flights;
- There is no fire station offering emergency support near to Wormingford;



- If approved the permission should include a limitation that the TMG engines will not be engaged within two nautical miles from the landing strip (as applied at Stratford on Avon Gliding Club);
- Issues relating to planes towing gliders for take-off;
- The site currently works well with non-motorised gliders that fly frequently most days but create minimal noise pollution. The area is currently quiet and peaceful. Motorised gliders will cause noise pollution;
- Issues of privacy with passengers taking photographs of property from the gliders;
- Safety to general public:
  - There is a public footpath that crosses the runway;
  - Risk to humans and domestic pets in the absence of fence separation, blast screens, or pedestrian traffic lights;
  - Risk of bird or animal strike;
  - Given the proximity of the Anaerobic Digestion Plant to the site, which produces methane gas, consideration should be given to the maximum size, weight, and power of the aircraft, as well as the minimum pilot qualifications and experience for powered flight. Concern regarding the impact of a glider hitting the plant.
- Comments on the proximity of club members on site, members of the public, workers at the nearby crisp factory given risks of fires and incidents;
- Queries regarding insurance.

#### 10.3 General Observation (3)

- The presence of the gliding club prevents general power aircraft flying over the surrounding area up to a height of 3000 feet. If the gliding club did not exist, residents would be subject to powered aircraft of any size flying over rural properties at the minimum legal height of 500 feet.
- Unaware of any complaints procedure so the views of residents submitted as part of this application should be taken into account.

#### 10.4 Support (2)

- The gliders are a pleasant addition to the area and do not have any detrimental effect.
- Issues of noise are unsupported given that military helicopters fly over the area at low level at all hours of the day or night which make more noise than gliders or a Touring Motor Glider.

10.5 A comment was also received requesting that applications that affect a wider area, such as this application, be advertised more publically via an advert in all the local papers.

### 11.0 Parking Provision

11.1 In accordance with the Vehicle Parking Standards SPD, car parking requirements for sports facilities are judged on individual merit. When looking at the parking requirements for specific leisure uses set out in the SPD (e.g. outdoor sports pitches, golf clubs etc) car parking is a maximum standard. The site currently has car parking facilities on site and, given the focus on

maintaining maximum car parking at destinations in order to promote more sustainable forms of transport, no further car parking is proposed. There is adequate space on site for cycle parking, motorbike parking, and accessible parking.

## **12.0 Open Space Provisions**

12.1 Not applicable in this case. No policy requirement.

## **13.0 Air Quality**

13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

## **14.0 Planning Obligations**

14.1 As a “Major” application, there was a requirement for this proposal to be considered by the Development Team. It was considered that no Planning Obligations should be sought.

## **15.0 Report**

15.1 The use of the site for Touring Motor Gliders (TMG), in addition to the existing use of the site for non-motorised gliders, was granted a temporary permission in 2015. The current application seeks to make this arrangement permanent. All restrictive conditions currently in place as part of previous permissions would remain in force. The National Planning Practice Guide states, in the chapter Use of Planning Conditions, that ‘temporary permissions may be appropriate where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period’. The Guidance goes on to state that it is rarely justifiable to grant a second temporary permission and that further permissions should normally be granted permanently or refused if there is clear justification for doing so.

15.2 The main considerations in this case are, therefore, whether the trial period has resulted in any materially harmful impacts and whether there have been any changes in circumstances that influence the acceptability of the proposed use.

15.3 Having visited the site and considered all consultation responses received there are not considered to be any changes in circumstances that affect the proposal. The assessment made in 2015 is still, therefore considered to be relevant (a copy of the 2015 committee report is attached as an appendix to this report).

15.4 In assessing whether the trial period has resulted in any harmful impacts that may justify a refusal of permanent planning permission, it is noted that there has only been one complaint to Environmental Protection regarding the site since temporary permission was granted and that this complaint was not connected to the use of TMG. Similarly, whilst there have been two enforcement complaints (about the same matter) made since temporary permission was granted, these were not in connection with the use of TMG. There is no evidence to suggest

that the use of the site for TMG over the last three years has had any harmful impacts in terms of the character of the area or residential amenity. One comment has been received that states that they were unaware of any complaints procedure, but there are several ways in which local residents can contact the Council; the front page of the Council's website provides links to contacting Environmental Services to report noise or other nuisances and there are also links to the Planning Service where contact can be made with Planning Enforcement. Residents contacted during the 2015 application would also have had the contact details for Planning Services with which to make contact.

- 15.5 A number of objections from local residents have been received as part of the current application. The objections focus on issues of noise, disturbance, and erosion of privacy, as well as impact on the tranquillity of the area and AONB, wildlife, and safety concerns. The reasons for objections on these grounds are varied, with some objectors being under the misapprehension that the proposal is to increase the number of flights from the site; this is not the case. Other objections are concerned with the fact that the proposal will disrupt the current tranquillity of the area; this in itself suggests that the use of the site for TMG flights has had very minimal impact if it has gone seemingly unnoticed over the last three years. A number of objections are concerned with the principle of TMG and the general implications of noise, disturbance, and erosion of privacy. These matters were considered as part of the previous application, with particular attention being paid to issues of noise. Professional opinion has been sought from the Council's Environmental Protection Officer who maintains that, given the noise survey evidence and lack of any complaints, there are no objections to the proposal.
- 15.6 The Applicant has submitted comments in response to objections; pertinent points include:
- The proposal is not for additional use, only a continuation of the existing use.
  - There would not be any extensions to flying times.
  - Flight numbers from 2015-2017 have been roughly the same (within 10%). Flights in 2018 will be slightly less.
  - The gliding club 'welcomes more than 1,000 visitors each year, many of whom come from the local area. These visitors come to savour the wonderful experience of flying in a glider. Our Open Weekend, which has free entry, attracts around 500 visitors, again many from the local area and this year 140 of these were able to experience a flight in a glider. We provide facilities for clubs and associations to experience flying in a glider. Many of these are youth organisations such as cubs, scouts and air cadets. Again many of these are local. Our own youth section has about 30 members (20% of the club membership) and most of these are local. We have very recently provided facilities to the Colchester Film Society to pursue their hobby of film making. We are participating with the Wormingford village in their commemoration of the 2nd WWI armistice on November 11th. We will be holding a series of lectures on flying related topics during the winter and we have invited local residents to these.'
  - The airfield is managed as a nature reserve. If the airfield were not in place the land would revert to agricultural use and the habitat that has been created would be lost.

- The Open Day referred to did have power planes taking off in accordance with current planning consent. There was only one TMG at the Open Day.
- There has only been one TMG in use this year and there have not been more than eight flights in a day.
- Typical flying height for TMG is approximately 1,000 to 2,000 ft. It would be an exceptional occurrence to achieve 3,000 ft on a winch launch.
- 'The normal launch pattern, if the TMG is taking off in a westerly direction, is for the pilot to make a 90 degree left or right turn roughly at the airfield boundary, then another 90 degree left or right turn to fly parallel to the runway. This is done for two reasons. Firstly to minimise the noise impact on properties to the west of the airfield and, secondly, for safety reasons so that if there is an emergency, for example an engine failure at low level, the pilot can turn into the runway and land safely.' At normal flying speed (55kts, equating to approximately 1 mile per minute) the glider would fly over a property and be more than 1 mile away within a minute and 2 miles away within 2 minutes where it would be barely visible and inaudible.
- Pilots are not allowed to fly lower than 500 ft in the vicinity of the airfield unless they are on take-off or on approach for landing.
- The noise assessment does measure the noise from the TMG in flight; the noise from the TMG was indistinguishable from background noise.
- The incident where a glider with a jet sustainer engine has been dealt with and the glider (which is not a TMG) has been removed from the airfield and will not be allowed back.
- The application does not include tug planes. These will only be used when permitted on the power days.
- Many members of the club are local residents.
- TMG are not microlights.
- Cameras are not allowed in the gliders for safety reasons.
- Pilots are subject to the Civil Aviation Authority (CAA) regulations.

15.7 Consultations have been undertaken with landscape (the Council's Landscape Officer, the Dedham Vale AONB and Stour Valley Project), nature (Natural England, Essex Wildlife Trust), and highway professionals (Essex County Council Highway Authority and Public Rights of Way), with no objections being received and consultations with The Ramblers Association and Essex Bridleways Association has not generated any comment. It is held, therefore, that the use of the site for TMG has not given rise to any issues that may make these bodies object to a permanent use. It is therefore concluded that the impact of the proposal upon the AONB, ecology, highways, and the safety of users of the nearby public rights of way is acceptable.

15.8 There is a gas pipeline that runs through part of the runway. Consequently, Cadent Gas and the Health and Safety Executive have been consulted. The Health and Safety Executive do not object to the proposal. Comments are awaiting from the Cadent Pipelines Team.

#### 15.9 Procedural matters:

Some comments have been received that suggest that the application has not been consulted widely enough. The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2015. An advertisement was placed in the local paper (Evening Gazette), a site notice was put up at the entrance to the site and public right of way, and consultation letters were sent to all residents that were originally consulted as part of the 2015 application, as well as those who submitted comments as part of that application.

### 16.0 Conclusion

16.1 The use of the site for Touring Motor Gliders (TMG) has operated for at least three years without issue/complaint in respect of noise, safety, ecology, and general amenity. Using the temporary permission as a 'trial run' as advised in Government guidance has, therefore, been successful in determining that the impacts of the proposal are minimal and that there are no justifiable reasons for refusal. Subject to the retention of conditions that limit the types of aircraft that can be used at the site, the hours of operation, and number of take-offs per day (including how frequently) will provide adequate mitigation of any impacts/implications of the use.

### 17.0 Recommendation to the Committee

17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to any comments/amendments/conditions recommended by Cadent Gas and the following conditions:

#### 1. Time Limit for Full Permissions

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

#### 2. Scope of Permission

This permission relates solely to the use of the site for Touring Motor Gliders (TMG) only as part of a gliding club (no other motorised aircraft including the aerotowe tug plane can land or take off).

Reason: For the avoidance of doubt as to the scope of this permission.

#### 3. Time between Take-Offs

With the exception of one day per annum (the Essex and Suffolk's Gilding Club's Open Day) there must be a space of at least sixty minutes between take offs in any one direction. That is to say any take off less than 60 minutes from the last will be in the opposite direction.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise.

#### **4. Notification of Open Day**

The Essex and Suffolk's Gilding Club's Open Day shall not take place unless the Council is notified of its date at least two months in advance.

Reason: So that the Council and other interested parties are aware of the date that the normal restrictions on the spacing between take offs are suspended.

#### **5. Hours of Use**

The club must not operate or fly the TMG outside of the hours 08.00hrs to 21.00hrs.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise.

#### **6. Number of Take-Offs**

The club must not make any more than eight take-offs in the TMG per day.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise.

### **18.0 Informatives**

18.1 The following informatives are also recommended:

#### **1. Informative on Permitted Use**

This permission varies allows the use of a Touring Motor Glider only (i.e. no other motorised aircraft including the aerotowe tug plane can land or take off). This permission does not in any way vary or remove conditions 1 or 5 of COL/91/0338 detailed in The Planning Inspectorate decision letter dated 17/8/1992. These conditions remain in force and shall continue to apply.

#### **2. Informative on Any Application With a Site Notice**

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

APPENDIX  
COMMITTEE REPORT FOR APPLICATION 150972

**Case Officer:** Jane Seeley      **Due Date:** 10/07/2015

**Site:** Wormingford Airfield, Fordham Road, Wormingford, Colchester

**Application No:** 150972

Date Received: 15 May 2015

Agent: Mr Raymond Stemp Associates

Applicant: Essex And Suffolk Gliding Club

Development: Application For the additional use of one Touring Motor Glider (TMG). All other existing uses to remain the same.

Ward: Fordham & Stour

**1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because it was called in by Cllr Chapman. The reason for the call in is because the current use of the site for gliding is the result of Planning Inspectorate Appeal decisions and any change to this should be discussed in public. There are considerable concerns regarding the impact on the tranquility of the area if the application is approved.

**2.0 Synopsis**

- 2.1 This report gives consideration to the use of a Touring Motor Glider (TMG) in addition to the existing approved Gliding Club use at the application site. The proposal is assessed in light of policy, consultation responses and representations. It is concluded that, subject to a number of conditions, the use is acceptable.

**3.0 Site Description and Context**

- 3.1 The application site is on Wormingford Airfield. It is a predominantly grassed area with a range of buildings, including a hanger and club house facilities and parking for cars, glider storage and associated caravans. The site is screened from the road by hedging. There are views from public footpaths around the perimeter of the airfield. The site is surrounded by agricultural land. Approximately half a mile to the north is the Dedham Vale AONB and the Wormingford Built Up Area Boundary. There is sporadic housing around the edges of the airfield

#### **4.0 Description of the Proposal**

- 4.1 This application proposes the use of a motorised glider, known as a TMG, from the site 365 days per year. Currently, due to planning conditions motorised aircraft of any kind can only take off and land on four days a year (see 6.1 below).

#### **5.0 Land Use Allocation**

- 5.1 Unallocated

#### **6.0 Relevant Planning History**

- 6.1 There is considerable history (including enforcement action) relating to this site both before and since the Essex Gliding Club's use of the airfield. The history which is pertinent to the use of the site and the current proposal is:

COL/191/338 Use of land for gliding club and ancillary purposes. This application was refused and Enforcement Notices were issued. The use was allowed on Appeal subject to conditions including the following which relate to the use of the site:

1. This permission relates solely to the use of the site for the purposes of a gliding club and ancillary purposes, and excludes use for general aviation and other aero sports including parachuting and microlight aircraft or model aircraft flying.
2. Save in an emergency no powered aircraft of any kind (including tug aircraft and motorised gliders) shall land or take-off from the site except on four specified days per year, the dates of which shall have been notified to the Council at least two months in advance.
3. Except on the four days referred to in Condition 2 no glider shall take off from the site except between the hours of 9.00 am and 6.30 pm.
4. Except on the four days referred to in Condition 2 above, no glider shall be launched from the site except on Saturdays, Sundays and one specified day of the week which shall have been previously agreed with the local authority in writing, and all such launches shall be by means of a winch.
5. There shall be no launches of any kind from the north-south runway or from within 50 metres of a public footpath.



- 6.2 COL/96/1085 Application to remove Conditions 3 and 4 of COL/91/0338, refused. Allowed at Appeal.

## **7.0 Principal Policies**

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National planning Policy Framework (NPPF) must also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

- 7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations

ENV1 - Environment

ENV2 - Rural Communities

- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity

DP10 Tourism, Leisure and Culture

DP22 Dedham Vale Area of Outstanding Natural Beauty

## **8.0 Consultations**

- 8.1 Planning Policy

"The two key issues arising from the above proposal are potential impacts on the Dedham Vale AONB & Stour Valley landscape which includes tranquillity and potential residential impacts on communities living in the vicinity of the airfield. Tranquillity is an important element of the landscape character of the Dedham Vale AONB and Stour Valley as recognised in section 1.12.3.4 of the current Dedham Vale AONB and Stour Valley Management Plan 2010-2015. The document highlights the potential threats that new development can have on the tranquillity of the AONB. This includes noise impacts from small aircraft using airstrips in and around the Dedham Vale AONB and Stour Valley.

According to The Campaign for the Protection of Rural England's tranquillity maps, the Stour Valley, is a relatively tranquil area and the management plan seeks to continue to protect this tranquillity. The protection of tranquillity

is also an objective in the new emerging Dedham Vale AONB and Stour Valley Management Plan 2015- 2020.

New development must make a positive contribution to the special landscape character and qualities of the AONB, must not adversely affect the character of the AONB, threaten public enjoyment of the area and support the wider environmental or social objectives of the AONB to satisfy development policy DP22.

Policy DP1 generally requires all developments to avoid unacceptable impacts on amenity. Criteria iii in particular, requires developments to demonstrate that they will protect existing public and residential amenity including from noise.

The proposal would introduce 1 new motorised glider on the edge of the Dedham Vale AONB and villages surrounding the airstrip. The airfield where the aircraft would take off from is located approximately 850m from the south westerly boundary of the AONB. Originally no information had been submitted with the application about the number of days/year that the plane planned to fly or the number of anticipated flights and hours of operation. This made it difficult to properly consider compliance with Local Plan policies with respect to impacts on the tranquillity of the AONB and/or on the amenity of residents living close to the site. The agent has since submitted additional information clarifying that 'TMG's flights will typically be of an hour or more, ranging over varying routes and, on returning, cutting the motor before descent towards the airfield and completing a circuit and landing in glider mode. The agent's letter also implied that number of times that the TMG would be in use on any one day is likely to be less than double figures and that the TMG would be unlikely to be flown everyday given weather related constraints.

While approval of this application would introduce a new TMG at Wormingford Airfield, the fact that Environmental Health are satisfied that the noise generated by the TMG during take-off and landing is within acceptable levels and that there are likely to be quite a few days when the TMG will not be useable, the proposal is not considered to generate a policy conflict with either policy DP22 regarding impacts on tranquillity within the AONB or policy DP1 iii regarding noise impact on neighbouring communities"

## 8.2 Highway Authority

No Objection

## 8.3 Dedham Vale AONB and Stour Vale Project (received June 2015)

- The area potentially affected by the proposal is within the setting of the nationally designated Dedham Vale AONB. As such, development

- We would expect that consideration is given to the potential landscape impact of the proposal, i.e. visual, noise and other possible impacts on the special qualities of the AONB, including tranquillity.
- The Supporting Statement does not contain any detail relating to the proposed number of take offs/landings in a given period of time and therefore it is difficult for us to ascertain the level of impact that the proposal could have on the area, and in particular the nationally designated AONB.
- Without the detail of proposed activity from the site, including proposed flight paths that may impact upon the AONB, we are unable to give an informed view of the impact of the development on the character and special qualities of the AONB and Stour Valley.
- We note that the application includes a noise survey that states that “the TMG is significantly quieter than the winch during both ground running and take-off”. If the Local Planning Authority is satisfied that these results are robust, the Project would make no further comment on potential impacts of noise in relation to this development application.

#### 8.4 Landscape Officer

The principal concern relating to this proposed development in landscape terms relate to impacts on tranquillity, particularly in relation to the area and setting of the Dedham Vale Area of Outstanding Natural Beauty, to which the Touring Motor Gliders activity could have a potentially detrimental impact. This concern has been addressed by the Environmental Protection Officer. Consideration might therefore be given to exploring if the use of the Touring Motor Glider’s motor might be limited to the west and south of the Wormingford Airfield in order to help further protect the Dedham Vale AONB.

#### 8.5 Environmental Projection

Extracts from consultation response/noise monitoring report amended 14/10/2015

“When Environmental Protection were initially consulted in May 2015 a noise assessment report carried out on behalf of the gliding club by PaceConsult carried out on the 1st May 2015 concluded that noise from the use of the Touring Motor Glider (TMG) created less noise than the motor winch currently used to launch gliders from the airfield.

On the 10/06/2015 Environmental Protection made a subjective evaluation of noise from the TMG. Environmental Protection witnessed a full power take-off and landing plus low level powered over flights both into and out of the wind. Based on this and the noise report from PaceConsult and information supplied by the club on how the TMG will be used. The TMG will be used for the training of pilots to comply with new regulations about to come into force and that the TMG will normally take off and fly away and will not repeatedly take-off and land as we have asked for on this occasion. Environmental Protection did not object to the use of one TMG from this site.

Due to concerns from objectors that Environmental Protection had not witnessed the noise from the TMG at their properties it was agreed that Environmental protection would take sound level readings from two properties located at either end of the airfield. This report covers the findings from those two properties”

Conclusion and recommended condition:

Environmental Protection when assessing noise from premises in regard to a planning application must take into consideration not only the volume but the character, whines, clicks etc. the duration of the noise and the time. A noise at 15.00 may not be a problem, but the same noise at 03.00 may well be. The noise must have a significant adverse impact on the peaceful enjoyment of property. From the assessment carried out at these two properties, Environmental Protection does not believe that the use of one touring motor glider would have a significant adverse impact on residents flying at 1000ft or above. However, Environmental Protection recognises that the area is predominantly quiet and that repeated take-off and landings could combine to cause a significant adverse impact to local residents. Therefore Environmental Protection recommends that there should be a space of 90 minutes between each take-off.”

The suggested conditions were given further consideration by Environmental Protection:

“There should be a space of a least sixty minutes between take offs in any one direction. That is to say any take off less than 60 minutes from the last will be in the opposite direction.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise

The above condition may be suspended on one day per calendar year, that day being the Club’s open day to allow for trial flights.

The operation of the TMG to be restricted to the hours 08.00hrs to 21.00hrs.  
Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise

Colchester Borough Council Environmental Protection should be given access to the flight log in order to investigate any complaints arising from the use of the TMG.”

## 8.6 Natural England

Statutory Nature Conservation Sites – no objection

AONB – do not wish to comment other than to advise that the view of the AONB authority should be sought

Protected Species – no assessment undertaken; draw attention to standing advice.

Local Sites and SSSI – standard comment

8.7 Civil Aviation Authority

Comment that they are not a Statutory Consultee.

8.8 Nayland with Wissington Conservation Society

Contrary to policy DP22, DP10 and Environmental and Rural Communities Policies of the Core Strategy and NPPF

The Site is near (approximately 800 yards) to the Dedham Vale AONB; it will not make any positive contribution to the AONB or support the AONB Management Plan objectives; rather the noise will adversely affect the peaceful character of the area.

The number of TMG's is irrelevant to this application; the Applicant is in effect applying for permission to fly a TMG 24 hours a day, 365 days a year.

The suggestion by the Applicant that the TMG will not habitually be flown around the locality as it will take off and land at the airfield on each sortie.

If the number of flights is to be as small as suggested by the Applicant why have they not accepted a limitation on the number of flights or flying days?

8.9 Colne Stour Countryside Association

The existing AONB and the area proposed for extension are renowned for their tranquil unpolluted rural settings.

The application does not meet national or local planning policy. This application is not essential to the future of the Club.

The concerns of the large number of local objectors cannot be ignored.

It is likely, if the proposals were allowed, that there would eventually be a substantial increase in powered aircraft using the site throughout the year.

Concerned about submitted noise report.

There is no precise definition on what comprises a TMG.

It cannot be assumed that the engine will only be engaged on take-off as the noise test supposes. TMGs would then be able to fly over the existing and extended.

In social terms, the noise and disturbance that will be experienced by local residents will far outweigh the benefits to a small number of private

members; the local community should not suffer at the expense of this proposal. The proposal detrimentally affects the many for the advantage of the few and does nothing to advance the environment of the sites rural location

#### 8.10 Campaign for the Protection of Rural England

The present restrictions on motorised aircraft at Wormingford were imposed so as to safeguard the tranquil countryside of the Dedham Vale AONB and the countryside surrounding it; these restrictions are still fully justified.

National policy and local policies are clear that the tranquility and beauty of the Countryside in general and AONBs in particular are to be protected.

The club's proposal for unrestricted use of motorised gliders will damage the area's tranquility to the detriment of residents and visitors alike.

The noise survey in our opinion is seriously flawed.

The amenities of residents still protection from the adverse effects of motorised gliders.

The noise from these aircraft, in damaging the tranquility of the area, will also potentially harm rural tourism contrary to the applicant's assertion that their proposal will benefit tourism.

#### 8.11 Dedham Vale Society

Noise is not an issue that is confined within a single parish but spreads over a large surrounding area. In the case of Wormingford Airfield is within a few hundred yards of the Dedham Vale Area of Outstanding Natural Beauty and the area of the proposed AONB extension towards Bures and any increased noise levels would impact on the peace and tranquillity of the whole area. NPPF Section 115 and DP22 are material considerations.

A key element in protecting AONBs is to preserve the peace and tranquillity of the countryside for those living there as well as those visiting for recreation.

No attempt to fully quantify the level of activity of the TMG or to quantify noise level when TMGs leave the airfield and are operating over open countryside and particularly the Dedham Vale AONB.

The noise from a TMG is intrusive and adds to the excessive noise from various forms of aircraft crossing the area.

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

## **9.0 Parish Council Responses**

### **9.1 Wormingford Parish Council (comment received in June 2015)**

After lengthy discussions with residents and the Gliding Club, Wormingford Parish Council resolved at their June meeting to OBJECT to this application in its current form.

Cllrs appreciate the new regulations that are coming into effect in 2018, and understand that the gliding club needs to amend its current operations to conform, however they feel that the current application is still lacking any appropriate information in relation to the proposed number and frequency of flights by TMG aircraft. We would encourage the Planning Department to take the Parish Councils and residents concern into account when making a decision on this application and to reject this application as it presently stands. If a further application were to be submitted it should contain proposals regarding reasonable restrictions of the amount of use of the TMG in order to allow more detailed considerations by interested parties.

### **9.2 Eight Ash Green Parish Council (comment received following reconsultation in November 2015)**

No objections - based on the additional information provided which alleviated previous concerns, subject to the planning authority applying the appropriate conditions to restrict the use of the airfield to that stated in this application.

### **9.3 Mount Bures Parish Council (comment received in June 2015)**

Object:

Concern about general lack of information including number and frequency of flights

Concerns about impact of TMG both now and in the future on the rural environment with many equine businesses.

### **9.4 West Bergholt Parish Council (comment received July 2015)**

Unable to adequately respond to this application due to the lack of information on the timings and the number of flights and how the aircraft's noise would be monitored.

### **9.5 Nayland with Wissington Parish Council (comment received in June 2015)**

Object - due to its unrestricted nature.

### **9.6 Chappel Parish Council (comment received in June 2015)**

Residents are concerned about the airborne noises and would like to see a noise survey to include the airborne noise of the motorised glider.

Concerned about the lack of information on the number of flights that the TMG is likely to make and there should be restriction of number of movements and number of TMG's allowed to be used at any one time.

- 9.7 Little Horkesley Parish Council (comment received following reconsultation in November 2015)  
One TMG being launched at 90 minute intervals would be acceptable – the Parish Council concurs with this assessment.

Given the chronic lack of trust between the Essex & Suffolk Gliding Club and the local community over many years, it is essential that the operation of the TMG is monitored on a daily basis and at the end of the first, and subsequent years, made available to interested local parties. Should the limits be exceeded planning permission should be withdrawn.

- 9.8 Wakes Colne Parish Council (comment received following reconsultation in November 2015)  
Objection -wish to support parishioners' serious concerns about airborne noise from motorised gliders over a large area and the increased number of days that motorised gliders can be used by opposing this proposal.

## **10.0 Representations**

- 10.1 142 Objectors (including SWAT “Stop Wormingford Air Traffic”) to the scheme as originally submitted.

### General comments on the submitted application

The supporting statement is deliberately vague; there is little evidence of involvement with local community groups/schools.

Lacking in details of use of TMG(s).

Removes restrictions on 4 aero-tow days per year, could be seven days a week including early morning and late evening in the summer.

Majority of club members aren't from the local area.

Is in effect retrospective as TMG already flown.

No mention is made of the hours for glider activity.

### Noise

There is noise from existing launching method.

Continual or irregular noise pollution creates anxiety states and disturbs village affecting young and elderly alike.

Why should the quality of life of local inhabitants in the surrounding area of the airfield should be so disrupted and disregarded for the sake of a small group of people. No benefit for local area.

Noise disturbance Woodland Trust sites near Fordham and Wormingford Church Yard which has Constable Family graves

The Gliding Club is a club primarily for providing enjoyment for its members. We sympathise with its desire to offer training but to suggest that the local residents should have to endure the inevitable noise pollution that the TMGs will create just so that the club can generate additional income is totally unacceptable.

BS 4142: 1997 for noise control in the environment is exceeded.



British Gliding Association has produced a handbook on TMGs in which it states (Page 7, section 12) that TMGs although quieter than most powered aircraft do have noise issues and can lead to complaints from residents.

The use of these aircraft will have a significant impact on very large area given the range and speed of modern TMGs.

Gliders make a noise when airborne.

The fact the TMG's are quieter than aircraft is irrelevant they are noisier than gliders.

Motorised gliders could be used for practising near-landings in a wide area beyond the airfield, using powered climbs several times on a single flight. The potential for low-altitude noise on each training flight is considerable and repeated.

The airspace above Little Horkesley is already used by Stansted airport for circling and holding as well as the air traffic from Nayland Airfield. Any additional noise from aircraft will undoubtedly become a nuisance and detract from what defines this rural area.

Currently can have 30 plus glides a day over garden – horrendous if these were powered.

Have experience of motorised gliders flown elsewhere which caused a noise annoyance.

There are already motorised gliders flying in the area which cause unacceptable noise.

Application talks of the aircraft spending time away from the airfield environs, but not where this might be, might be over flying residential areas and therefore have more of an impact on residential amenity?

There are existing issues with road noise, helicopter and Skip Hire lorries - we do not need any further noise.

Noise levels can be measured objectively; the effect upon individuals is a subjective matter of which there is no measurement

There is a vast difference between the use of a powered aircraft for 4 days per year, as currently permitted, in comparison to potentially 365 days a year dawn till dusk.

#### Submitted Noise report

Serious concerns about appropriateness of noise report the survey has been conducted in order to reach that conclusion rather than examine the noise effect in areas other than in the immediate vicinity of the winch.

The noise survey provided in support of this application has been sourced from three monitoring stations located only to the South and East of the

application site. It should be specifically noted that the wind direction was East South East (into the airfield and away from residential areas). There was no monitoring away from the airfield such as Wakes Colne or Mount Bures where the aircraft spend most of their airborne activities. The report would thus appear inconclusive

The Noise Survey/Assessment aims to give a comparison....between the noise from the TMG powered take-offs and noise from the normal winch-launch take-offs. However the assessment only gives a comparison of noise from the airfield, not noise at local communities due to overflying craft. From the information provided it is not unreasonable to deduce that TMG noise would be expected to give rise to nuisance in the local environment

The Assessment applies to one TMG only, taking off and landing in a direction away from residents, which will not always be the case as, the application is for TMGs plural and the wind direction changes will alter the take-off direction. More than one TMG and their flying over people's houses will have a considerably different effect on noise and the annoyance factor to residents.

No study of background noise (or ambient noise) has been shown, only the noise of three locations, on the day and at the time of the flights.

The Assessment compares the single TMG noise with the existing winch. The winch exists due to the previous appeal ruling. What we are being asked to accept here is a new and very different and probably much more variable type and level of noise. The tonal nature of a two bladed propeller is very different to the winch noise and is a moving noise source too.

No noise data has been presented to reflect what will be heard when the wind is in a different direction, requiring these aircraft to take off or to land over people's rooftops and gardens. There is no information of the rate of climb of the aircraft, the horsepower of the engines, what constitutes a powered glider in comparison to any other aircraft that is capable of gliding. The application is vague. A height of 300 metres is mentioned but with no idea at what distance from the take-off point this height is achieved.

#### Privacy/safety

Issues with pilots performing aerobatics over nearby housing.

Any increase in glider activity, which appears to be inherent in the proposal for more than one TMG, will impact on us through increased traffic low over our properties.

Low flying already impinges privacy.

#### AONB

Intolerable blight on peace and tranquillity.

Judicial Review in 2005 prevented excessive routing of commercial aircraft over the AONB specifically due to noise intrusion conflicting with the "tranquil" designation environmental assessment.

The AONB is of significant regional interest. It is of a rural character worth preserving and enhancing, not for burdening with noise and disturbance from the proposed operations. The proposed development will disrupt the tranquillity of the AONB and severely impact on the enjoyment, character and special landscape interest in the area.

#### Countryside/wildlife

Area enjoyed by walkers there are footpaths around and near the airfield; cyclists. Horse riders.

Adverse impact on animals - Livestock will be startled and disturbed, Wildlife in their natural largely peaceful noise free current environment will be disrupted and made anxious by the sudden aircraft noise which could affect breeding and use of current habitats. There are livery stables close by.

Adverse impact on Essex Wildlife Trust site at Sergeant's Orchard.

The current airfield and its traffic is already affecting beauty of this beautiful village. No indication of traffic generation; any increase would be dangerous.

Threat to the rural nature of the local environment.

It is a potential risk to the villagers, birds and wildlife. Increasing the traffic is the worst thing that can happen to our lovely village.

The airborne activities cover a much wider geographical area than the site plan. These aircraft circle at relatively low level and powered flight would potentially be of detriment to these Parishes interfering with the peace and privacy of residents.

#### General

TMGs do not actually glide very well and given the above specifications I believe they are used as light aircraft that do not require a CAA pilot's licence.

Concerns over policing of existing controls.

Adverse impact on air quality.

Motorised gliders for training purposes can be met at other local gliding clubs, e.g. Rattlesdon.

Reference to Great Oakley is irrelevant.

Numbers should be controlled.

Powered flight activities available from nearby Earls Colne and Nayland airfields.

Supporting Statement talks of a "Business Need", is this not a leisure facility rather than a business.

Would severely impact autistic child who is very sensitive to noise.

#### Traffic

The proposal seeks to increase the attraction of the airfield to new members, which will travel to the site. The surrounding roads are narrow country lanes; even a protected lane is located on the North West side of the airfield. The additional traffic along these country lanes with persons travelling to and from the site potentially in large vehicles towing gliders would cause additional disturbance. This is considered to be potentially dangerous to other highway users and completely inappropriate in such a rural context

#### Potential for expansion

Only the start could lead to further expansion of this gliding club's activities to include powered flights of all types.

Attempt to ramp up activity could lead to further expansion – helicopters, microlights etc.

#### Community/economy

Will not support local services/facilities.

Threat to the local community.

Will adversely impact on the tourism potential of the AONB.

#### Policy

Contrary to:

NPPF, section 3 supporting a Prosperous Rural Economy; proposal does not respect the character of the countryside; neither does it promote the retention and development of local services/community facilities, it is a privately run, members only flying club.

DP10 Tourism, Leisure

*' ... In rural areas, locations suitable for tourism, leisure and culture development should help to support existing local community services and facilities.'*; the proposal does not relate to a community service.

ENV2 Rural Communities, which states;

*' ... Outside village boundaries, the council will favourably consider small-scale rural business, leisure and tourism schemes that are appropriate to local employment needs, minimise negative environmental impacts and harmonise with the local character and surrounding natural environment.'*

The use of motorised glider will cause unacceptable noise and general disturbance and therefore, the proposal does not harmonise with the local character and surrounding natural environment.

## Policy DP22

The use of motorised gliders will cause unacceptable noise and general disturbance, impacting on the pleasure of those seeking to enjoy the AONB.

### General comments on the submitted application

The supporting statement is deliberately vague; there is little evidence of involvement with local community groups/schools.

Lacking in details of use of TMG(s).

Removes restrictions on 4 aero-tow days per year could be 7 days a week including early morning and late evening in the summer.

Majority of club members aren't from the local area.

Is in effect retrospective as TMG already flown.

No mention is made of the hours for glider activity.

10.2 36 objections following consultation in June 2015 (including reference You Tube clips) making the following ADDITIONAL comments:

Proposal is too open-ended.

Additional information does nothing to allay concerns already expressed.

1 TMG would still have an adverse impact on AONB.

Need confidence that the club are committed to having 1 TMG.

Whilst agent has indicated that TMG will usually land without an engine main concern is take off and climb to cruising level noise.

The number of days the TMG will be used is still unclear and should be controlled

The Applicants should afford residents the opportunity to gauge for themselves the likely impact of a successful application. This could be achieved by staging a live demonstration of powered flight of precisely the nature proposed so that necessary acoustic tests could take place.

No evidence of necessity of flights is provided. The reasons given in support of the application remain vague, and the new reference to obtaining gliding qualifications is simply wrong. The BGA's own website explains that Bronze may be obtained with or without the use of TMGs.

Concerned that more flights would be dangerous creating more opportunities for accidents.

The terminology used to describe the frequency of use is vague and open to interpretation.

Club suggestion that the demand for TMG use is low contradicts previous comments.

There is no control over where the TMG would fly – it could be around the local area.

If approved this would lead to the tug plane being used every day.

Incompatible with existing conditions.

Granting of this application is opening the flood gates for other powered craft and abolishing the confidence imposed by the original appeal decision.

The noise will be audible during take-off and landing even if the TMG is flown away from the site.

Frequency of use is vague.

If planning permission is recommended conditions to control use are required.

Concerns about comments of Council's Environmental Protection and Policy Officers.

10.3 18 objections received following consultation in November 2015 (including reference to You Tube clips and a sound file) making the following ADDITIONAL comments:

Take-off and landing only small part of flight time.

Once in air gliders circle to gain height.

With 1 hour TMG could circle for 55 minutes using engine continuously.

There is an increase in noise on powered days which would be unreasonable every day.

Like having a lawn mower over the house.

Gliders are by their very nature relatively quiet and serene. The addition of a motor does ruin the peaceful enjoyment of the local countryside which includes The Stour Valley AONB.

If the application is approved, would be allowed to fly 365 days a year opens the floodgates for further applications to increase this powered flight use.

8 flights a day could lead to 56 launches a week which is intolerable; a compromise would be of 4 or 6 flying days per annum.

There is video evidence of now the TMG is usually flown at a low altitude and full power; this I not now it was flown when the Noise recording was undertaken.

The gliding club have made it clear that the club have routinely used the TMG for powered soaring flight on days other than the 4 permitted days/year in contempt of their current planning permission. Their excuse for this behaviour is that they got away with it, as residents didn't complain. This ignores the obvious fact that as residents have never been informed when the 4 days of powered flight would take place, we would naturally assume on hearing powered flight it must be within the terms of their planning permission, as we had expected the club to adhere to the permission given them. Clearly they cannot be trusted to police themselves and in future their activities will require much closer monitoring.

The unrestricted use of the TMG at the Club's open day violates the existing conditions and restrictions applied to the Club in 1992 and 1996. This is 'creeping planning variation'.

It is neither necessary nor desirable for a TMG to be launched or landing using its engine. Take offs will be the most noisy part of the flight

8 flights a day could lead to 56 launches a week - intolerable.

Use of the engine should be prohibited within several miles radius of the airfield.

Control over number of TMG's that can be operated.

Control over hours of operation required; suggest hours 8 – 9 are unreasonable as people will be using their gardens in the summer during these hours.

How can the number of take offs be policed; this will be difficult and expensive to investigate.

There is no commitment not to use the TMG as a tug plane. It is almost certain that the club will do so to circumvent existing restrictions on tug plane usage.

There is no commitment that the TMG will NOT be used to train pilots or support them maintaining their Licence or only for the Clubs own purposes. If the Club is to make a meaningful concession to the many residents affected by their proposed TMG activities, they should follow the example of other Clubs and introduce their own regulations on the use of TMG.

If the TMG was a cable launched, followed by powered flight to an area far from the launch site, and then use its engine to gain height, people might take a more supportive view of the application.

Peace has been disturbed by pilot of the TMG starting its engine over garden.

#### 10.4 Four representations supporting the application:

Provides activity for teenagers in the village.

The use of the TMG will not increase traffic in village.

More damage to the environment by farming practices.

Vehicles going through the village are far louder than a TMG particularly when it is 2,000ft above you.

It is a privilege to have the gliding club so close and I thoroughly enjoy watching the gliders and support the additional use of a touring motor glider.

The volume of objections is partly due to the well-organised nature of a minority of individuals who have worked to spread misinformation.

Residents should be aware of the potential aircraft noise from airfields before they decide to purchase a house next to one.

The noise levels are virtually non-existent compared to other local noise generating activities.

General Aviation in the UK is under serious threat from these local NIMBY type objections. Landing aircraft will not be under power during their descent, so for residents of Wormingford the noise level of the 'lowest' aircraft will be no worse than the existing glider traffic.

Encouraging general aviation will encourage business in the area.

The airfield ought to be an excellent local resource for local children and air-cadets, who might choose a career in aviation.

Objections regarding pollution are conjecture and unfounded.

The submitted noise report seems to make it clear that the TMGs are significantly quieter in operation than the winch currently used.

Number of flights/flying days per annum for TMGs needs to be clarified, however the quietness of the TMGs is in their favour.

Lawnmowers are louder and carry on for longer than a passing TMG.

The full text of all of the representations received is available to view on the Council's website.

## **11.0      Parking Provision**

11.1      Not a relevant consideration.

## **12.0      Open Space Provisions**

12.1      Not a relevant consideration.

## **13.0      Air Quality**

13.1      The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

## **14.0      Development Team and Planning Obligations**

14.1      This application is not classed as a "Major" application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (S106) of the Town and Country Planning Act 1990.

## **15.0      Report**

15.1      Current use of the site by the Essex and Suffolk Gliding Club:      The Gliding Club has been operating from the application site since 1990. This use is controlled by planning conditions imposed at Appeal in 1992; two of the conditions were removed in 1996.

15.2      Records indicate that in the early 1990's there were issues relating to noise from the plane used to tow gliders into the air. Consequently one of the conditions imposed by the Inspector in 1992 was that the club could only launch gliders by tow plane on four days per year (These are known as the aero-tow days). The Club has to notify the Council in advance of the days



to be used for this purpose. In recent years the club has also notified a number of interest groups/individuals (including SWAT) of the proposed days.

- 15.3 The proposed use of a TMG will enhance the Club's ability for the training of glider pilots and instructors.
- 15.4 Clarifications: The Gliding Club has clarified a number of points which were unclear from their submission and/or have been raised in the representations:
- 15.5 The TMG cannot tow gliders, it is not powerful enough, it does not have the relevant licensing and does not have the equipment to do so.
- 15.6 Non Club Members are not permitted to fly the TMG.
- 15.7 TMG's from other clubs/individuals will not use the airfield. The application is in respect of the operation of a single TMG owned by the Gliding Club.
- 15.8 The Club has code of conduct including flying orders, governing all its operations, which will as a matter of course, be amended to take into account a number of aspects relating to revised operation of the TMG resulting from the terms of any planning permission.
- 15.9 The TMG in order to have adequate take off power would take off in full throttle, as it reaches a safe height this would be reduced accordingly.
- 15.10 The TMG will always use the maximum length of runway available and therefore commence their flight from the take off point for whichever runway is in use at the time. The height at which it crosses the end of the runway is dependent on wind speed i.e. a higher wind speed enables any aircraft to climb more steeply in relation to its progress over the ground.

Noise:

- 15.11 Noise from the proposed use of the TMG both on the nearby AONB and wider and on residential amenity is pivotal to the consideration of this application.
- 15.12 The application was supported by a Noise Survey and, due to the concerns expressed in the representations, noise monitoring has been carried out by Environmental Protection Officers at two properties close to either end of the runway.
- 15.13 National Planning Policies (including paragraph 115 of NPPF) and our Policy DP22 seek to protect the AONB. Tranquillity is an important element of the landscape character. Consideration in consultation with The Dedham Vale and Sour Valley Project and Council Policy Officers has therefore been given to the impact of the TMG. Given the advice of Environmental Protection the conclusion is that the use of a TMG, as proposed, will not

have an adverse impact on the tranquillity of the AONB and wider countryside. It is also recognised that, as set out in the Policy explanation for DP22, the AONB is a living landscape which needs to adapt to changes such as recreational pressures from local community and visitors.

- 15.14 The Landscape Officer has suggested that consideration could be given to limiting the use of TMG's to the west and south of the Wormingford Airfield in order to help further protect the Dedham Vale AONB. The views of the Gliding Club on this suggestion have been sought and will be reported on the Amendment Sheet. However given the comments of the other Consultees on the impact on the tranquillity a condition to this affect is not considered reasonable.
- 15.15 DP1 requires that any use should protect residential amenity. The noise monitoring undertaken by Environmental Protection indicates that the impact on noise from the TMG both close to the airstrip and the wider area will not be unduly intrusive or have an adverse impact on the peaceful enjoyment of property. As the area is predominantly quiet it is considered that repeated take-offs and landings could combine to have a significant adverse impact on local residents. Accordingly, conditions have been suggested to limit the hours of use from 8am to 9pm and to require a space of a least sixty minutes between take-offs in any one direction. That is to say, any take-off less than 60 minutes from the last will be in the opposite direction. In discussion with Club a maximum of eight take-offs a day has be agreed.
- 15.16 The Gliding Club is in agreement with these proposed conditions and has indicated that the number of flights by the TMG will usually be lower than the conditions would allow. It has requested that the conditions be relaxed one day a year. This is for the Club's open weekend and will permit it to take visitors for short flights in the TMG. This is considered to be a reasonable request but it is suggested that a condition be imposed requiring the Council/other interested people/groups to be given notice of the date in the same way as they are required to give notice of aero-tow days.
- 15.17 Other Matters: There are numerous representations about the flying of the TMG once it has taken off. This is not something over which the Council can control. The Gliding Club is aware of this issue and has indicated that they seek to ensure that pilots fly appropriately. Any concerns about inappropriate flying activity and safety are matters for the CAA.
- 15.18 Privacy has been mentioned; the Gliding Club can fly traditional gliders without any restrictions and it is not considered that the additional use of a TMG will materially impact on the privacy of householders in the locality.
- 15.19 There have been concerns regarding the impact on livestock, horse and other animals. No evidence has been provided to support this suggestion. Given the assessment that the noise levels will not adversely impact on residential amenity it is suggested that the use of the TMG is unlikely to be an issue to animals.

- 15.20 Natural England has not raised any concerns about the application; its Standing Advice of Protected Species does not suggest an ecology report is necessary.
- 15.21 DP10 and ENV2 support Leisure facilities outside of village boundaries. A requirement of ENV2 is that new Leisure uses have a benefit to the environment/local economy. The Gliding Club does not contribute any obvious benefits to the local area. The use of the TMG will not change this situation. However the Club is well-established and any resistance to the use on this ground is likely to be difficult to sustain.
- 15.22 The level of use of the TMG is unlikely to have any significant impact on air quality or traffic levels.
- 15.23 This application must be determined on the information provided. Any future changes, if applied for, will be determined on their merits and in line the policy framework applicable at the time of any such application.

## **16.0 Conclusion**

- 16.1 The proposed use of the TMG is acceptable subject to conditions to protect residential amenity and the tranquillity of the AONB/wider Countryside.

## **17.0 Recommendation**

- 17.1 APPROVE subject to the following conditions

## **18.0 Conditions**

### **(1) ZAA - Time Limit for Full Permissions**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

(2) This permission does not in any way vary or remove the conditions 1, 2 or 5 of COL/91/0338 detailed in The Planning Inspectorate decision letter dated 17/8/1992. These conditions remain in force and shall continue to apply. Reason: To avoid any doubt that this application varies the previous planning permission as referenced, in the interests of proper planning and so that the applicant is clear on the requirements they need to comply with.

(3) With the exception of one day per annum (the Essex and Suffolk's Gilding Club's Open Day) there must be a space of a least sixty minutes between take offs in any one direction. That is to say any take off less than 60 minutes from the last will be in the opposite direction. Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise.

(4) The Essex and Suffolk's Gilding Club's Open Day shall not take place unless the Council is notified of its date at least two months in advance. Reason: So that the Council and other interested parties are aware of the date that the normal restrictions on the spacing between take offs are suspended.

(5) The club must not operate or fly the TMG outside of the hours 08.00hrs to 21.00hrs. Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise.

(6) The club must not make any more than eight take-offs in the TMG per day. Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise.

## **19.0 Informatives**

Colchester Borough Council Environmental Protection and/or Development Management Team should be given access to the flight log in order to investigate any complaints arising from the use of the TMG."