

Planning Committee

11 October 2019

Agenda item number 8

BA/2018/0505/COND Aldeby Model Flying Club, St Mary's Lane, Aldeby

Report by Planning Officer

Proposal

Amendment to approved flying hours, variation of condition 3 of permission BA/2015/0055/COND.

Applicant

Mr Richard Smith

Recommendation

Approve subject to conditions

Reason for referral to committee

Objections received

Application target date

05 March 2019

Contents

1.	Description of site and proposals	2
2.	Site history	5
3.	Consultations received	5
	Parish Council	5
	Natural England	6
	Norfolk County Council (NCC) Highways	6
	South Norfolk Council Environmental Protection	6
4.	Representations	6
5.	Policies	7
6.	Assessment	8

7.	Conclusion	11
8.	Recommendation	12
9.	Reason for recommendation	12
Appendix 1		13
	Location map	13

1. Description of site and proposals

- 1.1. The application site comprises an area of land of approximately 1.5 acres which is used for the flying of model aeroplanes. It is located on the southern side of St Mary's Road which lies at the top of the northern slope of the Waveney Valley. The site is situated to the south-east of the village of Aldeby and is surrounded by agricultural fields. The north-eastern, south-eastern and south-western boundaries of the site are defined by high field hedges, whilst there is a minor road along the north-west boundary. Access to the site is from St Mary's Road via a corner entrance with a metal gate leading into a designated off road parking area, which is matted to ensure safe access for off road parking in all weather conditions.
- 1.2. The site has the appearance of a grassed field with some low level fences and picnic tables. The grass across the field is kept short, with particular areas (the runway, viewing and parking areas) being especially closely mowed and c with trails linking these areas as well as to the club hut sited adjacent to the road boundary. The fences are timber post and rail fences which provide an operators' box and a safety fence between the flying/runway area and the parking and observation areas. The club hut is a large wooden shed which also provides a mower garage and toilet compartment.
- 1.3. The site is located approximately 800 metres to the north of the Barnby Broad and Marshes SSSI.
- 1.4. This site has been used by the Waveney Model Flying Club since 2005 as an airfield from which to fly model aircraft. The models are either powered by internal combustion engines or by rubber or electric motors. Some are totally silent, such as gliders. Those planes that are powered by rubber or electric motors and gliders are classified as 'silent craft' by the British Model Flying Association.
- 1.5. In 2008 planning consent was granted for the permanent operation of the Waveney Model Flying Club from this site (BA/2008/0212/CU). This consent included conditions which stipulated when the aircraft could be flown from the site and also how many aircraft could be flown at any one time. This consent also identified where the models could be flown and also restricted the maximum noise level from any individual engine. These conditions were all imposed to ensure the ongoing protection of the local amenity.

1.6. In 2015 the club applied to vary condition 3 to allow for an extension to the approved hours (2015/0055/COND). This application was considered by Planning Committee following an objection from the Parish Council and two local residents. The application was approved and condition 3 was amended as follows:

“No craft shall be operated on site other than during the following permitted hours:”

Table 1

1 May to 31 August inclusive

Day	Times
Monday	14:00 to 21:00 hours (silent flight only as detailed in Condition 4)
Tuesday/Wednesday/Thursday	14:00 to 21:00 hours
Friday	14:00 to 21:00 hours (silent flight only as detailed in Condition 4)
Saturday	13:00 to 19:00 hours
Sunday	10:00 to 14:00 hours 16:00 to 20:00 hours (silent flight only as detailed in Condition 4)

Table 2

1 September to 30 April inclusive

Day	Time
Monday	13:00 hours to dusk (silent flight only as detailed in Condition 4)
Tuesday/Wednesday/Thursday	13:00 hours to dusk
Friday	13:00 hours to dusk (silent flight only as detailed in Condition 4)
Saturday	13:00 to 19:00 hours
Sunday	10:00 to 14:00 hours 16:00 to dusk (silent flight only as detailed in Condition 4)

Reason: In the interest of local amenity.

1.7. Condition 4 of this planning permission states:

“During permitted hours there shall be no more than six craft flown at any one time, comprising three powered craft (internal combustion) and three silent craft (electric and/or gliders); with the exception of Sundays between the hours of 16:00 and 20:00 when only silent craft may be flown.”

1.8. Consent is now being sought to amend Condition 3 of planning permission BA/2015/0055/COND to amend the hours and this proposal has been subject to a good deal of negotiation with the applicants. The proposed hours as originally submitted were subject to consultation in January 2019. The comments received were discussed with the applicants who responded by proposing reduced hours and this was subject to a second consultation in April. Further comments were received and these again were discussed with the applicants. A further reduction in hours was proposed and these were subject to a third consultation in June. Unfortunately the hours advertised were not correct and a final consultation took place in August.

1.9. These proposed hours, subject of this assessment, are as follows:

Table 3

1 May to 31 August inclusive

Day	Time	Difference to approved hours
Monday	1300 to 2100 (silent flight only as detailed in Condition 4)	+1
Tuesday	1030 to 1300 (silent flight only as detailed in Condition 4) 1400 to 2100	+2.5
Wednesday	1030 to 1300 (silent flight only as detailed in Condition 4) 1400 to 2100	+2.5
Thursday	1030 to 1300 (silent flight only as detailed in Condition 4) 1400 to 2100	+2.5
Friday	1300 to 2100 (silent flight only as detailed in Condition 4)	+1
Saturday	1100 to 1700	0
Sunday	1000 to 1400	-4

Combined total difference to approved hours: +5.5 hours

Table 4

1 September to 30 April inclusive

Day	Time	Difference to approved hours
Monday	1200 to sunset (silent flight only as detailed in Condition 4)	+1
Tuesday	1000 to 1200 (silent flight only as detailed in Condition 4) 1300 to sunset	+2

Day	Time	Difference to approved hours
Wednesday	1000 to 1200 (silent flight only as detailed in Condition 4) 1300 to sunset	+2
Thursday	1000 to 1200 (silent flight only as detailed in Condition 4) 1300 to sunset	+2
Friday	1200 to sunset (silent flight only as detailed in Condition 4)	+1
Saturday	1000 to 1700 (or sunset whichever is earlier)	0
Sunday	1000 to 1400	-1

Combined total difference to approved hours: +7 hours

2. Site history

- 2.1. In 2005 temporary consent was granted for change of use of agricultural land to land for the use by a model flying club. (District ref 2005/1475/CU).
- 2.2. In 2008 Members undertook a site visit to review BA/2008/0212/CU - Change of use of agricultural land to model flying club.
- 2.3. In 2008 consent was granted a change of use of agricultural land to model flying club. (BA/2008/0212/CU).
- 2.4. In 2009 consent was refused for retention of a non-residential static caravan for use as a club hut and storage unit and portable WC for club use. (BA/2009/0040/FUL).
- 2.5. In 2009 consent was granted for the siting of a wooden shed for use as a club hut, mower garage and toilet compartment (BA/2009/0268/FUL).
- 2.6. In 2015 consent was granted for the variation of condition 3 on pp BA/2008/0212/CU to allow electric silent flight only on Mondays and Fridays (BA/2015/0055/COND)

3. Consultations received

Parish Council

- 3.1. Councillors are still mindful that there is still considerable concern from residents over the noise levels.

At least one day at the weekend should be electric-only flying, preferably the Sundays.

There is a dislike and indeed mistrust of the one-hour "break".

The most recent set of proposals makes no stipulation of what they propose will be flying on Summer Sundays, and throughout the weekends in the Winter.

We cannot see that an ageing and dwindling Club membership (their words) needs to extend its hours beyond those already permitted, because the majority of members must surely be retired and can therefore fly as and when they like.

To sum up, we OBJECT most strongly to any increase in hours, and wish to impose more restrictions on I/C engine aircraft flying at weekends.

Compromise proposals were submitted (response 2 dated 15/4/19).

Natural England

- 3.2. Replied stating no comment.

Norfolk County Council (NCC) Highways

- 3.3. I note from the summary provided that the amended proposed flying hours now include an hour break between morning and afternoon sessions (Mon-Fri), which addresses the Highway Authority's previous comments. Therefore subject to any grant of variation of condition reflecting the stated amended hours the LHA raise no objection.

South Norfolk Council Environmental Protection

- 3.4. Please note that South Norfolk Council Environmental Protection were consulted but no response was received.

4. Representations

- 4.1. Eleven people from ten addresses responded. Two responses were in support of the application and nine responses raised objections.
- 4.2. The support is summarised as follows:
- No issues of noise or disturbance in six years
 - In terms of noise, the area supports much heavy agricultural activity, machine noise, and organised game shooting and wildfowling.
 - Electric models are very quiet indeed, as are the gliders.
- 4.3. The objections are summarised as follows:
- Constant loud and intrusive noise during flying hours
 - Noise is now louder, longer, and more intrusive than ever
 - The club does not adhere to no fly zones
 - Dependent on wind direction it can be heard all over the parish
 - The flying club claim they can not fly for 50% of the available time due to inclement weather, when the weather is nice and they are flying this is the same time residents would be outside enjoying the weather.

- Weekend flying happens when most people are likely to be at home, so IC flying then is at its most annoying.
- I would like to see total non IC flying but at the least there should be one clear day at the weekends.
- Electric models, while they may be quieter than combustion engine models, are certainly not silent.
- My own recommendation would be for a reversion to the earlier more restrictive time periods.
- The aircraft are becoming bigger and noisier.
- I cannot sit outside during the times the aircraft currently fly due to the persistent noise.
- The club's claim that no complaints have been recorded previously is false.
- In a quiet rural area the noise is extremely intrusive especially at weekends and when the weather is quiet or the breeze comes from the south.
- The noise results in very real irritation and indeed distress.
- The proposed flying of I.C. aircraft only at weekends, when most residents seek peaceful respite from the effects of the working week, should be carefully considered.
- Noise levels from each plane vary some are louder than others but they all share the same pitch and structure. EEEEEEEEEEEEEEEEEEEEEEE. Imagine this throughout the day and carrying on just as the stillness and quiet descends on Aldeby.
- A solution might be for the planes to fly east. I believe there are only fields in that direction so this could be a good accommodation.
- The current noise from the aircraft can be heard at least 1km away as there is no other background noise, so the sound carries a considerable distance which already causes significant annoyance.
- A continuous high pitched, whining noise is annoying, irritating and ruins the peace of the countryside.
- The very real distress caused to residents by the noise is genuine.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
 - Local Plan for the Broads (2019)

SP6 - Biodiversity

SP7 - Landscape Character

DM13 - Natural Environment

DM21 - Amenity

DM23 - Transport, Highways, and Access

- Other Material Considerations

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

6. Assessment

- 6.1. The proposal is for an amendment to condition 3 of the existing planning permission to allow for a change in the hours allowed for flying of model aircraft, these hours being divided between internal combustion powered planes, and electric powered planes and gliders (known as 'silent'). The main issues in the determination of this application are the impact on amenity, and highways safety.
- 6.2. The Waveney Model Flying Club has been operating with planning approval at this site since 2008, with the permitted hours and type of craft permitted during those hours specified in planning conditions attached to the planning approvals. The number of permitted hours was extended in 2015 through an application which was determined by Planning Committee following objections from the Parish Council and two local residents.
- 6.3. Through the consultation to this current application the level of objection from local residents has increased, and the Parish Council have maintained their opposition to any increase in hours. Whilst this local opposition is noted, the existence of the Model Flying Club at this location is established and the assessment of this proposal can only consider the proposal in hand, namely alterations to the approved hours.
- 6.4. In assessing the previous application to amend the approved flying hours it was accepted that the Model Flying Club activities are weather dependent, on average only 50% of the hours permitted were suitable for flying, and it was reasonable to add Monday and Friday to the approved 5 permitted flying days to allow flying 7 days a week for greater flexibility. The trend of there being only limited days suitable for flying has continued and in the last full year prior to application (2017) flying was only undertaken on 139 out of a possible 357 days, or 39%.
- 6.5. It is noted that the club have summer and winter hours stipulated on Condition 3, and it is proposed to alter these in the same way, but with slightly different overall hours due to dusk being that much earlier in winter. For example, whilst in summer the approved finish time is 9pm, in winter it is dusk which is on average around 5pm. In the context of

this application, this means fewer additional hours on weekdays but also a lesser reduction in hours at weekends. For the purpose of this assessment it is considered reasonable to concentrate on summer hours as due to the nature of the weather residents are more likely to have their windows open or be outside in the garden during summer which increases the potential for noise to impact on their amenity.

- 6.6. As originally submitted the current application sought an additional 4 hours on each weekday, along with 3 additional hours on Saturday and 2 additional hours on Sunday. Whilst the justification for the previous approval is still relevant and applicable – i.e. the activities are weather dependent and in practice only 50% of permitted hours are actually suitable - amending the hours further to the extent that the majority of each day would be permissible for flying had to be considered very carefully, particularly in light of the strength of local opposition to the proposal. In providing such a degree of flexibility as that originally proposed in this application, which allows for model aircraft flying at most times, it was noted that this could lead to an unacceptable lack of respite for local residents, and has the strong potential to further aggravate local residents who have written quite extensively on the issues regarding the noise of working model aircraft.
- 6.7. In addition to the local opposition, which comprised nine local residents from eight addresses and Aldeby Parish Council, it is noted that Norfolk County Council as Highways Authority maintained an objection to continuous hours across single days. This was on the basis that such hours would increase the likelihood of vehicles heading away from the site encountering vehicles approaching the site, with the unclassified road serving the site considered to be inadequate to cope with this.
- 6.8. The local opposition and highways objection were discussed with the applicant who was invited to consider amending the proposed hours. The proposal was subsequently amended (for the first time), to split the weekday flying hours into two segments with a lunchtime break, and to reduce the weekend flying hours. The amended proposal was subject to consultation, in response to which the highways objection was withdrawn. The local opposition, however, was maintained and in light of this and the daily coverage of hours further discussions took place, resulting in the discussion of (and consultation on) a number of proposed amendments.
- 6.9. The formal revision to the proposed hours, and the one which is being assessed in this report, is for a further reduction to the additional hours as proposed. It effectively adds three morning sessions to the weekdays, whilst retaining afternoon sessions on all five weekdays. An earlier start by one hour is proposed for afternoon only sessions on Monday and Friday. The duration on Saturday remains the same but with the start and finish moved two hours earlier. The Sunday session has been halved with a reduction of 4 hours.
- 6.10. Overall the proposed additional hours have been reduced from an original submission total of +25 summer hours compared to the existing hours, to a second revision total of +5.5 hours compared to the existing hours. Albeit that this is still an increase, it

represents a significant reduction from the original proposal and one which appears to reflect a consideration by the applicants of the amenity of neighbouring residents, and a reflection on the hours which are most suited to the club membership, with regard to the years of experience in running a club of this type.

- 6.11. A final consultation was carried out and the objectors were made aware of the reduction in hours. Five responses were received all maintaining their objections, and suggesting that Sundays should be silent. The Parish Council proposed that Sundays be electric only.
- 6.12. It is noted that the operation of the Club does have an impact on residential amenity locally, and it is understandable that local residents would wish to protect their amenity. It is also the case that the objective of the Club to increase flexibility and opportunity for members, particularly in light of over half the potential flying hours being lost due to unsuitable flying conditions, is not in principle unreasonable. Achieving a balance between the two competing positions is required.
- 6.13. Flying is already permitted on every day of the week and this will have a certain level of impact on the amenity of local residents. The essence of this application is whether the addition of three weekday morning sessions of 2.5 hours each along with an extra hour on the other two weekdays is sufficiently balanced by the removal of the Sunday afternoon session.
- 6.14. In terms of the weekday flying times, it should be noted that the additional hours proposed are for electric planes or gliders only which are less noisy than internal combustion planes. Whilst internal combustion planes would still be flown at weekends this is the same as the permitted hours, and with the Sunday afternoon electric only session removed there is an overall reduction of 4 hours in weekend flying time.
- 6.15. It should also be noted that whilst there have been 9 responses from 8 addresses objecting to the proposal, each one raising the issue of noise impact, no complaints have been received by either the Broads Authority or South Norfolk Council. This cannot be used as evidence to suggest that local residents do not experience a noise disturbance, what it does suggest is that the disturbance has not been considered as severe enough to warrant complaint to a relevant authority. It also means that no investigation has taken place of alleged breaches of the no-fly zone, so any such claims cannot be substantiated.
- 6.16. The proposed hours do represent a potential increase in activity at the site, but over the course of the week and at 5.5 hours in total, the increase is not considered unreasonable or excessive. The proposed hours are all for 'silent' flight which, although not absolutely silent, does represent the less intrusive of the two approved classifications of flight. The most important of the proposals is the three additional 2.5 hour morning sessions. These would take place on weekdays, whereas the reduction in hours is proposed for Sundays. The absence of an afternoon session on what is generally perceived as the quietest day of the week, and seemingly the day when the

largest proportion of people will be enjoying their homes, this would arguably make a more significant contribution to residential amenity than the addition of weekday mornings.

- 6.17. It is noted that additional hours are also proposed in the winter, totalling an increase of 7 hours per week. This would comprise an additional 1 hour on Monday and Friday mornings achieved by starting at midday instead of 13.00 and an additional 2 hours (10.00 – 12.00) on Tuesday, Wednesday and Thursday mornings, all of which would be silent flight. There would be no change on Saturday and the Sunday afternoon flying would cease at 14.00. On balance, and particularly because of the nature of the flying, it is considered that the impact of the additional hours through the week would be offset by the reduced impact on Sunday afternoon.
- 6.18. The site is located approximately 800m north of Barnby Broad and Marshes SSSI and questions have been asked regarding the impact on this designated area. Natural England have been consulted and replied stating no comment. It is noted that they raised no objection to the previous application. Given that model aircraft flying is an existing activity in this location, the absence of concern from Natural England is considered a reasonable measure of the acceptability of the club's activities in this location.
- 6.19. The Local Highway Authority raised an objection to the hours as initially proposed and requested a 1 hour break to ensure that opposing traffic movements are kept to a minimum. Amendments to the proposed hours have responded to this by providing a 1 hour break and the Local Highways Authority have removed their objection to the proposed additional hours.

7. Conclusion

- 7.1. The flying of model aircraft at the Waveney Model Flying Club site is established and permitted and the hours during which aircraft may be flown are well defined. The proposed amendment to the approved flying hours at the Waveney Model Flying Club site would increase the potential flying hours per week by 5.5 hours (7 hours in winter), this includes establishing morning sessions on three weekdays, and reducing flying hours on Sunday by removing the afternoon session. The proposed additional hours are all for 'silent' flight, and the removal of the Sunday afternoon session will make a significant contribution to residential amenity which is considered to strike a reasonable balance against the additional morning sessions. Whilst local opposition is acknowledged, it is not considered that there would be sufficiently significant adverse impacts on neighbouring amenity to justify a refusal of planning permission. Overall the addition of 5.5 hours (7 hours in winter) is considered to be a reasonable and minor addition. The proposal is considered acceptable with regard to potential impacts on highways and designated sites. It is therefore considered that the proposed hours are acceptable with regard to Policies DM13, DM21, and DM23 of the Local Plan for the Broads.

8. Recommendation

8.1. Approve subject to conditons

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Operation only during permitted hours;
- iv. Limit on number of craft and definition of craft type;
- v. No flying within 200 metres of noise sensitive premises including any domestic curtilage
- vi. Limit on noise emitted by individual craft;
- vii. Access, parking and fencing details on site to be maintained as approved; and
- viii. Written record maintained of site use.

9. Reason for recommendation

- 9.1. The proposal is considered to be in accordance with Policies DM13, DM21, and DM23 of the Local Plan for the Broads (2019), and the National Planning Policy Framework (2019) which is a material consideration in the determination of this application.

Author: Nigel Catherall

Date of report: 27 September 2019

Background papers: Application File BA/2018/0505/COND

Appendix 1 – Location map

Appendix 1

Location map



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