

GREENHAM 17/00219/COMIND Pins Ref 3178239	Former Gama Site Basingstoke Road Greenham Common Flying A Services Ltd	Erection of new access lobby unit to building No. 703	Delegated Refusal	Allowed 27.10.17
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Application for costs

An application for costs was made by Flying A Services Ltd against West Berkshire Council. This application is the subject of a separate Decision.

Main Issue

The main issue in this case is the effect of the proposed development on the Cruise missile shelter complex, Greenham Common Airbase.

Reasons

The appeal site consists of 'Building No. 703', a massive earth covered concrete former Ground Launched Cruise Missile (GLCM) shelter. The shelter is one of six on the site, which together with a range of support buildings, five 'Igloo' shelters to the west, a double security fence, and third outer patrol fence is scheduled under the Ancient Monuments and Archaeological Areas Act 1979.

As a whole the scheduled monument is known as the GAMA (Ground Launched Cruise Missile Alert and Maintenance Area) and is scheduled as an exemplar of the infrastructure of GLCM technology. The site was developed at the start of the 1980s as part of what is described by some as the Second Cold War. Following a treaty in 1987 the GLCMs were removed and the base was closed in 1992. The schedule states that the GAMA complex at Greenham Common is internationally important as one of the key emblematic monuments of the Second Cold War, signifying an escalation of the nuclear arms race, and that since most of the missiles and launchers have been destroyed, the site remains as one of the few tangible relics of the technology. The schedule also notes that the site has a wider cultural significance as the focus of mass protest against the nuclear arms race. Both these key factors form part of the significance of the monument.

GAMA is listed under Schedule 1 of the Ancient Monuments and Archaeological Areas Act 1979 and is therefore by definition of national importance. Paragraph 132 of the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of such monuments and that substantial harm to them should be wholly exceptional. Policy CS19 of the Core Strategy states that particular regard will be paid to the conservation, and where appropriate, enhancement of heritage assets and their settings.

Building 703 consists of three concrete tunnels. Massive steel blast doors are sited at each end. At the southern end these are open and lie flush across the concrete floor as effectively drawbridges. The doors were decommissioned as part of the 1987 Treaty and their former hydraulic rams have been cut. As such the three tunnels are open to the elements. The Inspector saw evidence on his site visit of unlawful ingress to the tunnels and areas where theft had occurred.

The proposal seeks to construct new doors to the tunnels. These doors would take the form of a protruding metal clad lobby area with a sliding/roller shutter door on the right hand side and a personnel door on the left hand side. The proposal would extend out beyond the steel drawbridge doors.

The proposed development was granted Scheduled Monument Consent by Historic England (then English Heritage) in 2014. This consent provided for new access doors to all six of the shelters. The consent states that English Heritage considered that the proposed works would significantly alter the present condition and appearance of the monument, but would not damage its historic fabric.

The Inspector agreed with this assessment. The proposal would clearly significantly alter the appearance of the monument, covering up the current three tunnels and providing a more modern commercial view than the current heavy industrial appearance of the massive structure. However, it

is clear that the planned works would avoid the structure and mechanisms of the original infrastructure itself, so as to not harm the historic fabric.

Due to the lack of harm to the fabric of the structure, the Inspector considered that the adverse effect on the monument would not reach the high bar of substantial harm. Nevertheless, harm would be caused to the significance of the site. Paragraph 134 of the Framework states that such harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

At present GAMA appears to be in use for storage uses. The proposal would allow secure storage within the three tunnels of Building 703, increasing the attractiveness of the site for commercial use. A wide range of theft and vandalism of the site is described by the appellant; given the history and fame of the monument, the Inspector could understand that such issues are unlikely to go away. The proposal would allow secure storage and dissuade vandals, thieves and the merely curious from Building 703 whilst also protecting the structure from the weather and wildlife incursions.

A previous appeal founded on the lack of an approved use for the shelter, and Historic England refer to the proposal offering the opportunity of a viable use. The Inspector agreed that a purely speculative proposal would not offer guaranteed public benefits against the acknowledged harm that the proposal would cause. However, since the time that the appeal was lodged a separate appeal has granted a lawful development certificate for the use of the GAMA site for internal storage within Class B8. Historic England considers that such a use could well represent the optimum viable use for the site. He agreed that secure storage, which would use the shelters for internal storage and would by its nature not require significant alteration to the tunnels, other than that which is applied for in this case, would be a possible optimum viable use for the structure and would require little further interference.

The proposal would secure the shelters and protect Building No. 703 from further internal damage. The Inspector considered therefore that the securing of the optimum viable use of Building 703 would outweigh the less than substantial harm that the proposed access lobby would cause to the scheduled monument. As such he considered that, when taken in the round, the proposed development would have a beneficial effect on the Cruise missile shelter complex, Greenham Common Airbase, and would comply with the Framework and Policy CS19 of the Core Strategy.

Conditions

He imposed conditions relating to implementation time and development in accordance with submitted plans, in the interests of providing certainty and also imposed conditions relating to the approval of materials samples and for a schedule of works to be approved prior to development commencing. Such conditions are necessary to protect the significance of the scheduled monument.

The Council have requested a condition for details of the proposed sliding doors to be approved prior to commencement, with drawings required at a scale of 1:20 and 1:2. The appellant is of the view that such a condition is overly onerous and impractical. The Inspector considered this matter carefully, and was of the view that while drawings at 1:2 would be impractical, a condition requiring details at a scale of 1:20 is reasonable given the national and international importance of the monument. Materials of the proposed doors would be covered by the proposed overall materials condition and would not need to be replicated by the condition though.

Conclusion

For the reasons given above, and having regard to all other matters raised, the Inspector concluded that the appeal should be allowed.

Decision

The appeal is allowed and planning permission is granted for the erection of new access lobby unit to building No. 703 at Former Gama Site Greenham Common, Basingstoke Road, Greenham, Thatcham RG14 7HQ in accordance with the terms of the application, Ref 17/00219/COMIND, dated 26 January 2017, subject to the conditions set out below.

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: GAMA Site Greenham Common Block Plan of Building no 703, Proposed Roof Plan at 1:100, Greenham Common Silos Proposed Floor Plan, Greenham Common Silos Front Elevation Opt. 2, Greenham Common Silos Longitudinal Section A-A.
- 3) No development shall take place until details of the design of all proposed sliding doors including plans/elevations/drawings at a scale of 1:20 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place until samples and an accompanying schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.
- 5) No development (including preparatory or demolition work), shall take place until a detailed schedule of works has been submitted to and approved in writing by the Local Planning Authority. This shall include all work required to meet Building Regulations. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Costs Decision

The application for an award of costs is refused.

Reasons

Planning Practice Guidance (PPG) states that costs may only be awarded against a party who has behaved unreasonably and thereby caused another party to incur unnecessary or wasted expense in the appeal process. Unreasonable behaviour in the context of an application for an award of costs may be either procedural or substantive.

The costs application was based on the ground that the Council has failed to properly exercise their development management responsibilities, relying upon a refusal reason which did not stand up to scrutiny, contrary to advice received from their own archaeological advisor and from Historic England, and that the existence of scheduled monument consent for the site was not properly considered.

The Council's Historic Environment record officer states in her consultation response that she considers that the proposal will have an impact on the appearance of the scheduled monument, but that this adverse impact could be said to be acceptable if it leads to suitable reuse of the building, but notes that it is unclear what re-use has been authorised.

The consultation response from Historic England follows a similar vein, in where they note that their decision in 2014 to grant scheduled monument consent was based on the view that the harm that the proposal would cause would be outweighed by the opportunity of a viable use on the site. They were also unclear about the current use of the site, and recommended that the Local Planning Authority consider the proposal along the requirements of paragraph 134 of the National Planning Policy Framework.

The Council refer to this test in their officer's report on the proposal, noting that the silos do not benefit from B8 use and that with no secured viable use for the site the harm that the scheme would cause is not justified. The appeal granting the lawful development certificate for the use of the overall site for internal storage within Class B8 was yet to be determined.

The Inspector therefore did not consider that the Council behaved unreasonably in their consideration of the proposal. While he had disagreed with the Council in his planning appeal decision, since the time of the application decision the LDC has been granted and this was a fundamental consideration in his decision.

The Planning Officer's Report for the application notes that the site has the benefit of scheduled monument consent for the erection of lobbies and silos to all six shelters, but considers that Historic England made this recommendation they considered that a viable use for the site had been ascertained. The report fully notes and considers the existence of the SMC but considers that, when taking into account all considerations the application would still be contrary to the development plan. The Inspector did not consider therefore that they behaved unreasonably in this matter.

The Inspector therefore found that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

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