

Report of the Head of Planning

PART 5

Decisions by County Council and Secretary of State, reported for information

- **Item 5.1 – Former RAF Mast, Courtenay Road, Dunkirk**

APPEAL DISMISSED

This was an appeal against non-determination of the application whilst we were awaiting further archaeological work to be done. The decision supports the Council's concern in this regard.

Appeal Decision

Site visit made on 10 February 2015

by **Cullum J A Parker BA(Hons) MA MRTPI AIEMA**

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

Decision date: 3 March 2015

Appeal Ref: APP/V2255/A/14/2222495

Former RAF Mast Site, Dunkirk, Nr. Faversham, Kent, ME13 9LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Angus Hanton of Mynydd Brith Ltd against Swale Borough Council.
 - The application Ref SW/14/0393 is dated 27 March 2014.
 - The development proposed is the erection of a data storage facility (B8) and permanent historical exhibition (D1).
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Decision

1. The appeal is dismissed and planning permission for the erection of a data storage facility (B8) and permanent historical exhibition (D1) is refused.

Background

2. The Council has indicated that had it still been a position to do so, it would have refused planning permission. The site has a relevant planning history consisting of two earlier schemes for similar developments, planning references SW/10/1128 and SW/11/1370 respectively; both of which were refused. The latter refusal was subject to an appeal decision (ref APP/V2255/13/2197279), which was dismissed. In that case the Inspector found unacceptable detriment to the living conditions of the occupiers of 7 Courtenay Road. The appellant points to this decision as a material consideration, and I have considered it in greater detail later in this appeal decision.

Main Issue

3. The main issue is the effect of the proposed development on the Grade II Listed Former RAF Mast and the Scheduled Ancient Monument (World War II Chain Home Radar station at Dunkirk, 200m north east of Christ Church).

Reasons

4. The appeal site is located in the south-eastern part of a square compound which encompasses a former RAF Mast (also referred to as a transmitter tower), which is a Listed Grade II Building. The north-western corner of the appeal site compound itself, and beyond, is designated a Scheduled Ancient Monument (SAM), which is of national importance, and described as World War II Chain Home Radar station at Dunkirk, 200m north east of Christ Church. The list entries for the SAM and the listed building explains that their significance derives from the fact that they have a historical value; illustrative

in demonstrating a technological evolution of radar technology in the 1930s-1940s, with the SAM representing the first use beyond the experimental phase of radar technology. There is also an associative value in the direct connection with radar usage in the Second World War, and 'vital' use of the system in the Battle of Britain.

5. My site visit confirmed that the listed mast itself, whilst truncated and altered for Cold War uses and beyond, still serves as a physical reminder of the form and function of the Chain Home station from the Second World War. Indeed, the list description identifies the Dunkirk Radar Tower as 'one of the best preserved and most historically important radar sites in England'. This connection is reinforced by the retention of the ground structures and layout of the wider SAM compound, including the concrete bases of former mast visible from within the appeal site. As a result, the visual linkage between both the SAM and the Listed Building, and their wider setting enables observers to understand the purpose and operation of the site's use.
6. The appeal site is enclosed by palisade fencing along Courtenay Road. Nevertheless, the mast itself is visible from the road, with views towards the north-west and the SAM possible from within the site. Planning permission is sought for the erection of a flat roofed two storey building, together with associated parking. The design, siting and footprint of the proposed building have changed since the earlier dismissed appeal. In particular, whilst the new design would be two rather than three storeys in height, and have a smaller overall footprint, it would be located much closer to the base of the mast.
7. The proposed building would lack articulation and interest, appearing as a monolithic block sited adjacent to the tower base. Furthermore, with its north-west/south-east axis, the building would obscure direct and important views of the tower base and the visual association with others in its group. As a result, the proposed siting and height of the building would prevent the ability to see and compare the bases of the transmitter group by obscuring the visual linkage between the listed building and the SAM, and harming the ability to appreciate and understand the historical interconnected function between both. I also note that the footprint of the proposed building may be sited on or close to areas containing archaeological potential, especially in the form of a possible machine gun post. This area was not specifically excavated as part of the archaeological evaluation (October 2011). In the absence of clarity within the evidence, given the significance of the heritage assets and their linkage with the possible archaeology, any loss of, or harm to, these assets could be significant.
8. The appellant points to public benefits arising from the proposed development. These include the provision of a permanent historical exhibition within the proposed building. In itself, this could help better reveal the significance of the designated heritage assets. However, there is no evidence before me that demonstrates such a facility would be secured in the future; for example there is no guarantee that the historical exhibition would necessarily be retained by future occupiers of the building, or to the frequency it would be open for 'by appointment' use. The absence of such information means that I can only afford this benefit limited weight in favour of the proposal.
9. I note the earlier appeal decision (ref 2197279) found unique circumstances that the principle of a data storage and exhibition facility within the appeal site

was acceptable; I see no reason to take a contrary view in this case. Moreover, I accept that the location of the appeal site is restricted by the desire to use the existing mast for secure communications with both London and the continent. In this respect, I have also taken into account the fact that the use of the site for a data storage facility may assist the continued use and maintenance of the mast, which would help secure the listed building for future generations.

10. However, whilst the proposed development would not alter the fabric of the listed building or the SAM, it would nonetheless lead to less than substantial harm to the significance of the designated heritage assets. Paragraph 134 of the National Planning Policy Framework (the Framework) requires that this harm is weighed against the public benefits. Having given considerable importance and weight to the desirability of preserving the listed building or its setting or any features of historical interest of the listed building and the conservation of the SAM, I do not find that the public benefits of the proposal outweigh the harm I have identified.
11. I therefore conclude that the proposed development would fail to preserve the setting of the Grade II Listed Former RAF Mast and harm the significance of the Scheduled Ancient Monument (World War II Chain Home Radar station at Dunkirk, 200m north east of Christ Church), matters which are not outweighed by any other considerations. Accordingly, the proposal is contrary to Policies E1, E14 and E19 of the Swale Borough Local Plan 2008, which, amongst other aims requires development proposals to protect and enhance the natural and built environment. It would also be contrary to the Policies of the Framework, which amongst other aims seeks to conserve heritage assets in a manner appropriate to their significance.
12. For the reasons given above I conclude that the appeal should be dismissed.

Cullum J A Parker

INSPECTOR

- Item 5.2 –