

UTT/15/1085/OP – TAKELEY

MAJOR

PROPOSAL: Outline application with all matters reserved for the erection of an office building and ancillary single deck car park

LOCATION: Endeavour House, Coopers End Road, Takeley

APPLICANT: Mr Tim Jourdan AP26 Limited

AGENT: Mr Tim Jourdan AP26 Limited

EXPIRY DATE: 22 July 2015

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Within Airport Development Limits – area AIR3 – Development in the Southern Ancillary Area

2. DESCRIPTION OF SITE

2.1 The application site includes Endeavour House and its associated car park. The car park is laid out in three sections to the north east of Endeavour House. Currently around one third of the car park is being used for Meet and Greet parking, not related to an occupier of Endeavour House.

2.2 The car park is all hardstanding, with planting separating the three sections. The entrance to the site is to the north of Endeavour House.

3. PROPOSAL

3.1 The application is an outline application with all matters reserved for the erection of an office building and ancillary single deck car park.

3.2 The indicative plans show a four storey office block duplicating the size and shape of Endeavour House. This would occupy approximately half of two sections of the car park. The proposed decked car park would be located on the area currently used by the Meet and Greet service. These details are purely indicative as all matters are reserved.

4. APPLICANT'S CASE

4.1 The application has been submitted with the following documents:

- Planning, Design and Access Statement
- Transport Assessment
- Drainage Strategy
- Flood Risk Assessment

4.2 Summary of Planning, Design and Access Statement:

- The proposal accords with the key principles of sustainable development as set out in the NPPF as well as the key policies of the development plan and should be considered favourably.
- The implementation of a second Endeavour House building within the existing car park is 100% more efficient than using a greenfield site as it is effectively a brownfield windfall site and represents sustainable development.
- Switching the provision of a second Endeavour House from Site 500 should have no additional external impacts not already accounted for as part of the original consent for Endeavour House 2. Visually, the proposed 4 storey building would share the same building set back from Coopers End Road as the existing office building creating an appropriate visual relationship compatible with the character and appearance of the surrounding area.

5. RELEVANT SITE HISTORY

- 5.1 The application site is included in the extensive history associated with the development of Stansted Airport.
- 5.2 UTT/1552/10/FUL – Temporary variation for 6 years of condition C.90A of planning permission UTT/0511/98/FUL to allow occupation of up to 1,490sqm floorspace by non-airport related B1 office users. Refused. Dismissed on appeal
- 5.3 UTT/0717/06/FUL – Extension to the passenger terminal; provision of additional aircraft stands and taxiways, aircraft maintenance facilities, offices, cargo handling facilities, aviation fuel storage, passenger and staff car parking and other operational and industrial support accommodation; extension to the passenger terminal; alterations to airport roads, terminal forecourt and the Stansted rail, coach and bus station; together with associated landscaping and infrastructure as permitted under application UTT/1000/01/OP but without complying with Condition MPPA1 and varying Condition ATM1 to 264,000 ATMs. Refused. Allowed on appeal
- 5.4 UTT/1000/01/OP – Extension to the passenger terminal; provision of additional aircraft stands and taxiways; aircraft maintenance. Conditional approval.
- 5.5 UTT/1320/98/DFO – Phase 2 expansion of Stansted Airport from 8 to about 15mppa incorporating terminal extensions, 2 satellite buildings, apron and taxiway extensions (including the widening of a proposed taxiway to be used as an emergency runway), associated facilities, distributor roads and extra car parking. Conditional approval.
- 5.6 UTT/0511/98/FUL – Erection of office building and associated car parking. Conditional approval

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- AIR3 – Development in the Southern Ancillary Area
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN7 – Nature Conservation

- ENV10 – Noise Sensitive Development and Disturbance from Aircraft
- ENV4 – Ancient Monuments and Sites of Archaeological Importance

7. PARISH COUNCIL COMMENTS

7.1 No comment.

8. CONSULTATIONS

Airside OPS Limited

8.1 The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to conditions relating to the submission of a Construction Management Strategy and a Bird Hazard Management Plan.

Environment Agency

8.2 No comment to make.

ECC - Archaeology

8.3 Recommend a condition relating to a programme of trial trenching followed by open area excavation.

ECC Education

8.4 According to the latest information available to Essex County Council's Early Years and Childcare places in the Takeley and Canfields, and surrounding wards are at over 80% capacity. Therefore I request on behalf of Essex County Council that any permission for this development is granted subject to a Section 106 agreement to mitigate its impact on education.

ECC Highways

8.5 It is noted that this application is related to application UTT/15/1086/OP (multi storey car park) and that it is intended to replace the office space element of the extant planning permission UTT/0511/98/FUL for airport related development. If the application is in addition to the extant application or not for airport related employment then further information is required in order to demonstrate the impact of the development on the highway and whether any mitigation is required. On the basis that this replaces the extant application from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to a condition requiring the developer/occupier to become members of the airport wide travel plan.

Highways England

8.6 Offer no objection.

NATS (En-Route) plc

8.7 First response: The proposed development has been examined from an en-route infrastructure technical safeguarding perspective and the findings show that it will infringe NERL safeguarding criteria due to the proximity, physical size and relative

orientation of the development is sufficient to generate false tracks on the Stansted Secondary Surveillance Radar.

- 8.8 Second response: Following a technical assessment, NERL has determined that the development has the potential to affect the operation of its Secondary Surveillance Radar (SSR) located at Stansted Airport. This SSR is utilised by both Stansted Airport, as well as the NATS ATC centre located at Swanwick, Hants and which provides an En-route and a Terminal air traffic control service. NATS has assessed the proposal and is satisfied that the location and nature of the proposal has the potential to affect the SSR's operation. However, insufficient details are currently available to accurately model and formally respond to the Planning Authority either supporting or objecting to the development. As such, NATS believes that an acceptable way forwards would be to impose a planning condition on any outline consent. This approach will ensure that the safety of air traffic is not negatively affected as any impact due to the development can either be discounted or identified and addressed together with the applicant. Accordingly, NATS has no objection to the development, subject to a condition requiring the submission of detailed plans of the proposed buildings and a scheme to mitigate any detrimental impact upon the Stansted S10 SSR Radar.

Natural England

- 8.9 This application is approximately 1.2km from Hatfield Forest SSSI and NNR. This proximity to the SSSI has been recorded in the applicant's Biodiversity Checklist. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Please refer to Standing Advice for impacts on Protected Species.

Thames Water

- 8.10 Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Environmental Health

- 8.11 No comments.

ECC Flood & Water Management

- 8.12 Having reviewed the revised FRA dated June 2015 undertaken by Cole Easdon Consultants Ltd in response to our original objection, it is now considered that a drainage scheme has been proposed which demonstrates surface water management is achievable in principle, without causing flooding on-site or elsewhere. We therefore support the granting of outline planning permission, subject to a condition requiring the submission of a detailed surface water drainage scheme for the site.

9. REPRESENTATIONS

- 9.1 This application has been advertised and 1 letter of representation has been received. Notification period expired 21 July 2015.
- 9.2 I regularly pass this building and it always seems to be advertising office space. It is unclear why more space is needed when it clearly finds it hard to attract tenants as it is. Stansted Airport was designed not to be a visual blight on the surrounding area, but

more and more building is destroying Norman Foster's vision. I urge the Council to reject this application.

10. APPRAISAL

The issues to consider in the determination of the application are:

- A Is the proposed development appropriate for this location (ULP Policy AIR3, GEN2, ENV10; NPPF)
- B Access to the site is appropriate (ULP Policy GEN1)
- C Flood risk issues (ULP Policy GEN3; NPPF)
- D Ecological issues (ULP Policy GEN7; NPPF)
- E Impacts on heritage assets (ULP Policy ENV4; NPPF)

A Is the proposed development appropriate for this location (ULP Policy AIR3, GEN2, ENV10; NPPF)

10.1 The application site is located within the area designated as AIR3 in the adopted Local Plan. This policy seeks to ensure development within this area is in relation to activities directly related to, or associated with the Airport. There are no implications to this policy in terms of its compatibility with the NPPF. Paragraph 19 of the NPPF seeks to ensure the planning system supports sustainable economic growth.

10.2 The London Stansted Airport "Sustainable Development Plan 2015: Land Use" document identifies current vacancy rates in offices at the airport. As of 2015 there was 11% vacancy at Enterprise House, 20% at Endeavour House, 56% at Stansted House and 100% at Airways House. Airways House is located on the north side of the airport which is scheduled for redevelopment. The document states, "*As the economy recovers and business confidence continues to build, we have seen an increase in enquiries for accommodation on-airport. It is anticipated that the remaining on-airport stock of office accommodation could be let within the next five to seven years. As a result, further demand would require office development to ensure there is adequate supply.*"

10.3 Office use associated with airport activities falls within the criteria of Policy AIR3. Therefore the proposed use is considered acceptable in principle.

10.4 As the application is an outline application with all matters reserved there is very little information with regards to the proposed development. The Planning, Design and Access Statement states that the size of the proposed building is to be the same as the existing Endeavour House (7,500m² GEA) and the car parking provision is calculated not to exceed the existing 510 spaces which would equate to a parking ratio of 1 space per 29.4m² (GEA). In terms of quantum the proposed development is considered acceptable.

10.5 The proposals have been considered by statutory consultees, including NATS (En route) who initially identified concerns with the proposals and their potential to impact on the safe operation of the radar at the airport. The application is an outline application with all matters reserved and as such the scale and location of the building can be designed to mitigate any potential impacts. This approach has been accepted by NATS (En-Route) and they have proposed a condition to mitigate their concerns.

10.6 The application site is located in an area affected by aircraft noise. Paragraph 109 seeks to prevent development in locations where it would be adversely affected by noise pollution. However, to ensure the effective operation of businesses associated

with the airport their location will naturally be affected by noise. This can be mitigated by appropriate design to ensure the users of the building would not be adversely affected by noise. The proposal therefore complies with Policy ENV10.

B Access to the site is appropriate (ULP Policy GEN1)

10.7 The application site is located within the airport and access is via the airport road infrastructure which is accessed via the A120, M11 and other local roads. A Transport Assessment has been submitted with the application. This identifies the fact that Site 500, adjacent to the application site, currently has the benefit of planning permission for an office block which expires in 2016. As such it is argued that the proposal would not result in any increase in vehicular movements above those already predicted to arise from committed development.

10.8 The Transport Assessment has been considered by ECC Highways Department and Highways England who raise no objections to the proposals. ECC Highways have requested a condition requiring the developer/occupier to become members of the airport wide travel plan. On this basis the proposal is considered to comply with Policy GEN1.

C Flood risk issues (ULP Policy GEN3; NPPF)

10.9 The application site is located within Flood Zone 1 and therefore has a low risk of flooding. The site is predominantly brownfield land and the Flood Risk Assessment states that the proposed development will not introduce additional impermeable surfaces.

10.10 The scheme has been designed around the principle of incorporating SUDS within the proposals, including a green roof to the office block. Drainage from the decked car park would drain via the existing system of the current car park which feeds into the airport wide drainage system.

10.11 The proposals have been considered by the ECC Flood and Water Management Team who raise no objections subject to a condition requiring the submission of a detailed drainage scheme at reserved matters stage. The proposals therefore comply with Policy GEN3.

D Ecological issues (ULP Policy GEN7; NPPF)

10.12 The application site is predominantly hardstanding although there are rows of planting separating the different sections of the car park. Whilst the application relates to an outline proposal and the final details of the location of the office building and decked car park have yet to be established, it is highly probable that some elements of the existing landscaping would be removed.

10.13 The impact of the proposals on protected species is likely to be minimal due to the nature of the existing site and the connectivity of the hedgerows to other habitats within the airport. Following the advice set out in Natural England's Standing Advice for protected species it is not considered that the proposals would result in adverse harm and as such the proposals comply with Policy GEN7.

10.14 The site is located within 2km of a SSSI and the advice from Natural England is that the proposals are unlikely to result in adverse harm to the SSSI.

E Impacts on heritage assets (ULP Policy ENV4; NPPF)

- 10.15 The application site is located in a sensitive area with regards to archaeological deposits. ECC Archaeologist advises that within the area of the mid-term car park to the east of the development area produced multi-period extensive archaeological deposits. This comprises a Bronze Age settlement, Iron Age field system, Late Iron Age and Roman settlement and medieval settlement with a windmill. To the west of the development area quantities of Roman finds are recorded within an area of the airport remaining undeveloped. The development area therefore has a high potential of surviving multi-period deposits, and possibly evidence of earlier occupation.
- 10.16 Policy ENV4 seeks to ensure preservation in situ, unless the need for the development outweighs the importance of the archaeology. In this instance the County Archaeologist has recommended a condition be imposed requiring trial trenching followed by open area excavation. This is considered to be appropriate mitigation for any potential impacts on heritage assets and as such the proposals comply with Policy ENV4.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The proposed development of the site for offices falls within the criteria of Policy AIR3. Whilst concerns have been raised about potential impacts on the safety of operation of the radar at the airport a condition can be imposed ensuring that the development can be designed and located in an appropriate location. Mitigation measures can be incorporated into the design of the proposed building to ensure users are not subjected to adverse impacts from aircraft noise.
- B A Transport Assessment has been submitted with the application which demonstrates that the proposal would not result in increased vehicular movements above those already consented. A condition would be required to ensure the developer/operator becomes a member of the airport wide travel plan.
- C The proposal would not give rise to any significant flood risk issues. A condition would be required to ensure the submission of a detailed drainage strategy at reserved matters stage.
- D The proposals would not result in adverse impacts on protected species. In addition it is unlikely to have an adverse impact on the SSSI.
- E Impacts on heritage assets can be mitigated by way of a condition requiring trial trenching followed by open area excavation.

RECOMMENDATION – CONDITIONAL APPROVAL AND S106 LEGAL OBLIGATION

- (I) The applicant be informed that the Planning Committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freeholder enters into a binding obligation to cover the matter set out below under S106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an obligation to secure the following:**
 - (i) Pay the monitoring fee in relation to the airport wide Travel Plan**

- (ii) Pay the Council's reasonable legal costs**
- (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below**
- (III) If the freehold owner shall fail to enter into such an obligation by 23 September 2015 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reason:**
- (i) Lack of payment of monitoring fee in relation to the airport wide Travel Plan**

Conditions/reasons

1. Approval of the details of the layout, access, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

(B) The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- Details of cranes and other tall construction equipment (including the details of obstacle lighting) – such schemes shall comply with Advice Note 4 'Cranes and other construction issues' (available at <http://www.aoa.org.uk/wp-content/uploads/2014/02/AN04-Cranes-August-2006.pdf>).
- Control of activities likely to produce dust and smoke
- Details of temporary lighting – such details shall comply with Advice Note 2 'Lighting near aerodromes' (available at <http://www.aoa.org.uk/wp-content/uploads/2014/02/AN02-Lighting-August-2006.pdf>)
- Control and disposal of putrescible waste to prevent the attraction of birds
- Monitoring and control of bird activity on site. Earth working during construction has the potential to attract foraging birds, which would result in an increase in bird activity very close to the runway. Controls would be needed during the construction period to minimise the bird strike hazard.

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON: To ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Stansted Airport and/or endanger aircraft movements and the safe operation of the aerodrome through the attraction of birds.

STATEMENT: The pre-commencement condition is necessary to ensure the safe operation of Stansted Airport.

4. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and 'loafing' birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'. (available at <http://www.aoa.org.uk/wp-content/uploads/2014/02/AN08-Birds-Building-Design-Oct-2007.pdf>)

The Bird Hazard Management Plan must ensure that flat/shallow pitched/green roofs are constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls to nest, roost, or loaf on a building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Stansted Airport Ltd (STAL) Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Stansted Airport.

STATEMENT: The pre-commencement condition is necessary to ensure the safe operation of Stansted Airport.

- 5.
1. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the planning authority.
 2. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work and prior to the submission of reserved matters.
 3. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as

detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

4. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the planning authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report for deposition at the local museum, and submission of a publication report.

REASON: In the interests of archaeological protection in accordance with Uttlesford Local Plan Policy ENV4 (adopted 2005) and the NPPF.

STATEMENT: The pre-commencement condition is necessary to ensure the protection of heritage assets.

6. Prior to the occupation of the proposed development the developer and/or subsequent occupiers shall become members of the existing airport wide travel plan and implement the measures therein during occupation.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

7. No development shall take place in any individual phase of the development hereby approved, unless there has been submitted to and approved in writing by the planning authority and by the radar operator – NATS (En-route) plc, either:

- Detailed plans for the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the Stansted S10 SSR Radar; or,
- Details of a scheme to mitigate any detrimental impact upon the Stansted S10 SSR Radar.

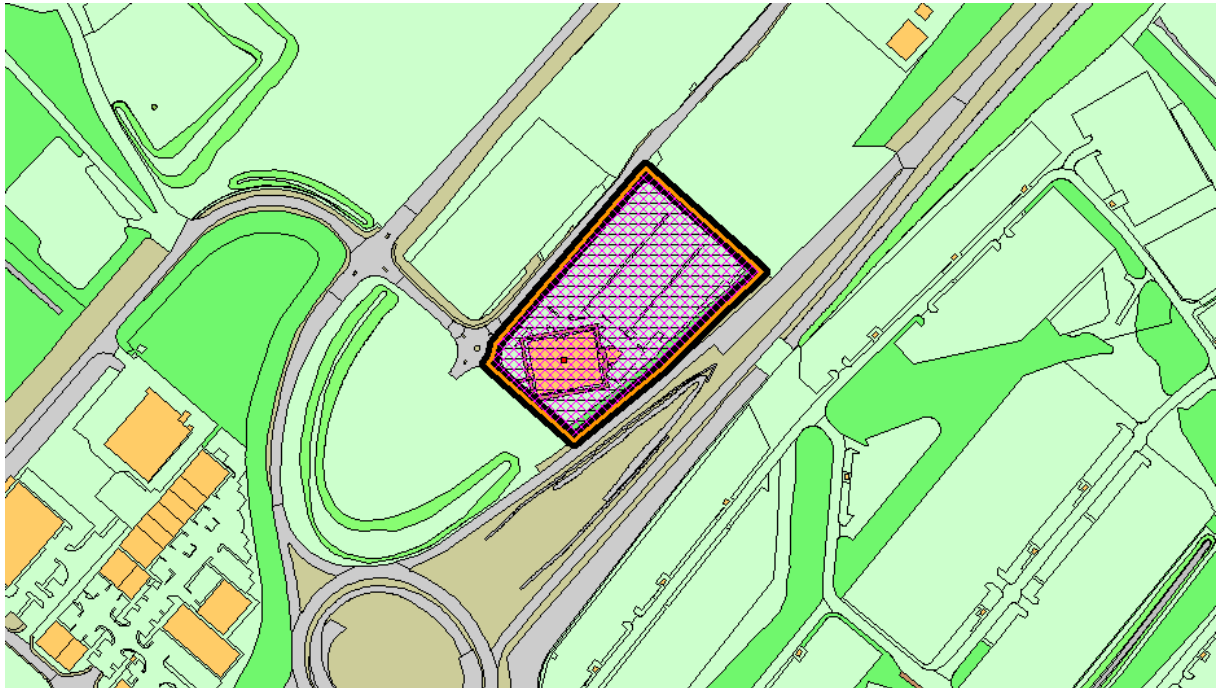
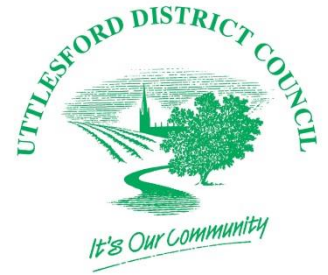
Development shall not take place other than in complete accordance with such a scheme as so approved unless the planning authority or Planning Inspectorate and NATS (En-route) plc have given written consent for a variation.

REASON: In the interests of aircraft safety and the operations of Stansted Airport and NATS En-Route.

STATEMENT: The pre-commencement condition is necessary to ensure the safe operation of Stansted Airport.

Application number: UTT/15/1085/OP

Address: Endeavour House Coopers End Road Takeley



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Organisation: Uttlesford District Council

Department: Planning

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