

**UTT/16/3566/FUL – TAKELEY**

**MAJOR**

**PROPOSAL:** A dedicated terminal facility for arriving passengers (34,384sqm); an associated forecourt; and altered access and service roads

**LOCATION:** Proposed Terminal at Gorefield Road, Stansted Airport, Takeley

**APPLICANT:** London Stansted Airport Limited

**AGENT:** Mr A Andrew

**EXPIRY DATE:** 23 March 2017

**CASE OFFICER:** Karen Denmark

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**1. NOTATION**

1.1 Within Stansted Airport Development Limits, Policy Area AIR1.

**2. DESCRIPTION OF SITE**

2.1 The application site is located to the east of the terminal building and to the west of the Radisson Hotel. It covers approximately 1.8ha and is predominantly brownfield land. The site includes an area of car parking, service road (Gorefield Road), contractors parking, waste storage facilities and contains a bus loop and passenger arrivals gate. To the north west is the TTS track and maintenance bay and to the south east is the forecourt and surface access structure associated with the terminal. There is a band of planting separating the forecourt and the site and the hotel.

**3. PROPOSAL**

3.1 The proposal relates to the erection of a dedicated arrivals terminal with associated forecourt, alterations to access and service roads. Gorefield Road is proposed to be realigned to continue to provide emergency and service vehicle access to the terminal and train station.

3.2 The proposed terminal building is designed as a contemporary response to the existing terminal. It would be a rectangular structure having a length of 146m and a span of 101m. It would be a subservient structure to the terminal and have a height of 20m, in comparison to the terminal's height of 24m.

3.3 The proposed arrivals building will function over 3 levels, facilitating three separate arrivals processes for international, common travel area (CTA – passengers from the UK, Ireland, Isle of Man, Channel Isles) and domestic passengers. The Ground level is to provide a domestic arrivals gate and baggage reclaim hall and the baggage handling facilities; the mezzanine level will accommodate Customs and the baggage reclaim hall for international and CTA arrivals; and Border and Immigration facilities to be provided at the higher Concourse level.

3.4 The proposed development would provide new floorspace, comprising:

<b>Arrivals Building Floors</b>	<b>Area (Gross External)</b>
<i>Ground Level</i> (Baggage factory and domestic passenger arrival gate and baggage reclaim)	13,278m <sup>2</sup>
<i>Mezzanine Level</i> (International and CTA baggage reclaim hall, Customs, and meeting hall)	14,900m <sup>2</sup>
<i>Concourse Level</i> (Immigration for international terminating passengers)	6,206m <sup>2</sup>
<b>Total</b>	<b>34,384m<sup>2</sup></b>

- 3.5 The proposal would result in the need to reconfigure the external areas to provide a new dedicated forecourt. This would provide short and convenient level or ramped links to the existing public transport services (train, bus and coach stations and on-airport car parks).

#### **4. APPLICANT'S CASE**

- 4.1 The application is accompanied by the following documents:

Planning Statement  
 Design and Access Statement  
 Phase 1 Ecology Survey  
 Transport Statement  
 Flood Risk Assessment  
 Archaeological Desk-based Assessment  
 Sustainability Assessment

- 4.2 Conclusions of Planning Statement:

The assessment of the planning acceptability of the proposed arrivals building needs to have regard to the following:

- a) The extent of development plan support;
- b) The extent of any conflict with the development plan; and
- c) The extent of any planning benefit.

This statement has undertaken this exercise in detail, assessing each of the individual elements and thus providing the basis for a planning judgement to be taken. The outcome of this exercise is that the proposed development:

- a) Is supported by Policy AIR1 of the Uttlesford Local Plan;
- b) Is compatible with other development plan policies including design, sustainability, accessibility, archaeology, ecology, flood risk and sustainable drainage;
- c) Has no conflict with the development plan; and
- d) Has material benefits identified in the form of improving customer service standards, making best use of existing airport capacity, bring about wider economic benefits and improve the local amenity value of the airport.

In conclusion, the proposed arrivals building is in overall accordance with the development plan. A grant of planning permission for the proposed works detailed in this planning application would therefore be appropriate.

## **5. RELEVANT SITE HISTORY**

5.1 There is an extensive site history in respect of the development of the airport. The two most relevant applications are:

UTT/1000/01/OP: Extension to the passenger terminal; provision of additional aircraft stands and taxiways, aircraft maintenance facilities, cargo handling facilities, aviation fuel storage, passenger and staff car parking and other operational and industrial support accommodation, alterations to airport roads, terminal forecourt and the Stansted rail, coach and bus station; together with associated landscaping and infrastructure. Approved 16 March 2003.

5.2 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; 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. Stansted Airport, Stansted/Birchanger/ Elsenham/ Takeley. Refused 30 November 2006, Allowed at Appeal 8 October 2008.

5.3 The 2001 application included the provision of a two bay extension to the south west elevation of the existing terminal to provide additional capacity to accommodate an uplift in passengers from 15mppa to 25mppa.

5.4 The 2006 application (2008 consent) saw the uplift in passenger numbers from 25mppa to 35mppa. This included broadly the same infrastructure as the 2001 application including the two bay extension to the terminal building. The extension has not been constructed. The 2008 consent has been implemented by work commencing on the extension to the fuel farm.

## **6. POLICIES**

### **6.1 National Policies**

- National Planning Policy Framework (2012)
- Aviation Policy Framework (2013)

### **6.2 Uttlesford Local Plan (2005)**

- S4 – Stansted Airport Boundary
- AIR1 – Development in the Terminal Support Area
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN5 – Light Pollution
- GEN7 – Nature Conservation
- E3 – Access to Workplaces
- LC2 – Access to Leisure and Culture Facilities

## **7. PARISH COUNCIL COMMENTS**

7.1 Does not object in principle. This is a replacement of the 2003 extension and must now expect the 2003 permission to become null and void. All of the planning conditions which were to be triggered by the opening of the terminal extension approved in 2003, will now be triggered by the opening of this new dedicated arrivals building. It is in the public interest for the layout of the pick-up zone and its associated access arrangements to be required to be submitted for approval by UDC and not left to the airports permitted development powers. Proposal fails to provide an adequate drainage strategy. Very concerned about the damaging effects of light pollution given the rural setting/surroundings (Molehill Green, Takeley residents north of B1256). The design of the terminal is such that there seems no adequate mitigation. List of recommendations including:

- Internal lighting should be reflected back into the terminal
- An overhang should be designed to the front of the building to diffuse light
- No additional external lighting to illuminate outside seating/eating area
- Various requirements with regards to accessibility
- More jobs for local people
- Improved night flight restrictions

## **8. CONSULTATIONS**

### **ECC Ecology**

8.1 Recommendations within the Phase 1 Ecology report should be followed. Informative in relation to wild birds.

### **ECC Education**

8.2 As the proposed development's impact has already been assessed as part of an application in 2008, an education contribution based on the non-residential floorspace will not be required.

### **ECC Highways**

8.3 This application is for infrastructure within the airport boundary and does not seek to increase the permitted passenger numbers of 35 million per annum, therefore the impact on the highway has been assessed and mitigation measures approved. The highway authority would want a proportion of the existing section 106 monies brought forward to part fund the proposed capacity improvements to Junction 8 of the M11. It is understood that there are existing mechanisms for doing this and these should be implemented as soon as possible.

8.4 From a highway and transportation perspective the impact of the proposal is acceptable subject to conditions requiring a Construction Method Statement and the updating of the Airport Surface Access Strategy.

### **ECC Flood & Water Management**

8.5 12 January 2017: Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we object to the granting of planning permission due to an inadequate surface water drainage strategy.

- 8.6 6 March 2017: We have received further information from the applicant which provides this Council with an additional opportunity to assess and advise on the proposed surface water drainage strategy. We do not object to the granting of planning permission subject to conditions.

### **Highways England**

- 8.7 Offer no objection.

### **London Stansted Airport (Safeguarding)**

- 8.8 The proposed development has been examined from an aerodrome safeguarding aspect and we subsequently recommend that a condition be attached to any approval granted requiring a Bird Hazard Management Plan. Informative required in relation to Cranes and Tall Equipment.

### **NATS**

- 8.9 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company (NERL) has no safeguarding objection to the proposal.

### **Natural England**

- 8.10 Natural England has assessed this proposal using the Impact Risk Zones data (IRZs) and 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 Elsenham Woods SSSI, Hatfield Forest SSSI and High Wood, Dunmow SSSI have been notified. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application. Refer to Standing Advice for protected species.

### **Planning Policy**

- 8.11 This new arrivals building would be an appropriate use of land within the Terminal Support Area to which Policy AIR1 of the adopted Local Plan relates. The new building would be an alternative to the unimplemented 29,000 sqm 2 bay SW extension to the terminal which was originally granted full planning permission as part of expansion to 25mppa in 2003, and subsequently rolled forward into the 35mppa planning permission (UTT/0717/06/FUL – Generation 1) granted on appeal by the Secretary of State in 2008. Generation 1 planning permission has now been implemented solely by virtue of works at the Fuel Farm, but passenger throughput is expected to exceed 25mppa by about April of this year.
- 8.12 When the Generation 1 planning permission was granted, the Secretaries of State imposed conditions limiting passenger throughput and the number of Air Transport Movements (ATMs) to the levels assessed in the Environmental Statement that accompanied the application. Conditions ATM1-4 should therefore be reimposed on any grant of planning permission for the new arrivals building as it is the opening of this building that will not enable expansion beyond 25mppa with the associated uplift in ATMs.
- 8.13 The 2013 Aviation Policy Framework requires that all airport development

proposals are accompanied by clear surface access proposals, and Policy GEN1 of the Local Plan similarly requires clarity, in particular in meeting the needs for people with disabilities. It is somewhat surprising that this application has been submitted with only an overmarked indicative road layout plan rather than fully worked-up proposals. Under the airport's permitted development powers (Part 8 Class A of the General Permitted Development Order, the only condition for the exercise of those powers is that the Local Planning Authority is consulted about the works before they are carried out. The Order is silent on how the authority's views are to be expressed and taken into account although in practice there is likely to be an exchange. In view of the significance of the new building, it is considered that it would be in the public interest for the layout of the pick-up zone and its associated access arrangements to be required to be submitted by condition for approval by the local planning authority and not left to the airport's permitted development rights.

## **9. REPRESENTATIONS**

9.1 This application has been advertised and 22 letters of representation have been received. Notification period expired.

9.2 Letters of support have been received from the following organisations:

- Stansted Airport Chamber of Commerce
- Bishop's Stortford Chamber of Commerce
- Business Stortford
- Essex Chambers of Commerce
- Visit Essex
- Haven Gateway Partnership
- Cambridge Network
- London First
- South East Local Enterprise Partnership
- Ryanair
- Arriva
- National Express
- Greater Anglia (Abellio East Anglia Limited)
- ABTA
- Jet2.com
- Dixons Travel
- Kinetics
- Moneycorp
- Greater Anglia Customer Panel

9.3 General comments include:

- Investment in new terminal facilities important given the need for additional capacity
- Need to make full and efficient use of our airports
- Stansted must have the terminal infrastructure required to allow people, goods and services to enter and exit the country safely and efficiently
- Beneficial to the local economy
- Direct and indirect stimulus to local economy will be of benefit to Uttlesford and beyond
- Airport has opportunity to further develop its business market and attract

- airlines serving destinations further afield
- Needs modern facilities for benefit of its users
- Airport is major employer and extremely important for local economy and generation of future economic growth within Essex and further afield
- Stansted is the largest private sector employment hub in Essex
- Has plans to develop professional and technical skills training with the support of South East Local Enterprise Partnership
- Continued growth of Stansted is important to our businesses, not just in meeting demand for air travel and global connectivity, but also as a major employer, export gateway and source of economic growth in the East of England
- High quality air connections critical to economic health of London, South East and East of England
- Of vital economic importance for London to make best use of its existing aviation assets
- Airports are generally heavily constrained on capacity, but Stansted does have the ability to provide more passenger growth
- London 2036: An agenda for jobs and growth – many priority areas for action relate to making most of existing aviation assets
- Support proposal (but not the excessive cost of these plans)
- Efficient operation at Stansted is critical to Ryanair's on-time performance and long term success
- Support plans to enhance the passenger experience, especially improve the immigration process
- Future growth and development at Stansted Airport will help support the bus services in local area
- Proposals will have a positive effect on the bus network surrounding Stansted Airport
- Last year created two new London-Stansted coach services, adding an extra 5,000 seats per day supported by additional vehicles and drivers, with 23 new driving jobs created
- Delivered £7m worth of investment in new vehicles on Stansted routes since August 2014
- New Arrivals building present an important opportunity to explore further potential service enhancements at Stansted
- Improved capacity at Stansted necessitates more off-peak traffic and our flexible coach network would be well-placed to support this
- Hope the Airport use this development as an opportunity to further increase public transport mode share
- Our service is an integral part of the surface access strategy for Stansted Airport for passengers and airport's employees
- Service has contributed to significant increase in passenger numbers over recent years
- Direct Cambridge service to Stansted Airport opens up the catchment area and provides a cost effective and environmentally friendly option for passengers to travel
- Continued growth and success of Stansted Airport important to our business
- Efficient operation at Stansted is critical to Jet2.com and Jet2holidays long-term success
- Investment will help to cater for growing passenger demand at airport
- One of the attractions of travelling through Stansted Airport is the almost seamless link between the terminal building and the railway station

supporting it

- Current capacity allows 1700 seated passengers an hour travelling to or from London and 400 to or from Cambridge
- Estimated footfall for year ending 31 March 2016 was an increase in 33% on the previous year and 47% on five years previously
- If numbers travelling through airport expand then separation between incoming and outgoing passengers will be vital
- New terminal would mean outgoing passengers will approach station from end of tracks, increasing security

9.4 Letter received from Stop Stansted Expansion raising following points:

- Seek assurance proposed dedicated arrivals building is in lieu of two-bay extension
- Applicant's planning obligations which were to be triggered by the opening of the two-bay terminal extension will now be triggered by opening of the new dedicated arrivals building
- UDC takes advice from professional transport consultants and is satisfied that access to rail, bus and coach services by arriving passengers will not be degraded as a result of there being a dedicated arrivals building
- UDC is satisfied with the aesthetics of the proposed new building which is intended to sit alongside the award winning main terminal building
- Applicant will be required to agree a list of measures with UDC to minimise light pollution from the proposed new arrivals building
- UDC reviews STAL's planning responsibilities and obligations under existing permissions to ensure that their effectiveness would not be impaired by granting permission for this application, and to obtain a renewed commitment from STAL to full and timely compliance with all of its existing planning responsibilities and obligations

9.5 Letter received from Stansted Airport Consultative Committee (STACC) raising following points:

- Support because use of proposed building should considerably enhance the experience of airline passengers and others using the airport
- There is an important lack of precision about the actual passenger capacity of the proposed arrivals building itself and of the extended and enhanced departures building
- Weakens the underpinning argument for the capacity, size and dimensions of proposed building
- Probable increase in 'interlining' passenger numbers where the importance of an easy flow between the new and existing building will become even more pronounced
- Absence of projected numbers as between domestic and international passengers
- Would have been preferable for design to allow new building to fit seamlessly alongside existing terminal
- The nine metre gap between two buildings detracts visually from overall design and risks becoming a 'wind tunnel'
- Stepped frontage might well be a hazard – would be a concern for passengers of restricted mobility (PRMs) and particularly for visually impaired people as no handrails
- Lift sizes may comply with minimum standards set out in Approved Document Part M but will cause considerable inconvenience and irritation



for many passengers including PRMs

9.6 One general letter of representation has been received raising the following points:

- Stansted Airport is an Airport, a place from which and which people and goods depart or arrive by aircraft
- MAG have chosen to change use of terminal to a shopping mall
- 60% of floorspace in existing terminal is dedicated to shopping mall
- Passengers have no choice but to follow the twisting/meandering walkway through it
- Current layout no longer suitable for use for which it was designed
- Unsuitable for business passengers who want to get to departure gate as quickly as possible
- Unsuitable for leisure passengers who have to drag their young families around the torturous route
- Stansted Airport has been turned into an unfriendly and unsuitable place for travelling passengers
- Proposed design is very different compared with the award winning existing building – just another glass wall and should be refused
- Shopping area should be reduced in existing building negating the need for a dedicated arrivals terminal
- Any conditions which were applied when the current terminal was approved must continue until they are fully implemented

## 10. APPRAISAL

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

- A Principle of development (ULP Policies S4, AIR1; NPPF; Aviation Policy Framework)
- B Design and lighting (ULP Policies GEN2, GEN5; NPPF)
- C Accessibility (ULP Policies GEN1, E3, LC2; NPPF)
- D Impacts on biodiversity (ULP Policy GEN7; NPPF)
- E Drainage and flooding (ULP Policy GEN3; NPPF)
- F Other material planning considerations

### **A Principle of development (ULP Policies S4, AIR1; NPPF; Aviation Policy Framework)**

10.1 The application site is located within the boundary of Stansted Airport where Policy S4 permits development directly related or associated with the airport to be carried out. Policy AIR1 specifically restricts development to, inter alia, landside road and rail infrastructure and other airside operational uses. The preamble to the policy states that development must respect the integrity of the design of the terminal building.

10.2 The Aviation Policy Framework seeks to set out a strategy for a vibrant aviation sector including making best use of existing capacity to improve performance, resilience and the passenger experience. One of the aims is to improve efficiency at the border. Paragraph 1.72 of the Framework states that the government is committed to *“improve the passenger experience so that we achieve the best possible experience for people visiting or returning to the UK, whilst at the same time maintaining our border security.”*

- 10.3 The Planning Statement sets out an overview of how MAG wishes to deliver its sustainable growth policy. The Airport's Sustainable Development Plan (SDP) 2015 sets out its ambition to make the best and most efficient use of the single runway. This includes extending the network of air services and investing in infrastructure and facilities to create the best possible experience and service for both passengers and airlines.
- 10.4 Passenger numbers have increased by 35% since MAG acquired the airport in 2013. The SDP considers that existing terminal can most efficiently handle around 25mppa. It acknowledges that there is an extant consent for a two-bay extension to the terminal. The SDP also considered alternatives to the extant consent and that some further enlargement of floorspace may be required in order to accommodate operational and airline needs, enhancements to the customer experience and regulatory requirements.
- 10.5 The Planning Statement considers the options of carrying out the extant consent and the benefits of the proposal the subject of this application. The benefits of this standalone proposal are argued as being:
- Enabling much improved environmental performance from the use of new building technology;
  - Providing capability and flexibility to meet peak demands;
  - Provide bespoke facilities for arriving passengers which are adaptable for changing border controls; and
  - Being the least disruptive option to the operation of the terminal during construction
- 10.6 The principle of additional terminal floorspace is already established with the extant consent granted under UTT/0717/06/FUL which permitted a two-bay 29,000sqm extension to the existing terminal. This proposal relates to the construction of an alternative in the form of a standalone, purpose built arrivals building with a floorspace of 34,384sqm, an increase of 5,384sqm.
- 10.7 The proposed increase in floorspace would ensure the terminal facilities could be future proofed to provide for modern technology and the flexibility needed to meet ever changing passenger, airline and regulatory requirements.
- 10.8 Subject to other policy considerations, it is considered that the principle of the proposed new terminal building is acceptable and in accordance with Uttlesford Local Plan Policies S4 and AIR1.

## **B Design and lighting (ULP Policies GEN2, GEN5; NPPF)**

- 10.9 It is proposed that the new terminal would be a rectangular structure having a length of 146m and a span of 101m. It would be a subservient structure to the terminal and have a height of 20m, in comparison to the terminal's height of 24m. There would be an 8m gap between the existing terminal and the proposed new structure, although there would be a link at the rear of the building to allow for connectivity for passengers.
- 10.10 It is not proposed to replicate the design of the existing terminal which is an award winning design by Sir Norman Foster. However, it is proposed to continue the 18m x 18m modular form of the principal terminal. It is proposed the new building would be constructed with an aluminium curtain wall system with clear glazing to the front 15m of the building. The remainder would be constructed with a

proprietary composite insulated metal panel system in grey anthracite. The building would have modular skylights.

- 10.11 In terms of appearance, the proposed building would be appropriate in this location. The scale of the building would be subservient to the main terminal thus reinforcing the prominence of the departures building both in terms of its function and importance in terms of design
- 10.12 The building has been designed using passive energy efficiency measures which seek to maximise solar gain and use of natural daylighting whilst minimising heat gain and losses from air infiltration. It has also been designed around the inclusion of new sustainable technologies and environmental initiatives. Water and waste management are also integral to the design. The use of a standalone building rather than an extension to the 1990's building ensures that better energy efficiency and sustainable design aspects can be achieved.
- 10.13 Policy GEN2 seeks to ensure the proposed development would not give rise to loss of privacy, loss of daylight, overbearing impacts or overshadowing, albeit predominantly concerned with impacts on residential properties. The proposed building would be located adjacent to the Radisson Hotel with a 16m separation distance between the two buildings. The element of the building proposed to be constructed with clear glazing would be approximately 15m forward of the front elevation of the hotel. At ground floor level within the hotel there are restaurants and gym facilities at the western end. Whilst there may be a degree of loss of outlook from the restaurants this would not be so significant as to warrant refusing the application. It must be taken in the context of the setting of an operational airport and the relationship between the two buildings would be appropriate.
- 10.14 Some concern has been raised about the potential for light pollution from the new building given the fact that there is no screen or canopy to the front elevation. No details of lux values or light spill drawings have been supplied with the application. It is considered that the potential for light spillage can be controlled by condition if planning permission is granted for the proposed development. Overall, it is considered the proposed development is in accordance with Uttlesford Local Plan Policies GEN2 and GEN5.

### **C Accessibility (ULP Policies GEN1, E3, LC2; NPPF)**

- 10.15 Policy GEN1 relates to access and this basically covers two separate areas. Firstly, is access to the main road network which must be capable of carrying the traffic generated by the proposal. In addition, the development should encourage movement by means other than the private car. In this instance the principle of the development has previously been granted under UTT/0717/06/FUL, together with the uplift in passenger numbers to 35mppa.
- 10.16 The Transport Statement submitted with the application sets out that currently around 50% of passengers use public transport when accessing the airport. Similarly around 27% of employees also use public transport and a further 5.7% car share.
- 10.17 The improvements to the public transport infrastructure and the necessary mitigation measures and improvements to the road network have already been carried out or are in place with requirements set out in S106 Legal Obligations/Unilateral Undertakings. In view of this the ECC Highways Officer has no objections to the proposals, although they would want a proportion of the

existing section 106 monies brought forward to part fund the proposed capacity improvements to Junction 8 of the M11. The mechanisms are in place to enable this to happen and as such this does not need to be addressed in this application.

- 10.18 With regards to accessibility within the site, Policy GEN1 requires the development to be designed to meet the needs of people with disabilities. Similarly Policy E3 requires developments to include the highest standards of workplace accessibility and inclusion for all people regardless of disability, age or gender. Policy LC2 requires tourist facilities to be inclusive to all.
- 10.19 There are two elements to accessibility within the development site. Firstly there is the accessibility within the building. Secondly, accessibility outside the building and gaining access to onward travel modes including public transport and the private car.
- 10.20 The arrivals building would be set out over three floors which would enable the segregation of passengers and direct them to the facilities that they are required to access. International arrivals would be directed to the concourse level of the building and directed through immigration. From here they would be directed down slopes to a mezzanine level where the baggage reclaim area would be located. It is at this level that passengers would exit the building after passing through Customs.
- 10.21 Passengers travelling within the Common Travel Area would be directed straight to the mezzanine floor to the baggage reclaim and then exit the building after passing through Customs. Domestic passengers would be directed to a lower ground floor level where there would be a separate baggage reclaim area. They would then be directed up to the mezzanine level and exit the building without the need to pass through Customs.
- 10.22 Internal accessibility appears to be relatively good for passengers, particularly those with limited mobility. However, some concern has been raised by STACC about the size of the lifts only being 8 man lifts. It is felt that these would result in possible delays and customer frustration. These comments are noted, but it is also noted that the Design and Access Statement states that *“all lifts will have an internal car size that matches or exceeds the minimum 1100mm x 1400mm (8 persons) in Part M”*. It has been confirmed that the internal specifications for lifts has not yet been set and it is intended that the terminal will be accessible to all.
- 10.23 With regards to accessibility outside the proposed terminal, it is proposed passengers would have direct access to rail, coach and car park facilities. This would be means of steps or ramps which connect to these facilities underneath the existing terminal forecourt. However, full details of these access arrangements have not been submitted with the application as the applicant is relying on their permitted development rights to carry out these works.
- 10.24 Whilst full details of these works have not been given it is intended that there would be access via steps or ramps, thus ensuring all areas are accessible to all. The forecourt area will include the use of tactile and warning surfaces, including slip resistant materials for disabled and wheelchair users, in line with relevant guidance on the use of tactile paving and good contemporary practice for pavements. New signage and lighting will be provided in the area.
- 10.25 The site access will retain the DDA compliant principles of the existing operation and existing stairs, ramps and escalators will be retained, as will existing

pavements, cross overs, dropped and raised kerbs. On balance it is considered that the proposals comply with the relevant policies.

#### **D Impacts on biodiversity (ULP Policy GEN7; NPPF)**

- 10.26 Policy GEN7 seeks to protect biodiversity, both species and habitats. In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.” This includes local authorities carrying out their consideration of planning applications. Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 requires “A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive and Birds Directive so far as they may be affected by the exercise of those functions”.
- 10.27 The application is accompanied by a Phase 1 Ecological Survey. This assesses the site, the proposed development and the potential impacts on biodiversity, including potential impacts on nearby SSSIs.
- 10.28 There are no protected habitats within the development site, this being largely brownfield with areas of amenity grassland, rough grassland and ephemeral and short perennial vegetation. There is a patch of ornamental plantation woodland, a short hedgerow and a few ornamental trees within the site, most notably adjacent to the car park and hotel.
- 10.29 There were no protected species recorded on the site. There are no habitats suitable for roosting or foraging bats. However, the site does provide pockets of habitat suitable for nesting birds. The Survey recommends that clearance of these areas is carried out outside the bird breeding season, or after being checked for nests by a suitably qualified ecologist immediately prior to removal. The ECC Ecologist has no objections to the proposals subject to the recommendations of the report being implemented.
- 10.30 With regards to potential impacts on SSSIs, the site is located within the Impact Risk Zone for Elsenham Woods SSSI, Hatfield Forest SSSI and High Wood, Dunmow SSSI. Natural England has been consulted on the proposals and they advise that these SSSIs do not represent a constraint in determining this application. Therefore, the proposals comply with Policy GEN7.

#### **E Drainage and flooding (ULP Policy GEN3; NPPF)**

- 10.31 The application site lies within Flood Zone 1 with a low probability of fluvial or tidal flooding. In terms of surface water flooding, areas in the centre of the site and on the boundary to the north and south are identified as being at risk, and this is classified as high risk. The risk of groundwater flooding is shown as being between 25% to 50% and therefore medium risk.
- 10.32 The proposed development would increase the impermeable area within the airport boundary by 0.43ha. This would increase the surface water runoff rate from 354 l/s for a 1 in 100 year storm at pre-development to 732 l/s for a 1 in 100 year storm including 40% climate change allowance.
- 10.33 The airport has an existing drainage network which manages water across the

site. The proposals would feed into this existing network which has sufficient attenuation capacity to accommodate the estimated runoff from the proposed development. The proposals have been considered by the LLFA who raise no objections subject to conditions. The proposals therefore comply with Policy GEN3.

## **F Other material planning considerations**

10.34 Whilst this proposal is a standalone application for the new terminal building, it is an alternative to a scheme that has the benefit of planning permission. This scheme replaces the element of the extant scheme that triggered the restrictions in respect of air transport movements. Therefore, it is necessary to impose these conditions on this consent.

10.35 The Parish Council has raised the point of requiring improved night flight restrictions. Currently the Government sets the night flight restrictions at Stansted and it has just concluded a consultation on a new regime that would run until 2022. The Council commented on this consultation and is awaiting the outcome. Whilst the Government favours locally negotiated restrictions in the future, this would be an option should a planning application be submitted for expansion beyond 35mppa.

## **11. CONCLUSION**

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

- A The proposed development of a new arrivals terminal is in accordance with Policies S4 and AIR1.
- B The design of the proposed building is considered to be acceptable, subject to a condition requiring the submission of lighting details.
- C The proposals comply with Policies GEN1, E3 and LC2 with regards to accessibility within the building. Whilst full details of the external access arrangements haven't been given, the Design and Access Statement sets out the principles which would be in accordance with the policies.
- D The proposals would not have any adverse impacts on biodiversity or protected species, nor negative impacts on nearby SSSIs. They therefore comply with Policy GEN7.
- E The proposals would not give rise to increased flood risk and comply with Policy GEN3.
- F As an alternative to the extension to the terminal previously granted conditions in relation to air transport measures will need to be imposed on this consent.

## **RECOMMENDATION – APPROVAL WITH CONDITIONS**

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the erection of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby

permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: This pre-commencement condition is required to ensure the development can be carried out using materials which are appropriate for this location, thus enabling them to be sourced in good time.

3. No works shall take place until a detailed surface water drainage scheme for the development, demonstrating how it will relate to the existing airport wide drainage system, has been submitted to and approved in writing by the local planning authority. The scheme should be based on sustainable drainage principles and include but not be limited to:
- Agreement of the development's discharge rates in line with existing drainage infrastructure already in place for Stansted Airport
  - Ensuring that the airports existing drainage system has sufficient available storage to ensure that the development does not lead to off airport flooding during all storm events up to and including the 1 in 100 year plus 40% climate change event.
  - Final modelling and calculations for the relevant areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the development site, in line with the CIRIA SuDS Manual C753.
  - Detailed engineering drawings of the relevant components of the drainage scheme.
  - A final drainage plan for the development site which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
  - A written report summarising the principles of the scheme and to the drainage of terminal building.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to ensure the effective operation of SuDS features over the lifetime of the development; to provide mitigation of any environmental harm which may be caused to the local water environment, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

4. No works shall take place until a Maintenance Plan detailing the maintenance arrangements and activities/frequencies for the development, has been submitted to and agreed in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the Maintenance Plan.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

5. Prior to the commencement of the development hereby permitted,
  - a) A detailed investigation of that site shall be carried out, the method and extent of which shall previously have been agreed in writing with the local planning authority, to establish the degree and nature of any contamination present and to determine its potential for pollution of the water environment, and
  - b) Details of appropriate measures to prevent pollution of groundwater and surface water of and from that site have been submitted to and approved in writing by the local planning authority. The approved measures shall subsequently be carried out as approved.

REASON: To ensure the development of the site does not result in the contamination of local watercourses and provide mitigation of any environmental harm which may be caused to the local water environment, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in the installation of a system that may increase flood risk or pollution hazard from the site.

6. Prior to the commencement of the development hereby permitted, a written statement providing details of water efficiency measures, including metering, that will be incorporated into the development shall be submitted to and approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved details.

REASON: In the interests of the promotion of sustainable forms of development and construction and to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007, and in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a building design which may have to be reconfigured in order to accommodate the necessary measures, resulting in delay to the development.

7. Prior to the commencement of the development hereby permitted, a construction management plan shall be submitted to and approved in writing by the local planning authority. The plan as submitted shall include a) routes to be used by contractors' vehicles moving to and from the site (and the appropriate signing thereof), b) temporary noise protection measures relating to the development, c) management of surface water during construction, and d) construction management proposals (eg hours of working, wheel washing and dust suppression measures). The plan shall subsequently be implemented as approved for the duration of the development being carried out.

REASON: In the interests of neighbours' amenity in accordance with Uttlesford Local Plan Policies GEN2 and GEN4 (adopted 2005).



JUSTIFICATION: Failure to provide the above required information before commencement of works may result in development commencing and resulting in harm to neighbours' amenity.

8. Prior to the commencement of the development hereby permitted, a written statement providing details of waste recycling measures for the development shall be submitted to and approved in writing by the local planning authority. Subsequently, the waste recycling measures shall be implemented as approved.

REASON: In the interests of the promotion of sustainable forms of development and construction in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a building design which may have to be reconfigured in order to accommodate the necessary measures, resulting in delay to the development.

9. Prior to the commencement of the development hereby permitted, a written statement providing details of energy efficiency measures that will be incorporated into the development shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out in accordance with the approved details and retained.

REASON: In the interests of the promotion of sustainable forms of development, in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a building design which may have to be reconfigured in order to accommodate the necessary measures, resulting in delay to the development.

10. Prior to the commencement of the development hereby permitted a Bird Hazard Management Plan for the construction of the development shall be submitted to and approved in writing by the local planning authority, in consultation with the Safeguarding Authority for Stansted Airport. The submitted plan shall include, as a minimum, details of the monitoring of any standing water within the site, temporary or permanent.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in place during the construction phase of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the local planning authority, in consultation with the Safeguarding Authority for Stansted Airport.

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

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in development endangering the safe movement of aircraft and the operation of Stansted Airport.

11. Prior to the commencement of the development hereby permitted, a scheme for the prevention of light pollution and light spill from the terminal building shall be

submitted to and approved in writing by the local planning authority. The scheme shall include measures to cut-off light spill above the horizontal plane. Subsequently, the development shall be implemented in accordance with the approved details.

REASON: A scheme to prevent light pollution is required in order to control light spillage, in accordance with Uttlesford Local Plan Policy GEN5 (adopted 2005).

12. The development hereby permitted shall be carried out strictly in accordance with the recommendations set out in the Phase 1 Ecology Survey.

REASON: In the interests of protecting biodiversity, protected species and habitats, in accordance with Uttlesford Local Plan Policy GEN7 (adopted 2005).

13. ATM1: Subject to ATM2 below, from the date that the terminal hereby permitted opens for public use, there shall be at Stansted Airport a limit on the number of occasions on which aircraft may take-off or land at Stansted Airport of 264,000 ATMs (Air Transport Movements) during any 12 calendar month period, of which no more than 243,500 shall be PATMs (Passenger Air Transport Movements) and no more than 20,500 shall be CATMs (Cargo Air Transport Movements).

ATM2: The limit in condition ATM1 shall not apply to aircraft taking-off or landing at Stansted Airport in any of the following circumstances, namely

- (a) The aircraft is not carrying, for hire or reward, any passengers or cargo,
- (b) The aircraft is engaged on non-scheduled air transport services where the passenger seating capacity of the aircraft does not exceed ten,
- (c) The aircraft is required to land at the airport because of an emergency or any other circumstances beyond the control of the operator and commander of the aircraft, and
- (d) The aircraft is engaged on the Queen's flight, or on a flight operated primarily for the purposes of the transport of government Ministers or visiting Heads of State or dignitaries from abroad.

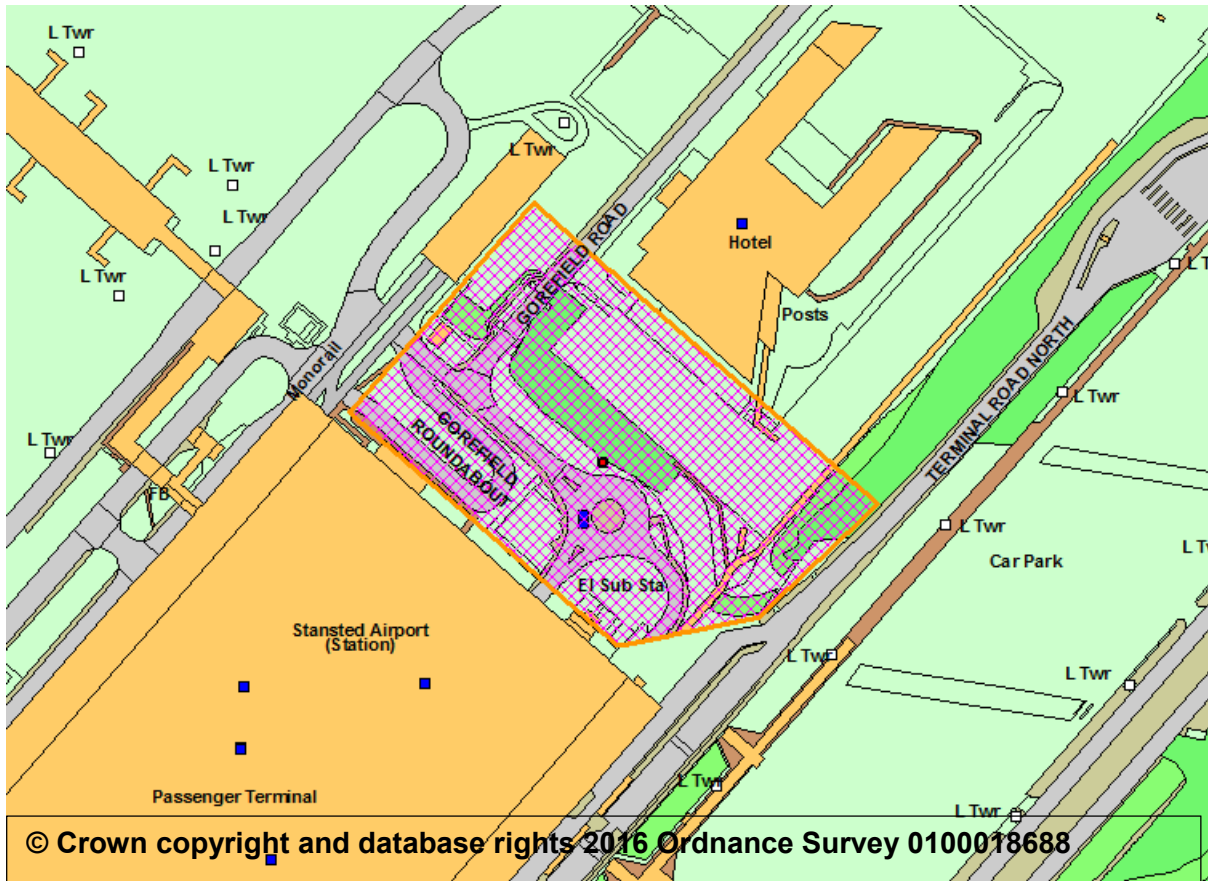
The total number of take-offs and landings by aircraft in categories (a) and (b) above combined shall not exceed 10,000 in any 12 calendar month period.

ATM3: For the purposes of condition ATM2(a) an aircraft is not to be taken as carrying, for hire or reward, any passengers or cargo by reason only that it is carrying employees of the operator of the aircraft or of an associated company of the operator. And for the purposes of condition ATM2(b) an aircraft is engaged in non-scheduled air transport services if the flight on which it is engaged is not part of a series of journeys between the same two places amounting to a systematic service.

ATM4: For the purposes of condition ATM3, a company shall be treated as an associated company of the operator of the aircraft if either that company or the operator of the aircraft is a body corporate of which the other is a subsidiary or if both of them are subsidiaries of one and the same body corporate.

REASON: The Environmental Assessment submitted with application UTT/0717/06/FUL only assessed the environmental impacts of 264,000 ATMs, therefore it is necessary to limit the ATMs to this level to ensure the effects of the development are no more than those assessed.

Application Number: UTT/16/3566/FUL  
Address: Proposed Terminal at Gorefield Road, Stansted Airport



Organisation: Uttlesford District Council

Department: Planning

Date: 21 March 2017