
12/00751/FUL

LONDON SOUTHEND AIRPORT, ROCHFORD

EXTENSION TO THE PASSENGER TERMINAL BUILDING

APPLICANT: LONDON SOUTHEND AIRPORT CO. LTD.

ZONING: METROPOLITAN GREEN BELT/WHITE LAND

PARISH: ROCHFORD

WARD: ROCHFORD

1 PLANNING APPLICATION DETAILS

- 1.1 Planning permission is sought for an extension to the new terminal building, which was granted outline planning consent in 1999 as part of a wider development, which included a new integrated rail station, visitor centre, access road and associated car parking. Reserved Matters were approved for this development in 2004 and to date the railway station and new terminal building have been constructed.
- 1.2 The extension sought actually represents an addition to an extension, which was granted planning permission under reference 12/00103/FUL on 18 June 2012 and which is currently under construction. According to the design and access statement submitted, the current extension would increase the overall size of the building (including extension granted) by approximately 1640 square metres. The extension would be located predominantly to the western boundary with a small section also located to the eastern boundary. Internally this would increase the depth of the international arrivals queuing area and provide separation between arriving international and domestic passengers. As a consequence of this increase, the passenger departure lounge, baggage reclaim and baggage handling area would increase accordingly. The office rooms associated with the UK Border Force and Special Branch would be reconfigured, resulting in some being relocated to the first floor.
- 1.3 No further alterations are proposed to the pedestrian access to the terminal or to vehicular access to the site.
- 1.4 In design and appearance the western extent of the extension would mimic the new terminal building with a curved roof at the same height and sheet cladding incorporating glazing to the exterior walls. The west external wall of the single storey arrivals baggage area would be solid, to screen the baggage

and delivery activities from arriving passengers. The baggage facility cladding would have a silver metallic finish to match the existing.

2 THE SITE

- 2.1 The application site is located in the far south-eastern corner of the operational airport. This area of the airport lies close to the railway line and Southend Road, the opposite side of which lie residential properties within the Rochford District some 150 metres away at the closest point. Residential properties within Southend-on-Sea Borough also lie in fairly close proximity to the proposed development site to the south.
- 2.2 The large majority of the application site is designated Metropolitan Green Belt (MGB). The southernmost corner of the proposed extension is also just located within an area designated as white land on the adopted Local Plan (2006).

3 PLANNING HISTORY

- 3.1 Outline planning permission was granted in 1999 (97/00526/OUT) for a replacement terminal building, new integrated railway station, visitor centre, access road and associated car parking with Reserved Matters approved in 2004 (04/00639/REM).
- 3.2 In 2007 an application (07/01056/FUL) to vary condition 14 of the 1999 consent was approved, which enabled the railway station to be constructed and used in advance of the replacement terminal building.
- 3.3 In 2010 an application (10/00643/NMA) was made for 'non-material' amendments to the design of the replacement terminal building. Several of the proposed amendments were judged to be 'non-material' and the application was approved in respect of these; others were judged to have more than a very minor impact on the design/appearance of the terminal building from that approved and the proposal was therefore refused in respect of these.
- 3.4 An application (11/00074/FUL) for variation of condition 1 of consent 07/001056/FUL to allow amendment of the design of the terminal building to authorise those amendments proposed to the design, which were judged not to be 'non-material' in the 2010 application was granted planning permission on 9 July 2012. This application was subject to the legal agreement dated 30 April 2010 and deed of variation dated 20 June 2012.
- 3.5 An application (Reference 12/00103/FUL) to extend the terminal building, known as Phase 2, configure an aircraft parking area for 5 aircraft stands, passenger walkways and associated works was granted planning permission on 18 June 2012.

- 3.6 Various other applications and notifications have been submitted to the Council in respect of development associated with the airport expansion in the last few years including the following, which are closely related to the terminal expansion:-
- 06/00221/PD - Notification Under Schedule 2 Part 18 Class A of the Town and Country Planning (General Permitted Development Order) 1995 - Construction of a 230 Space Car Park and Erection of 2.7m Security Fence Lighting and CCTV Columns on Land Adjacent to the Control Tower.
 - 07/00993/PD - Notification Under Schedule 2 Part 18 Class A of the Town and Country Planning (General Permitted Development Order) 1995 to Construct an Access Road Linking the Existing Aviation Way to a Hangar Currently Utilised by Casemasters Ltd.
 - 09/00307/FUL - Retrospective Application to Form Temporary New Access off Southend Road. APPROVED.
 - 09/00570/PD - New Control Tower Building.
 - 09/00599/FUL - Application to Vary Conditions No. 5 and No. 8 to the Existing Planning Permission to Erect a Replacement Air Terminal with Integrated Railway Station, Visitor Centre, Access Road and Associated Car Parking. (04/00639/REM). APPROVED.
 - 10/00689/PD - Provide New Taxiway on South Eastern Side of Runway.
 - 11/00551/PD - Airside Covered Passenger Walkways Between New Terminal And Aircraft Stands.
 - 11/00680/PD - Construct Airside Ramp and Office Accommodation Building.
 - 11/00711/PD - Construction of and use of land for passenger surface car park, including perimeter security fencing, lighting, alterations to access to the flight centre flying club and demolition/removal of existing buildings and hardstanding.
 - 12/00102/FUL - Retention of the existing vehicular access off Southend Road for emergency access (access having previously been constructed pursuant to a temporary planning permission), Retention of vehicular access track and retrospective permission to retain re-profiling and grading of site. REFUSED.
 - 12/00457/PD– Notification Under Schedule 2 Part 18 Class A of the Town and Country Planning (General Permitted Development) Order 1995 to Construct a Pollution Control Pond.

- 3.7 Also of relevance to this proposal is the planning consent (09/01960/FULM) issued subject to a Legal Agreement by Southend-on-Sea Borough Council in 2011 for the runway extension.

4 CONSULTATIONS AND REPRESENTATIONS

Rochford Parish Council

- 4.1 Members are concerned about the increase in traffic, particularly as the Harp House roundabout is already heavily congested at peak times.

Environment Agency

- 4.2 No objection, but provide the following advice:-

4.3 Pollution Control

- Pollution of ground water and/or surface water is an offence. This application appears to have had regard to this and the submitted planning statement advises that the development will have no impact on the quality of surface water run off.
- Drainage plan indicates an SPEL bypass oil separator will be installed at the northern end of the terminal. This will need to be inspected and maintained in accordance with the manufacturer's instructions.
- Attention is drawn to Pollution Prevention Guide 3 and 6 and additional guidance provided.
- The drainage plan also indicates that de-watering of excavations may be required. Where possible, water from de-watering excavations should be discharged to the foul sewer. Any proposals to discharge to the foul sewer should be discussed with Anglian Water. Permission may need to be sought from AW in advance of making such a discharge.
- Should the developer wish to discharge the water into the water environment, such as to ground or a water course, then they may require our permission.

4.4 Flood risk: Surface Water Management:

- Application area is less than 1 hectare in size; it is therefore not within our statutory remit to comment on proposals to manage surface water. Flood Risk Standing Advice referred to.

4.5 Foul Water Drainage:

- AW should be consulted regarding the available capacity in the foul water sewer. If there is not sufficient capacity in the sewer then we must be consulted again with alternative methods of disposal.

4.6 Climate Change and Sustainable Construction:

- Recommend you append suitable planning conditions to any approval granted to ensure the development is carried out in as sustainable a manner as possible.
- The applicant should consider water efficiency, saving water and energy and waste.

4.7 We refer to your emails dated 21 and 28 February 2013 and the associated attachments. We have reviewed the plans, as submitted, and have no objections to the proposals. We therefore have no additional comments to make.

Natural England

4.8 Does not consider that this application poses any likely or significant risk to those features of the natural environment for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation.

4.9 LPA should assess and consider the possible impacts resulting from this proposal on protected species and local wildlife sites and consider biodiversity enhancements and landscape enhancements.

Southend Borough Council

4.10 No objections.

4.11 It is not considered the proposed terminal extension will affect (i.e. increase) the passenger numbers or frequency of flights at the airport over and above that permitted under the planning application to extend the airport runway SOS/09/01960/FULM. The ES accompanying that application made allowance for an extension to the terminal building, and the application was determined on that basis. The resulting S106 agreement placed a number of controls upon the airport operator, which place a cap on the number of aircraft movements. This cap, and all other controls, remain in place regardless of the outcome of the current planning application and limits the expansion of the airport.

4.12 It is advised that consideration be given to providing a coach stop with a covered waiting area for the X30. Information systems should be included within the terminal to include real time bus information. A transport information point should be established within the building with clear maps and onward travel options.

Highways Agency

4.13 No objection.

ECC (Archaeology)

- 4.14 This application has been identified as having archaeological implications. A previous application for the extension of the passenger terminal building was granted permission, subject to the requirement for archaeological monitoring and investigation, which is currently ongoing. This condition should be reiterated for this further extension.
- 4.15 Recommendation: Archaeological monitoring and excavation
- 4.16 No development of any kind shall take place until the applicant has secured the implementation of a programme of further archaeological work in accordance with the written scheme of investigation submitted as part of application 12/00103/FUL.
- 4.17 Further recommendations: A professional team of archaeologists shall undertake the archaeological work.
- 4.18 Since this initial consultation response further comments have now been received as follows:-
- I've been looking at the plans this morning and yes, the archaeological investigative works for the previous 12/103 application do cover the new walkway area in application 12/00103. So please ignore my suggested condition.
 - Incidentally, I have just been talking to the archaeological contractor and the works for the 12/103 application have not been signed off yet so that condition cannot be discharged yet.

ECC (Urban Design)

- 4.19 Refer to the above application. I have no issues with the design of the proposals.

RDC (Environmental Services)

- 4.20 The following conditions should be attached to any consent granted:-
- Prior to commencement of the development hereby approved, details of how the proposal will achieve at least 10 per cent of its energy from decentralised and renewable or low carbon sources shall be submitted to and agreed in writing with the Local Planning Authority (unless this is shown to be not feasible or viable). Measures shall be installed as agreed and confirmation in writing that the installations are operating shall be submitted to the Local Planning Authority prior to use of the terminal extension by passengers that is hereby approved.
 - Prior to use of the new terminal extension hereby approved, written confirmation that the extension has been assessed under the BREEAM

criteria and achieved at least a 'very good' rating shall be submitted to the Local Planning Authority.

Anglian Water

4.21 No comments.

Neighbours

4.22 24 responses received from properties in Leigh-on-Sea, Rochford, Eastwood, Westcliff-on-Sea, Hockley and Southend-on-Sea:-

- This is more over-development.
- Another ruse to get more seating and café seating
- They will keep coming back for more and more - more seating, more passengers, and more congestion – pollution.
- At the Council meeting at which approval for 12/00103/FUL was granted the meeting was warned that in order to meet the airport's ambitions for passenger numbers, further expansion would be needed. The current application establishes without doubt that the airport is continuing its dishonest policy of doing this by small increments to avoid a proper inquiry.
- Construction works appear to have already begun. It would appear London Southend Airport is cleverly avoiding the need for a full public inquiry by continually submitting applications of a smaller nature and carrying out works before permission is granted.
- The full impact of the present level of expansion has yet to be adequately assessed.
- Where is the consideration for the residents?
- Expansion has proven that this is the wrong place for a busy regional airport.
- It would facilitate a further increase in passenger numbers, making night flights ever more likely. This would lead to sleep deprivation to local residents.
- An increase to the size of the terminal will eventually lead to an increase in the number of flights. This will lead to reduced property values for those living under the flight path.
- Where is all the extra rain and surface water going to go? And all the chemicals for de-icing? Toxic fluids may well be involved in cleaning and de-icing the aircraft.

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- Already problems with the Harp House roundabout flooding.
 - When applying for this Plan LSA indicated the proposed development was not in a flood risk area. We can supply the Council with photographs taken within the last 3 years showing flooding in adjacent areas.
 - Anglian water has lifted restrictions on the first extension and foul water will be running north and south; how will the airport deal with any more foul water if it is given permission for further extension. Foul water flooding the roads around the Harp House area would be a health hazard.
 - Application 12/00103/FUL required a foul water drainage strategy to be submitted and agreed by condition. All these works are probably viewed as associated works but should be taken into account in the wider plan involved with the 3rd phase extension. Please indicate to us how foul water has been directed north and south and where the private pumping station has been sited?
 - Where are the plans and documents showing how LSA has resolved the issues regarding the disposal of waste/foul water to Anglian Water and the Environment Agency satisfaction? As far as the public is aware these issues are still outstanding.
 - It seems that Southend Airport has not come up with a solution to safely dispose of runway run-off of pollutants that conforms to the Environmental Agency requirements.
 - Fears about added noise pollution due to the noise generated by current operation. Inability to enjoy gardens and inside of homes by those in the flight path and impact on quality of life.
 - A study identifies the damage done to children's learning by aircraft noise, particularly children with learning difficulties, of which there are hundreds in that situation, at school beneath the flight path.
 - Traffic congestion already occurs due to the new roundabout at Nestuda Way and increased usage of Harp House roundabout and the Tesco roundabout because of the airport's current operation. Railway station that was supposed to reduce road traffic is little used.
 - Do not consider that limited road network in and out of the Southend area can cope with increased usage.
 - Concerns about highway safety if more traffic were to use the Nestuda Way roundabout due to safety issues associated with how people currently use it.
 - It was stated by Southend Council in discussions on the JAAP that road infrastructure would not be affected, but no mention was made public that

tanker vehicles would be removing effluent/pollutants from storage tanks associated with the aircraft hard-standings adjacent to the terminal building and disposing the said pollutants via the public highway.

- I believe this increase in the volume of air and road traffic should not be considered when so close to fairly dense residential areas.
- A larger terminal means more passengers and also more planes, more planes means more fuel to be used, which in turn means more fumes in the air – pollution.
- Particulates in emissions from planes flying above properties are harmful, especially to the elderly. Respiratory complaints.
- Increase in greenhouse gas emissions.
- Substances from emissions found on planting.
- The 106 agreement between the Council and the residents does not protect the people under the flight path. There is a large loophole, which means none of the complaints are upstanding. Expanding the terminal means even less sleep, with more flights as the agreement has been so badly written and agreed with no thought to the residents.
- Wells Avenue residents have not been notified. Noise in that road is dreadful, along with an increase in aircraft fumes.
- Having only just built a new terminal building, an extension should have been foreseen and included in the original plan.
- Concerned about safety with planes flying directly over homes.
- Economic dis benefits of expansion at the airport. A comparatively tiny number of jobs have been created around the airport, filled mostly by staff transferred from Stansted, but these are dwarfed by the huge loss to the south Essex and London economy by the large numbers of people spending disposable income abroad.
- As the development is not in accordance with the development plan and is in the MGB, why has the Council not stopped the work now taking place on the site?
- Possibility that the terminal may have to close regarding licensing of the airport, administered by the CAA, in particular in relation to the need for a precision instrument landing system.
- Review of the shape and size of the Public Safety Zones currently underway may also have an impact on the future of the airport.
- Objections to the stopping up of a section of footpath 36.

- A MGB between conurbations is supposed to provide a green lung to benefit residents' health, not be filled with a dangerous and polluting monstrosity of an airport.
- Find it difficult to comment due to lack of information pertaining to important details. Accurate comment can only be put forward when all facts regarding this application/development are in the public domain.
- Hotel and phase 2 terminal extension encroach on residential areas not previously overlooked.
- Biodiversity should be taken into consideration by our Councils when considering all aspects of proposed plans.

5 MATERIAL PLANNING CONSIDERATIONS

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 dictates that applications should be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise; this comprises the Rochford District Core Strategy (2011) and saved policies within the Rochford District Replacement Local Plan (2006) and Essex and Southend-on-Sea Replacement Structure Plan (2001). In addition, the London Southend Airport and Environs Joint Area Action Plan is at pre-submission, and the NPPF indicates that plans can carry increasing weight in decision making as they near adoption.
- 5.2 Policies ED1 and ED2 of the Core Strategy support the enhancement of London Southend Airport, however this must be weighed against the fact that the proposal amounts to inappropriate development within the MGB for which very special circumstances must exist that clearly outweigh the harm that would be caused to the MGB as a result of the development.
- 5.3 Inappropriate development is harmful to the MGB, by definition, although it is also necessary to consider other harm that would be caused and the extent of this. Very special circumstances will not exist unless the potential harm to the MGB by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 5.4 The London Southend Airport and Environs Joint Area Action Plan (JAAP) proposes to remove the Green Belt designation from the operational airport, and, as stated above, as per paragraph 216 of the NPPF, some weight can reasonably be accorded to the proposals set out in the plan in relation to both the change to the Green Belt and support for the expansion and development of the airport.
- 5.5 Whilst the proposed extension is modest in comparison to the scale of building work allowed under phases 1 (replacement terminal building) and 2 (extension of replacement terminal building), it is still considered that the proposal would have an impact on the openness of the MGB, contrary to the

applicant's view. It is physical openness, not simply the appearance of openness that the MGB seeks to protect, notwithstanding the operational airport context. The construction of a single storey extension some 80 metres in length and 10 metres in width, together with an extension of the baggage area on otherwise existing open land, would therefore reduce openness albeit not to the scale that the extension granted in 2012 and currently under construction would do. However, given the operational airport context, the circumstances of the proposal are unique in the District such that it is considered that the proposal, if allowed, would not set a precedent for allowing further large-scale commercial buildings within the MGB, which could cumulatively have a very significant, harmful impact.

- 5.6 In addition, this context and the significant amount of built development within the vicinity of the site reduces the impact that the proposal would have on the character and appearance of this part of the MGB. The site is not MGB comprising open countryside, but is flanked immediately to the south by the existing new terminal building (as permitted to be extended and currently undergoing such works), which is of substantial size. Close by, to the east, is the newly constructed railway station, which is also of significant size up to two storeys in height. In addition, other buildings and developments, which give the area immediately surrounding the application site a developed character and appearance, include the airport control tower and a sizeable surface parking area serving the airport. The railway embankment to the east would act to partly obscure views of the proposed terminal building from the Southend Road. Given this context, it is considered that the proposed terminal building expansion would not have a significant harmful impact on the visual amenity of the MGB.
- 5.7 Of the 5 key purposes of MGB land it is considered that the proposal would not have a significantly adverse impact on any; the site does not constitute countryside and so would not result in any loss, the proposal is sufficiently distant from the historic town centre of Rochford so as not to impact directly upon its character and given that the proposal relates uniquely to development which must be located at an operational airport the proposal would not prevent an opportunity for regeneration of existing derelict land. The land at the airport extends to some 125ha, extending between the southern edge of Rochford to the north and the northern extent of Southend to the south and as such plays an important role in preventing these neighbouring towns from merging into one another and checking urban sprawl, the remaining two purposes of the MGB. The nature of the operational airport is, however, that a very significant part is required to remain open and undeveloped to accommodate the operational airfield and consequently the very nature of the use of this land would prevent further significant development and unrestricted sprawl between the two settlements. Given the context it is considered that the proposal would not significantly reduce the open, undeveloped space, which acts to separate the built up areas of Rochford and Southend along the eastern boundary of the airport.

- 5.8 It should also be considered that the JAAP sets out policies in support of the development of the airport and the realignment of the MGB boundary. In particular, draft policy TF1 of the JAAP supports expansion of the new terminal and draft policy ENV1 looks to revise the MGB boundary. The JAAP is now a Submission Document, which can be afforded some considerable weight.
- 5.9 In summary, the proposal would result in harm to the MGB by definition and further harm by way of impact on openness although it is considered that it would not give rise to significant harm in relation to the character, appearance and visual amenities of the MGB or conflict markedly with any of the purposes of MGB land.
- 5.10 The applicant asserts that very special circumstances exist, which clearly outweigh the harm that would be caused and these surround the benefits to be derived from the proposed development and also:-
1. Ensuring the terminal facilities meet the requirements of UKBA, without compromising customer service;
 2. The timely opportunity to undertake these works concurrently with existing approved terminal extension works, thereby minimising further operational disruption, were the works to need to be brought forward separately in due course;
 3. The opportunity to increase the departures gate room size area of the terminal building, providing further dwell space for passengers and generally offer improved customer service; and
 4. The existing policy support for the development of the airport.
- 5.11 Of points 1-4 above, only the potential benefits of the proposed development, including existing but also proposed policy support for development at the airport, are considered to contribute to very special circumstances.
- 5.12 As already mentioned above, policies ED1 and ED2 of the Core Strategy support development at the airport, recognising the airport as a catalyst for economic growth and employment generation. The development of the airport is also supported in Southend-on-Sea Borough Council's statutory development plan. As mentioned earlier, the new national planning policy introduced in the National Planning Policy Framework (2012), whilst not referring specifically to the acceptability of the development proposed, does indicate that weight can be given to emerging plans and also asserts that 'significant weight should be placed on the need to support economic growth through the planning system'.
- 5.13 Growth of the airport to a 53,300 (plus 5,300 cargo) aircraft movements a year airport, equating to some 2 million passengers per annum, has already been considered and judged acceptable in the decision to approve the runway

extension application in 2010. This planning consent is subject to a legal agreement, which, amongst other things, limits the number of aircraft movements to a maximum of 53,300 (plus 5,300 cargo) per year. The current proposal does not seek to allow any greater number of aircraft movements and, if allowed, the airport would continue to be bound by the existing constraints in the legal agreement. Therefore, contrary to concerns from residents about an increase in aircraft movements, allowing the proposed extension would not allow the quantity of aircraft movements, bound by this legal agreement, to increase. Draft policy TF1 of the JAAP refers to the need for any extension to be subject to the details set out in the environmental controls schedule, to be delivered through conditions or an S106 Agreement, as appropriate. The legal agreement currently in place covers the aspects referred to in the environmental controls schedule.

- 5.14 The proposed terminal building extension is sought to address UKBA requirements to separate arriving international passengers from arriving domestic passengers and to safeguard space for electronic passport control equipment and channels, whilst retaining and enhancing levels of passenger service.
- 5.15 The expansion of the airport clearly has economic benefits associated with it and these were highlighted and considered to represent very special circumstances within consideration of the 2012 application to extend the terminal building. No specific details relating to economic benefit have been provided by the applicant within the current application, although the benefits to be gained in a more general sense have been highlighted. The current application for an extension, if viewed independently, is unlikely to generate economic benefits. However, when viewed as part of the collectively wider airport operation, it would help to assist in generating economic benefit by ensuring that the airport operates in a functional and attractive manner to customers meeting UKBA requirements so that the 2 million passengers per annum target, which will further help to generate economic benefit, can be achieved. Increasing the standard of customer service by increasing the scale of the departure lounge, international queuing area and catering facilities and meeting UKBA requirements, may help to attract further airlines to operate from the airport, also introducing economic benefit.
- 5.16 In addition, it has been confirmed by the applicant in a supporting letter provided on 1 March 2013 that UKBA requirements for the airport have progressed since the initial extension application and, whilst attempts were made to accommodate the UKBA requirements within the footprint of the existing building, including 2012 extension, it was not feasible to provide such accommodation in this manner, hence the submission of the current application.
- 5.17 Although an extension to the south of the existing new terminal building would not be located within the MGB as this area of the airport is designated as 'white land' to which no specific planning policy relates, considering the

changes proposed, it is unlikely that an extension within the 'white land' would work with regard to the specific changes sought.

- 5.18 It is considered that the economic benefits of the proposal, when viewed collectively as part of the airport operation as a whole, together with the policy support for operational development at the airport, amount to the very special circumstances necessary to outweigh the harm to the MGB that would result from the proposal.

DESIGN

- 5.19 The appearance and form of the proposed terminal building extension would match that of the existing new terminal building and 2012 extension. The curved roof would continue over the western extension and the baggage area also continues the roof line granted planning permission in 2012 for this part of the building.
- 5.20 The application form confirms that the materials to be used would match exactly those used for the approved western single storey element and baggage facility extension granted in 2012. Therefore, the design of the proposal is considered to be of the high standard required in accordance with Policy CP1.
- 5.21 Externally, various new entrances would be provided to the western and northern elevations and also to the eastern elevation of the baggage arrivals shed. These new entrances are considered to be an acceptable arrangement.
- 5.22 Landscaping was considered within the 2012 terminal extension application and controlled by planning condition. Soft and hard landscaping was agreed by discharge of condition in a letter dated 10 January 2013, which accepted the proposals shown within drawing no. NK017264_PL203 Rev A. The area where the extension works are currently proposed was agreed as airside concrete hardstanding and new baggage handling concrete hardstanding. Therefore, the location of the extensions would only be sited in areas agreed to be concreted and is considered to be acceptable. A planning condition requiring the landscaping, as agreed, to be implemented, excluding the areas where the new extension works are now proposed to be located, could be attached to an approval.

ARCHAEOLOGY

- 5.23 The supporting statement submitted by the applicant explains that the terminal extension granted planning permission under reference 12/00103/FUL included a condition relating to the need for archaeological investigation, which also included the area where the extension is currently proposed. The supporting statement explains that this has been progressed and therefore there is no longer the requirement for an archaeological investigation condition.

- 5.24 A written scheme of investigation (WSI) for archaeological work prepared by Essex County Council dated October 2012 was submitted as part of a discharge of condition application. This scheme was agreed in writing by the LPA on 11 January 2013. However, it was stated within this letter that this condition could not be formally discharged until the archaeological work, as specified in this scheme, has been completed.
- 5.25 The ECC Archaeological team has confirmed that these agreed works are on going, therefore a condition is no longer required with this application requiring details of investigative works to be submitted to and agreed. However, a condition requiring continuation of the investigations in accordance with the October 2012 scheme should be attached to an approval.

POLLUTION CONTROL

- 5.26 During the course of this application concerns have been raised by residents in relation to surface and foul water proposals for the site. In particular, concerns surrounding whether the plan submitted showed the most up to date foul and surface water proposals were raised and in response to this the applicant provided revised plans, which show the most up to date versions of the foul and surface water arrangements.
- 5.27 Anglian Water was consulted on both the initial and revised drawings submitted as part of the current application and has raised no objection to the proposals. It should be noted that Anglian Water was content with the foul water proposals submitted as part of a discharge of condition application for the approved 2012 terminal extension and these arrangements were agreed with the applicant by letter dated 4 December 2012.
- 5.28 The Environment Agency was consulted on the initial and revised drawings and no objections were raised by the EA to either plans.
- 5.29 Concerns have been raised by residents with regard to surface water flooding. The site is located within flood zone 1 and London Southend Airport is referred to in the LPA's Strategic Flood Risk Assessment. As the extension would be located airside within an area previously proposed to be hard surfaced within the 2012 terminal extension application and whereby no controls were provided with regard to surface water, it is not considered reasonable to require any additional surface water measures in addition to those shown on the drainage drawings submitted and to be controlled by planning condition.
- 5.30 De-icing concerns have been raised by residents, however, the current proposal is only for extension works to the terminal building, not for aircraft stands where facilities for dealing with de-icing fluids can be required.

HIGHWAYS AND PARKING

- 5.31 As already outlined above, the runway extension application approved in 2010 enabled the airport to increase the number of aircraft movements each year to a maximum of 53,300 (plus 5,330 cargo) with an associated increase in passenger numbers to some 2 million passengers per annum (2 mppa). The impact that this increase in passengers and their consequent traffic movements would have on the highway network was therefore considered in the determination of the runway extension application. Subject to a number of planning conditions and clauses in the legal agreement requiring, amongst other things, works to the highway network and targets for public transport usage, the impact of a 2 mppa airport on the highway network was considered acceptable.
- 5.32 The proposed extension would improve customer facilities and also address UKBA requirements to separate arriving international passengers from arriving domestic passengers and safeguard space for electronic passport control equipment and channels. The new terminal building approved in the 1997 outline and 2004 reserved matters application was stated to have a design capacity of approximately 300 000 passengers per annum, though it is considered this was a conservative estimate at the time. The applicant has not confirmed the maximum number of passengers that the proposed extended terminal could accommodate, but the airport is limited to a maximum of 53,300 aircraft movements (equating to some 2 mppa) each year by the legal agreement tied to the grant of permission to extend the runway in 2010. That agreement also picked up and incorporated an earlier agreement related to the existing new terminal building planning consent. The proposal may, together with the 2012 permission for a larger terminal building extension, lead to the achievement of higher passenger numbers (up to the 2mppa limit) more quickly, as improved facilities may make the airport more attractive to customers and airlines.
- 5.33 The proposal would not therefore give rise to any greater impacts on the highway network than those arising from the runway extension or the 2012 permission for a larger terminal building extension, which have already been considered and judged acceptable.
- 5.34 The same applies to the consideration of parking provision; as the current proposal would not enable the airport to increase aircraft movements above the limit imposed in the legal agreement it would not generate the need for additional parking above that already deemed acceptable in the runway extension proposal application. The LPA has not yet received comments from ECC Highways department to consider as part of this application.

ON-SITE RENEWABLE ENERGY/ENVIRONMENTAL SUSTAINABILITY

- 5.35 Policy ENV8 requires that the proposal secure at least 10% of its energy from decentralised and renewable or low carbon sources, unless this is not feasible or viable. The applicant has advised that this would be achieved through use

of air source heat pumps and photo voltaic (PV) cells on the roof of the terminal.

- 5.36 A discharge of condition application agreed to the use of approximately 440 panels, shown as 588 on the agreed drawing, along with air source heat pumps to achieve this 10% target for the 2012 terminal building extension. It is important that the proposed extension also achieves this 10% target and whilst it is suspected that this has been catered for by providing 148 panels over the approximate requirement referred to in the report, there is no additional information, which confirms this position. Therefore a planning condition requiring details to be submitted to and agreed by the LPA demonstrating that this 10% target would be met for the current extension, as well as the 2012 extension, should be attached to an approval.
- 5.37 Policy ENV10 of the Core Strategy would require the proposed terminal extension to meet, as a minimum, the BREEAM environmental assessment rating of 'very good' unless economically unviable. The applicant has advised that a BREEAM rating of 'very good' is being sought for the 2012 terminal extension and the application currently proposed would be taken forward concurrently and would be appraised at the same time. However, the applicant has stated that they wish to open part of the 2012 extension, potentially incorporating the proposed extension to the public whilst still completing the remainder of the building. This would have implications for the conditions already in place in relation to the application Ref: 12/00103/FUL, which require the 10% renewables and BREEAM rating to be addressed prior to the extension being used by passengers. It is considered that with the current application, a condition could be worded slightly differently to allow for these to be addressed upon completion of the building, rather than prior to first use by passengers. However, this would not address the need for the applicant to ensure that the conditions attached to the application Ref: 12/00103/FUL are varied by variation of condition application.

AIR QUALITY AND AIR AND GROUND NOISE

- 5.38 Controls to manage impacts on air quality and air and ground noise resulting from the airport operating at a maximum of 53,300 (plus 5,300 cargo) aircraft movements per year are contained in the legal agreement and deed of variation already in place in relation to the runway extension consent. Given that the current proposal would not enable any greater number of aircraft movements above this existing limit, no greater impact on air quality and air and ground noise would occur as a result of the proposed development.

OTHER MATTERS

- 5.39 The proposed works would allow for a re-configuration of space internally in relation to retail and catering, which would provide for a larger area for catering. Such ancillary retail/catering floor space is common within terminal buildings for use by passengers, and it is considered would not impact

adversely on the viability and vitality of existing nearby town centres/retail areas.

- 5.40 The site of the proposed terminal extension has been used to help facilitate construction of the existing new terminal building and is not considered to have any ecological value requiring mitigation.

6 CONCLUSION

- 6.1 In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 The application site is designated MGB in the adopted Local Plan (2006), however it is considered that very special circumstances do exist, which clearly outweigh the harm to the MGB that would result from the proposal.
- 6.3 The proposal would not enable aircraft movements (and associated maximum passenger numbers) to exceed those already accepted by virtue of the 2010 runway extension application. The controls necessary in terms of highway, parking and other impacts associated with this level of activity are already subject to a legal agreement and deed of variation, which would remain in place. No amendment to this agreement or deed of variation is sought and there is no need therefore for any further control to be imposed.

7 RECOMMENDATION

- 7.1 That, following the expiry of a press advert, the application be referred to the Secretary of State for Communities and Local Government advising that Members are minded to approve the application, subject to the following heads of conditions:-
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 2. The external facing materials to be used in the construction of the development hereby permitted shall be those materials detailed within the Design and Access Statement date stamped 3 January 2013. Where alternative materials are to be used, no development shall commence, before details of those alternative external facing (including windows and doors) and roofing materials to be used in the development, have been submitted to and approved in writing by the Local Planning Authority. Any materials that may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
 3. An archaeological programme of works shall continue to be implemented at the site in accordance with the written scheme of

investigation prepared by Essex County Council and dated October 2012 and agreed by discharge of planning condition 4 of application reference 12/00103/FUL.

4. Prior to commencement of the development hereby approved details of how the proposal, when considered together with the terminal extension granted planning permission under reference 12/00103/FUL, will achieve at least 10 per cent of its energy from de-centralised and renewable or low carbon sources, shall be submitted to and agreed in writing with the Local Planning Authority (unless this is shown to be not feasible or viable). Measures shall be installed as agreed and confirmation in writing that the installations are operating shall be submitted to the Local Planning Authority upon completion of the terminal extension hereby approved.
5. Hard and soft landscaping shall be implemented in accordance with the plan (drawing no. NK017264_PL203 Rev A) and details agreed by discharge of planning condition 6 attached to application reference 12/00103/FUL (excluding the hard standing areas where the extension hereby approved would now be located). This shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.
6. Upon completion of the terminal extension hereby approved, written confirmation that the extension has been assessed under the BREEAM criteria and achieved at least a 'very good' rating shall be submitted to the Local Planning Authority.



Shaun Scrutton

Head of Planning and Transportation

Policies CP1, GB1, ED1, ED2, RTC2, ENV1, ENV3, ENV5, ENV8, ENV10, CLT1, T1, T2, T3, T5, T6, T8 of the Core Strategy 2011

Policies TP10 and UT2 of the Local Plan 2006

National Planning Policy Framework.

London Southend Airport and Environs Joint Area Action Plan (JAAP) Submission Document

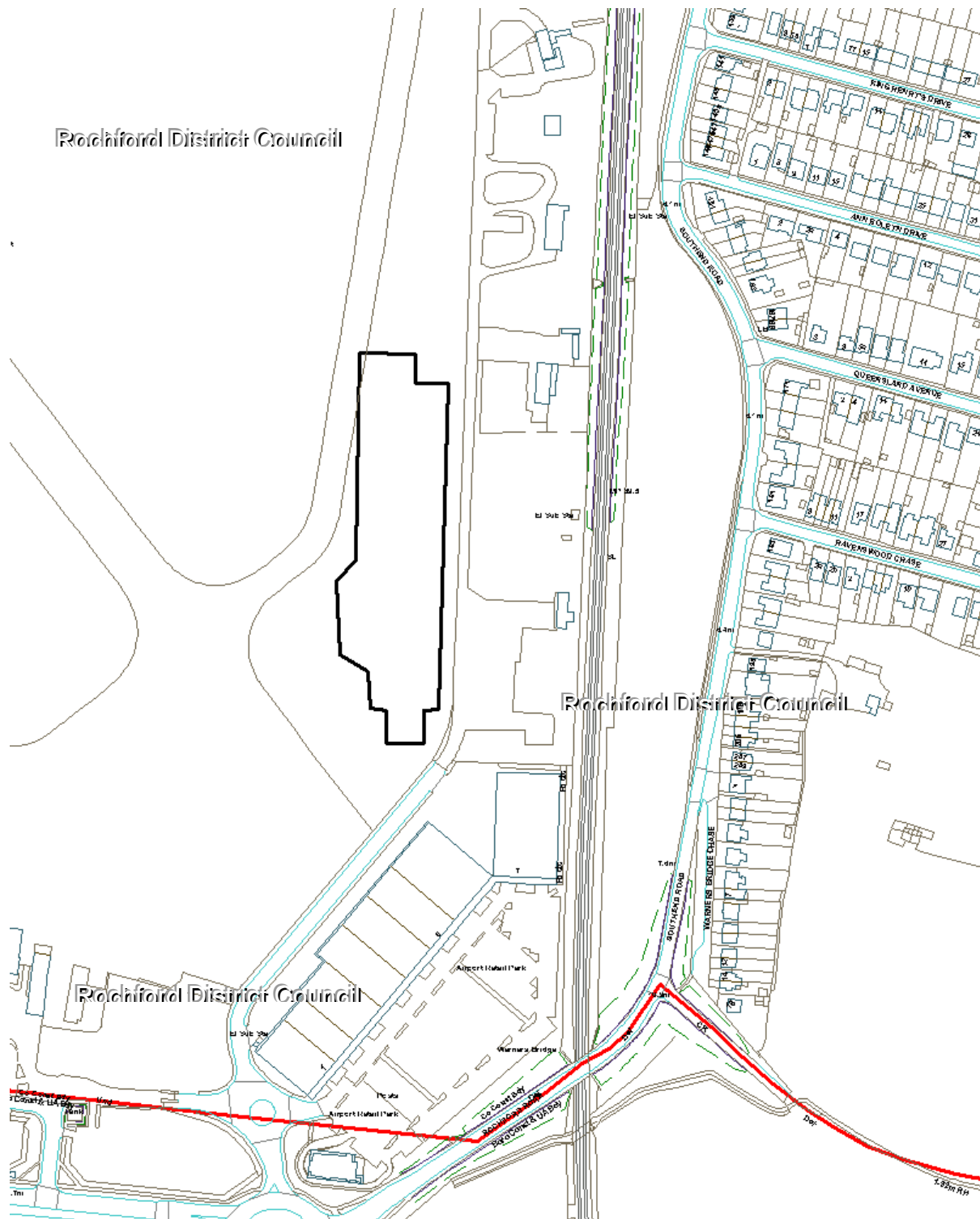
For further information please contact Claire Robinson on:-

Phone: 01702 318096

Email: claire.robinson@rochford.gov.uk

If you would like this report in large print, Braille or another language please contact 01702 318111.

12/00751/FUL



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