

**DELEGATED**

**AGENDA NO.**

**PLANNING COMMITTEE**

**6<sup>th</sup> December 2006**

**REPORT OF CORPORATE DIRECTOR OF  
DEVELOPMENT AND NEIGHBOURHOOD  
SERVICES.**

**04/3948/FUL (Item A)**

**Land at Durham Tees Valley Airport**

**Extension and refurbishment of terminal building, development of cargo and maintenance village (class B2 and B8), new and expanded airside apron including lighting, extension and reconfiguration of passenger and staff car parks and car hire facilities including lighting, access roads and fencing, construction of aircraft stands, airside hard standing and parallel taxiway including lighting, extension and reconfiguration of airport access road, pick up and set down areas including lighting, new bus stop and taxi stands, construction of new sewage treatment plant and associated pipe work (part outline, part full application) accompanied by environmental assessment under the town and country planning (environmental impact assessment) regulations 1999 (additional information in respect of cross section to site received 8 March 2005 and lighting received 6 June 2005).**

**Expiry date: 16<sup>th</sup> February 2005**

**04/3949/AAC (Item B)**

**Land at Durham Tees Valley Airport**

**Development of site to provide a business park comprising up to 18,600 sqm (use class B1), 4200 sqm 100 bed hotel (use class C1) and 560 sqm public house/restaurant (use class A3) associated car parking and structural landscaping. (Outline application accompanied by environmental assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999).**

**Summary:**

This report considers two applications, one for the expansion of the main terminal building and associated aviation development (Item A) and one for a Business Park/Hotel/Pub/Restaurant (Item B).

The application site boundary in respect of the airport expansion application (Ref 04/3948/FUL) includes land within both the administrative area of Darlington Borough Council (DBC) and Stockton Borough Council (SBC). Under normal procedures both Councils would consider the application and would both be required to issue decision notices as the Airport is within the boundaries of both councils.

At the Planning Committee Meeting held on 2<sup>nd</sup> February 2005 it was suggested that, should the Council be minded to approve the part of the development that is within this Council's administrative area, in order to simplify the process, the Planning Committee consider the application through the normal process but delegate authority to DBC to issue the decision notice subject to both Councils being satisfied in respect of the report and final recommendation on the application and any planning conditions and the terms of a Section 106 Legal Agreement, should planning permission be granted. It was resolved that this suggested course of action be approved.

The second application (04/3949/AAC) relating to the Business Park/Hotel lies wholly within the administrative area of DBC which has consulted SBC as an adjoining planning authority.

Both applications are covered by one Environmental Statement (ES) under the Environmental Assessment Regulations and the series of appendices to this report are generally common to both.

### **Item A**

1. The application site is some 213 hectares in total and forms part of the main terminal complex and surrounding area at Durham Tees Valley Airport (DTVA). The application is for the extension of the airport terminal and landside/air side facilities, a small proportion of which falls within Stockton Borough. The application is submitted with an ES under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

2. The application proposes the expansion and enhancement of the main terminal building and associated aircraft and aviation services. The application is made partly in outline, for the main terminal building and cargo facility, and partly in detail for the main engineering works to the apron, the parallel taxiway, car parking and related engineering works. Some of the works proposed are likely to be "permitted development" under the Aviation Class of the General Permitted Development Order (GPDO) but the applicants have included those elements in the submission for the purposes of the assessment.

In summary the development will comprise:

- Extension and refurbishment of the existing terminal building to provide additional 18,500m<sup>2</sup> of floor space providing a total of 28,000m<sup>2</sup>. This will take the capacity of the terminal complex to 3 million passengers per annum (mppa) and will include improved baggage handling, check in facilities, lounges, office space, and retail and restaurant facilities. The extension will be linked to the existing terminal building by a single storey link.
- New aircraft gate and access structures on the airside of the terminal, with 9 additional aircraft parking stands and an additional 30,000m<sup>2</sup> of new airside apron.
- Increased parking to provide a total of 4,500 car parking spaces including staff and hire car spaces.
- Provision of car hire facilities to accommodate storage, washing/valeting point for 150 vehicles.
- Revised access and drop off pick up facilities in front of the new terminal complex
- A cargo and maintenance village to provide a total of 20,000m<sup>2</sup> of floorspace for class B2 and B8 uses related to aviation activity and the import-export of goods. This area will include 350 parking spaces and a new apron of some 50,000m<sup>2</sup> area.
- A new parallel taxiway to the north of the existing runway
- Improved infrastructure including foul and surface water disposal, site circulation infrastructure, upgrades to local security and lighting.

The cargo and maintenance village is proposed to accommodate the following activities:

- Painting

- Engine overhaul
- General repairs
- Routine maintenance
- Aircraft interiors
- Repair and installation of avionics
- Supply and manufacture
- Training
- Air freight handling and processing

3. In addition there may be a requirement to develop a foul water treatment plant within the airport boundary as part of the scheme. The other option being to connect to a new treatment works to the west of the site in Middleton One Row proposed to be built by Northumbrian Water.

4. The development proposed within the part of the site which is within Stockton comprises part of the parallel taxiway and part of the proposed Cargo and Maintenance Village.

5. The development is intended to support the continued growth of DTVA up to the year 2015 and, where possible, the ES predicts impacts to that date. Based on current projections the new terminal and associated aviation development will be required in 2007 when the present terminal reaches its capacity, based on current rates of growth. The development of the cargo area and business park will be influenced by market demand.

6. The attached report ("the Report") (Appendix 1) has been jointly prepared with DBC and sets out the following: -

- the planning history of the site,
- planning policy background and an assessment of the application against that policy,
- the results of consultation and publicity,
- any other planning issues which are material to a determination of the application,
- an assessment of the contents of the ES, which identifies likely environmental effects and proposed mitigation measures as set out in the proposed conditions and Section 106 Agreement (details of which are set out in the Report),
- assessment of the economic impact of the scheme which includes an estimate that the airport expansion and business park (which is the subject of a separate report below) will create up to 2,500 new full-time jobs and that construction work involved will create the equivalent of a further 60 permanent jobs
- the implications of the proposed development in respect of employment creation and investment and
- detailed recommendations.

7. The Report, which recommends that planning permission be granted subject to conditions and completion of the proposed Section 106 Agreement, reflects officers' views. The Report is incorporated, by reference, within this report and so it is not intended to repeat it in detail; rather, it is proposed that this report addresses the principal points arising.

8. Concerns have been expressed by residents, and they are considered in the Report. The main issues affecting residents of Stockton Borough relate to aircraft noise/night time aircraft movement and highway impacts. As regards the latter, officers from both Councils and other bodies including the Highways Agency have examined the issues in detail and are satisfied that the impact of the development would be satisfactorily mitigated by the package of measures which has been proposed by the applicant. Those measures are proposed to be dealt with by planning conditions and the proposed Section 106 Agreement.

9. In terms of noise, the main noise sources are planes taking off to the point on the departure track where noise reduces, landing and the use of reverse thrust brake mechanisms. For the purposes of the ES noise is measured in absolute terms and is calculated on the basis that there will be no change to the runway length, no major change in the type of aircraft using the airport, no change in routing of aircraft and the increase in movements of 70% until the planning horizon of 2015.

10. Impact assessment criteria are derived from PPG24 (Planning and Noise) and assessment techniques used in studies of other UK airports.

11. The ES describes the impact of the proposed development in respect of the four scenarios which are summarised in the Report. This includes an assessment of the two noisiest aircraft currently using the airport, the MD83 and Boeing 737-800. Future noise levels are based on summer traffic movements, being the busiest and, therefore potentially noisiest period and some conclusions from the planning inquiry into the South Side Development have been included in the ES.

12. Impacts are expressed by the numbers of properties falling within the existing and predicted contours based on the OS map for the area (see Appendix D), they are therefore approximate but presented as reasonably accurate given the low density of the development in the area.

13. In summary the ES points out that in respect of daytime aircraft noise, because of the nature of the area, relatively few residential properties are affected by the development scenarios. No properties under any scenario are exposed to the high community annoyance contour (69dB). Even with all developments completed only 6 properties are exposed to the moderate noise contour (63dB). For the onset of low community annoyance the contours indicate an increase from 21 properties under the baseline scenario to 45 with all proposed developments implemented.

14. Consultants for the applicant have provided the equivalent figures in respect of other airports to put the above figures in context. Those equivalent figures show that more than 82,000 people fall within the moderate or high contours around Heathrow, 8000 at Manchester and 1400 at Leeds/Bradford.

15. The ES also examines the issue of night time noise in respect of noise contours and individual aircraft movements. The ES states it is the 55dB contour, which is assessed and used as a threshold over which some sleep disturbance might result. The baseline conditions and no development 1 scenario show that no properties are presently or predicted to be affected by the 55dB contour up to the year 2007 when the existing terminal will reach its operating capacity. The effect of the application proposals will result in only 2 properties being affected by the 55 dB contour and risk of sleep disturbance. The South Side development in isolation, would affect 13 properties and the combined impact of the developments would affect 21 properties.

16. There are at present no controls on flying activities at the airport. The applicant recognizes that some controls are required in order to mitigate the impact of night arrivals and departures even though the ES demonstrates that relatively few properties are potentially affected by high levels of noise. This is partly achieved through other regulations but is, in part, achieved by what is termed the quota count system. That is, the airport will benefit from an annual *account* measured in points. Each aircraft movement occurring during the night-time period will result in deduction from that account of a certain number of points; this is the QC (Quota Count) value. The QC is based on the type of aircraft and the older and potentially noisier the aircraft the greater the value of the deduction. At present no QC system applies to the Airport.

17. A QC budget of 20,000 points was applied to the permitted scheme at the South Side by the Secretary of State as part of the approval of that development. The applicants have agreed to use a similar count value for the new terminal development. The agreed account will cover not just the

South Side development but also the existing and proposed activity at the airport. This represents a net reduction in the approved South Side QC budget as the quota count will be divided between the proposed developments but not increased.

18. The ES points out that DTVA is identified in the Transport White Paper as a site for expansion because relatively few people will be affected by growth. There will be increases in noise exposure but no one is exposed to high annoyance levels and relatively few to moderate annoyance levels or levels with a slight risk of sleep disturbance.

19. In view of the above comments the view is taken that, whilst the proposed development will impact on residential properties in the locality, this impact is limited to relatively few properties and for the most part does not achieve noise levels that will result in the highest noise levels and community annoyance. Given the level of mitigation that will be achieved through controls in the proposed Section 106 Agreement relating to noise monitoring, a proposed sound insulation grants scheme (SIGS) and night time traffic control and practical developments on the site, it is considered that the proposed development is consistent with national planning policy as set out in PPG24 (Planning and Noise).

20. Other potential pollution issues have also been addressed and mitigation and control measures put in place.

21. A significant number of letters were received from residents in Long Newton objecting on the grounds that the development should not be granted or proceed unless the proposed Long Newton Interchange on the A66 is constructed. The matter is proposed to be dealt with through the imposition of a condition which prevents the commencement of the proposed development until the start of the Long Newton Interchange scheme has been announced. That condition has been agreed with the Highways Agency. The proposal is also linked to Highway mitigation works alongside other controls to encourage sustainable means of travel to the development.

22. The Government strategy for the development of regional airports is set out in a published strategy and clearly identifies Durham Tees Valley Airport as a location identified for growth on the basis that it has the important advantage that very low numbers of people are affected by noise. Similarly, the proposed development is consistent with policy in the adopted development plan and the emerging Regional Spatial Strategy.

23. Officers have undertaken a detailed evaluation of the ES submitted in support of the application. The view is that the ES is a robust and detailed assessment of the likely impacts of the proposed development. The ES successfully identifies the baseline conditions and through evaluation of development scenarios has, as far as is possible, described and quantified the impacts of the proposed development. The ES has informed the general planning of the scheme and will further inform the detailed design of the buildings at the reserved matters stage. Officers are satisfied that those measures to mitigate the impact of the development can be dealt with by planning conditions and the terms of the Section 106 Agreement.

24. The development represents one of the most important transport infrastructure developments in recent years in the region. It will expand and enhance the role of the airport as a key economic driver in the Tees Valley area with significant employment creation and investment implications and is consequently recommended for approval.

## **RECOMMENDATION**

***Darlington Borough Council be advised that Stockton-on-Tees Borough Council is minded to approve Planning application 04/3948/FUL (DBC reference 04/01427/FULE) and the determination of that application be delegated to Darlington Borough Council subject to the conditions set out in this report (Appendix 1) being incorporated into the decision notice***

***and the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms set out in Appendix 1.***

***In the event of the Heads of Terms and conditions not being in accordance with those set out in Appendix 1 that the consideration of the varied Heads of Terms and conditions be delegated to the Head of Planning to advise Darlington Borough Council as to whether the application should still be approved and the decision delegated to Darlington Borough Council.***

## **Item B**

### **Summary:**

Darlington Borough Council (DBC) has consulted Stockton Borough Council (SBC) as an adjoining planning authority on a proposal for a business park development on the 'North Side'. This will provide for:

- 18,600 square metres business park (Use Class B1)
- 4,200 square metres (100 bed) Hotel (use Class C1)
- 560 square metres public house/restaurant (Use Class A3)
- Associated car parking (791 spaces) and structural landscaping

The outline application is submitted with an Environmental Statement (ES) under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. A separate Transport Assessment has also been produced.

The application forms part of a programme of improvements to the infrastructure of the Airport, including terminal facilities, as well as the enhancement of aviation services and is promoted as an essential part of that investment programme.

Both Councils have policies in their adopted local plans that permit development at or adjacent to the Airport site and this is generally for airport related uses or development genuinely requiring an airport location.

Both Regional Planning Guidance (RPG1) and the emerging Regional Spatial Strategy (RSS) advocate airport related activity only at Airports in order to avoid the loss of expansion potential. For this reason the development of a business park outside the identified limits requires justification. It is considered therefore that DBC should pay regard to the regional policy framework advanced in the emerging RSS which supports airport related development at the Airport. To this extent the draft RSS includes a definition of airport related development.

Whilst it is for DBC to consider the local development control issues, it is recommended that the proposed business park be subject to some form of control (either by way of a condition) as to occupancy to bring it within the definition of airport related development (as above).

Draft conditions which address the material considerations raised by the application, and which are considered to be appropriate have been discussed with officers of DBC.

## **RECOMMENDATION**

***It is recommended that Darlington Borough Council be informed that this Council, as an adjoining authority has no objection to the development subject to ensuring through planning conditions or other appropriate controls that the B1 Offices are for airport related development only.***

## **BACKGROUND**

1. This application covers an area of approximately 5ha and proposes the development of land to the north and west of the terminal complex to provide a Business Park comprising five B1 office buildings totalling 18,600m<sup>2</sup>, a hotel and restaurant/public house. Four of the office buildings would be constructed to the north of the new extended car park adjacent to the terminal building on the southern boundary to the Oak Tree Estate. A fifth unit is proposed on the western side of the new access road adjacent to the new roundabout. The PH/restaurant is proposed on the eastern side of the access road and the hotel to the southern end of the new access road to the immediate north of the terminal. The site at present comprises open land currently in use as agriculture or undeveloped land within the airport complex.
2. The application is made in outline but additional information has been provided in the form of a *Design Statement* and, what is termed, a *Parameters Plan*. These provide additional information in respect of the design and scale of the proposed buildings. The office buildings are proposed to be no more than 15m high the PH/restaurant 10m high. Parking is provided in accordance with parking standards set out in PPG13 (Transport).
3. The development includes new access and circulation arrangements and car parking for up to 791 spaces and structural landscaping areas.
4. The applicant comments that the purpose of the development is to provide facilities which complement the overall development at the airport, the needs of aviation related businesses and to improve the profile of DTVA by creating a new gateway to the airport complex with high quality new development. An economic impact assessment which forms part of the ES estimates that the planned Airport expansion and business park will create up to 2,500 new jobs. The construction work involved will create the equivalent of a further 60 permanent jobs.
5. The B1 business units are proposed for aviation related office activity, regular users of the airport and those companies that are described as “prestige” users which may be attracted to the airport for environmental or locational reasons.
6. The applicant submits that the Business Park is proposed as aviation related development. The applicant has recognised that some form of planning controls over future occupation of the proposed units may be imposed to ensure they remain aviation related. It is stated the occupiers of the units will have an inherent link to the airport and will therefore have a requirement to be located as close as possible to the source of their business.

## **MATERIAL PLANNING CONSIDERATIONS**

7. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires any application for development to be determined in accordance with the development plan, unless material planning considerations indicate otherwise.
8. The Airport is a key economic driver and, as such, represents an important asset to the Tees Valley. This viewpoint is reflected in both Regional Planning Guidance (RPG 1) and the emerging Regional Spatial Strategy (RSS). Both documents encourage airport related development at or close to an airport.

The emerging RSS defines airport related development as including:

- Aircraft apron and maintenance
- Airline sales, reservations and booking office
- Airline training centres
- Aviation and vehicle fuel storage facilities

- Avionics maintenance and supply
- Car hire operations and parking
- Petrol Filling Station
- Hotel, conference and ancillary activities
- Flight packaging, provisions and supply units
- In-flight and terminal catering preparation and storage facilities
- Internal highways and infrastructure
- Offices for ancillary and supporting functions
- Service vehicle maintenance and valeting operations
- Warehousing and offices for freight forwarders and agents.

9. The proposed scheme is located on land adjacent to the airport and terminal facilities. This is an area that RPG1 and the emerging RSS seek to protect from non-airport related uses in order to guarantee potential future expansion of the airport. In order for the Business Park floor space and its occupation to be compliant with adopted and emerging planning policy, control is required over the occupation to ensure that the occupiers meet the requirement of being airport/aviation related.

10. The business park and hotel are being promoted as integral parts of comprehensive plans for expansion of the Airport. This expansion has strong policy support. That policy confirms the positive relationship between airport growth and economic development, for example, the White Paper, The Future of Air Transport (December 2003) refers to the importance of airports to regional economies as follows: -

*"Airports are an important focus for the development of land and regional economies. They attract business and generate employment and open up wider markets. They can provide an important impetus to regeneration and a focus for new commercial and industrial development ... Many airports increasingly act as a focal point for clusters of business development ... [and] ...can attract inward investment to the region"* (paragraphs 4.24 and 4.25).

11. The Panel Report on the Examination in Public into the emerging RSS has recently been published; in it, the Panel recommend that the role of the Airport as a regional economic driver should be supported, and note that airports are increasingly important to the Region's well being.

12. Draft RSS Policy 7 provides positive statements in respect of the provision of employment land at the Airport. It states, under the heading of Economic Prosperity that strategies, programmes and plans should be:

*"d) Encouraging the development of 80 Hectares of land for airport- related uses, to enable Durham Tees Valley Airport's potential as an economic driver to be realised and cater for its anticipated passenger growth"*

Moreover, at paragraph 5.36 of their report the Panel accepted that offices *"form a part of a modern airport and are prepared to leave it to the relevant local planning authority to take a judgement on the appropriate scale"*.

13. Policy 21 of emerging RSS supports the expansion of airport related development which, it is considered, includes office development. Having regard to that policy background, it is considered that the Airport is an appropriate location for office development.

The other objectives of Policy 21 relate to: -

- Supporting the sustainable expansion of facilities at the Airport to cater for the anticipated passenger growth (to 3 million passengers per annum);
- Maintaining frequent services to Heathrow;
- Increasing the range of destinations served by the Airport;
- Improving surface access links; and
- Ensuring that the needs and preferences of tourists, including both leisure and business visitors are taken into account.



Each of those objectives is likely to generate a need for further support service requirements and directly related office space.

14. It is accepted that the proposed hotel and office accommodation are essential components of the successful growth of the Airport, and are required in order to meet demands arising there.

15. Although the public house/restaurant element of the application does not fall within the list of airport related development set out in emerging RSS, it would not be unexpected to find this use serving an airport particularly, as proposed in this case, where it is associated with a hotel.

16. It is considered that the ES, which accompanies the planning application, is a robust and detailed assessment of the likely impacts of the proposed development. DBC has also produced suggested conditions which address the material considerations raised by the application.

## **CONCLUSION**

17. The application forms part of a programme of improvements to the infrastructure of the Airport, which is welcomed as the Airport plays an essential role in maintaining and attracting new development and investment in the region and is a significant source of employment in its own right.

18. It is recommended that DBC be advised that the business park should be subject to a form of occupancy control to ensure it falls within the definition of airport related development, having regard to emerging RSS. Subject to that, the proposal is supported and is consistent with the objectives of the Local Plan which supports the maintenance and development of the Airport and emerging RSS which provide for employment development at the Airport.

## **CORPORATE DIRECTOR OF DEVELOPMENT AND NEIGHBOURHOOD SERVICES**

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**Financial Implications** - Stockton on Tees Borough Council together with the other local authorities in the Tees Valley share a 25% shareholding in the airport. Any increase in the usage of the airport may have a financial implication on the value of the shareholding.

**Environmental Implications** - As report

**Community Safety Implications** - As report

**Background papers** - Stockton on Tees Local Plan, Application files 04/3948/FUL, 04/3949/AAC.

**Human Rights Implications** - The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

**Ward(s)**                      **Eaglescliffe, Western Parishes**

**Councillors**                **M F Cherrett**  
                                     **J A Fletcher**  
                                     **M Rigg**  
                                     **F G Salt**