

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/02176/FULL1

Ward:
Biggin Hill

Address : Biggin Hill Airport Ltd Churchill Way
Biggin Hill TN16 3BN

OS Grid Ref: E: 541744 N: 160173

Applicant : London Biggin Hill Airport

Objections : YES

Description of Development:

Installation and operation of runway approach lights and associated security fencing for the end of Runway 03 on land to the south-west and north-east of Main Road for use by London Biggin Hill Airport (LBHA)

Key designations:

Biggin Hill Noise Contours
Biggin Hill Public Safety Zone
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 24
Technical Sites BH

Proposal

The application is for the installation and operation of runway approach lights at one of the runway ends at London Biggin Hill Airport comprising 4 pole mounted crossbars and one single pole light outside the boundary of the airport. The development includes post and rail security fencing of 1.1m in height around the lights and crossbar with a pedestrian entrance gate for maintenance.

The light poles, crossbars and light component will comprise stainless steel with a powder coloured coating in aviation yellow. The four pole mounted crossbars will be set back 325m from the runway threshold, in a row perpendicular to the runway, creating a total span of 30m. Two of the poles will have two lights mounted to the crossbar and the other two poles will have three lights fixed, providing a series of 11 lights. The single light pole will be set back 365m from the runway threshold.

The poles with the crossbar will be 3.061m in height and the single light pole will be 6.5m in height, this is to accord with the design requirements of the CAA.

There will also be 5 runway approach centreline LED lights set into the runway, commencing from the runway threshold and installed at 63m intervals along the centreline.

The applicant has submitted a detailed Planning Statement to support the application. This outlines the justification and need for the proposed approach lighting as part of the upgrading of the lighting system. A summary of the details identified in the planning statement is outlined below:

Runway approach lights are mandatory airport infrastructure to support instrument landing capabilities, providing pilots with location, orientation and alignment information, when on the final approach to land at the airport, in either adverse visibility conditions and during hours of darkness. There will be no change to the type and nature of operations at the airport, which remain as agreed in the Civil Aviation Authority (CAA) license and the airport lease.

The approach lighting is one part of a larger infrastructure upgrade required to meet CAA regulatory requirements associated with the new GPS approach procedure. The GPS-LVP instrument approach is a new procedure for Runway 03 and forms part of the Noise Action Plan.

The current lighting system does not allow approaches from the south east direction in poor condition or hours of darkness as it currently only allows for visual manual approaches which also necessitates low level circling for landing by visual reference. Runway approach lighting is therefore required at the end of Runway 03 to allow aircraft to be able to make an approach and land from both runway ends, depending on the prevailing wind, as aircraft must land into the wind.

The airport currently holds an 'ordinary license with the CAA which outlines the minimum prescribed scales of lighting needed in order to satisfy the aerodrome licensing requirement in respect of low visibility and night operations. Due to the terrain and other constraints the runway approach lights proposed for Runway 03 is actually less than that normally specified, but a revised design has been approved by the CAA. In order to comply with the CAA regulations the proposed lighting can only be installed in very specific locations related to the operation of the main runway. Alternative locations are not applicable.

The lights will be turned on only when Runway 03 is in use for arriving aircraft and remain on during the operation of that runway and operational requirements. All lights will be controlled by Air Traffic Control. To ensure the pilots can see the runway clearly the level and angle of lighting is regulated by the CAA. The lights will be directed up towards the approach path. Accordingly, the approach lights will only be able to operate during the hours prescribed in the airport lease. They are therefore required for the safe operation of the airport.

A case of very special circumstances has also been outlined to justify the development within the Green Belt which is summarised as:

- The lights are needed in order that the airport can undertake safe and compliant operations as required by statutory regulations
- There is no alternative location for the lights
- The lighting is the minimum required to meet the identified need

- The lights will not adversely affect the Green Belt at this location and security fencing has been chosen to minimise the visual impact
- The lights will only be turned on during operational requirements and no adverse impacts are predicted.

Location

The site comprises two parts, operational land within the airport at the south west end of Runway 03 and land outside the airport to on the other side of Main Road (A233) to the south west of the end of the runway. This is sited on open land adjacent to the road. This land comprises low-level vegetation.

On the airport land the site comprises part of the runway, grassed area and an Instrument Landing System navigational aid to enable aircraft to undertake instrumental landings.

The site is within a Site of Importance for Nature Conservation (SINC) and the Metropolitan Green Belt (MGB). It is located within Flood Zone 1 and the London City Safeguarding Area.

A new electricity supply and switching control cable will extend under Main Road which will be the subject of separate highway consent.

Consultations

Comments from Local Residents

Nearby properties were notified and one representation has been received from Orpington Field Club which is as follows:

Low level scrub in the SINC south-west of Main Road may support slow worm and lizard, since these animals are often found in areas where there is some rubble and at the edge of scrub. Birds also use scrub for nesting. Orpington Field Club members therefore ask that if planning permission is granted, it should be conditional upon the following:

- Care should be taken during construction to prevent injury to any reptiles if present.
- Any scrub clearance should take place outside the bird nesting season to prevent disturbance of nesting birds since this would be illegal under the Wildlife and Countryside Act 1981.

Comments from Consultees

Highways: The proposed lights on the masts face away from the road so they should not affect the traffic flow. The security fence is 1.8m high chain link so it should look similar to the existing fence on the other side of the road.

There is no vehicular access to the site on the opposite side of Main Road from the airport. There will need to be deliveries to the site which should be off-peak so I would suggest a construction management plan is provided.

A road crossing will be needed for the cabling and the applicant would need to contact the Highway section for this.

Environmental Health: The proposed lights face upwards and will be at least 200m away from nearby residential properties. Therefore no objection in principal to the application.

The Metropolitan Police Crime Prevention Design Adviser: While I have no comment to make regarding the lighting, I would strongly suggest that the fencing should meet Secured By Design (SBD) standards. This would mean that the perimeter fencing be no less than 3 metres in height, not including an adequately deep base/foundation. Details are attached of a compliant fence meeting LPS1175 Securing Rating 3 for reference.

Counter Terrorism Security Advisor: This development falls outside of our remit so assuming that the proposed fence meets the security requirements as laid down by the DoT and CAA then I would have no further comments from a CT perspective.

Planning Considerations

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (2016). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

The application falls to be determined in accordance with the following Unitary Development Plan policies:

T18 Road Safety
BE13 Development adjacent to Conservation Areas
NE2 Development and Nature Conservation Sites
NE3 Development and Nature Conservation Sites
G1 Green Belt
BH1 Local Environment Biggin Hill

The Council's Local Development Scheme is available on the website, and will be updated to reflect the consultation taking place later this year. The draft Local Plan is a material consideration (albeit it of limited weight at this stage).

Of particular relevance to this application are policies:

8.3 Nature Conservation Sites
8.14 The Green Belt

8.37 Development adjacent to a Conservation Area
9.9 Biggin Hill SOLDC

In strategic terms the most relevant London Plan 2015 policies are:

2.6 Outer London: vision and strategy
6.6 Aviation
7.3 Designing our Crime
7.16 Green Belts

The National Planning Policy Framework 2012 (NPPF) is relevant, including paragraphs 19-21 (Building a competitive economy), 33 (Aviation), 87-90 (Green Belt) and 211 - 216 (status of adopted and emerging policies).

Planning History

A significant number of applications have been submitted at the airport over the years, which includes a number of developments constructed under Permitted Development legislation but there is no planning history directly relevant to this planning application.

Conclusions

The principle of development at London Biggin Hill airport is established within planning policy, in particular policies BH1 of UDP, Draft policy 9.9 Biggin Hill SOLDC of Draft Local Plan and Policy 6.6 Aviation of the London Plan. These policies accept the principle of airport related development at the airport and associated facilities for its operation. They highlight the need for the growth of this strategic airport within the wider London planning framework and the provision of local jobs, whilst also protecting the Green Belt and wider rural environment in which the site is situated.

The need for the proposed approach lights has however been outlined in some detail in the submitted application and is required to comply with the necessary Civil Aviation Authority (CAA) operational requirements. These approach lights are part of the upgrading of the lighting system and general required upgrading at the airport. A detailed justification has therefore been outlined and accepted as necessary infrastructure works.

The site is within the designed Green Belt and paragraphs 87-90 of the NPPF and policy G1 of UDP, Draft policy 8.14 of the Draft Local Plan and policy 8.16 of the London Plan seek to protect the openness and visual amenities of the Green Belt. The policies at all levels identify that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

As outlined above, the approach lights are required to upgrade the airport and to comply with necessary safety requirements and CAA operational needs. The

applicants have submitted a case of very special circumstances to justify the development within the Green Belt which is summarised as:

- The lights are needed in order that the airport can undertake safe and compliant operations as required by statutory regulations
- There is no alternative location for the lights
- The lighting is the minimum required to meet the identified need
- The lights will not adversely affect the Green Belt at this location and security fencing has been chosen to minimise the visual impact
- The lights will only be turned on during operational requirements and no adverse impacts are predicted.

The above justification amounts to a case of very special circumstances for these new lights within the Green Belt. In accordance with Paragraph 90 of the NPPF the lights also form part of transport infrastructure which can demonstrate a requirement for a Green Belt location. Consequently, the proposed lights accord with planning policies in respect of this proposal within the Green Belt which is supported in principle.

The potential for light pollution is also minimised as the lights will be also only be turned on when the runway is in use for arriving aircraft and will remain on during the operation of that runway and operational requirements. All lights will be controlled by Air Traffic Control. To ensure the pilots can see the runway clearly the level and angle of lighting is regulated by the CAA, with the lights directed up towards the approach path. Accordingly, the approach lights will only be able to operate during the hours prescribed in the airport lease. They are also considered to be the minimum number of lights possible necessary to ensure safety and be fully operational, which have already been reduced from the normal exceptions of the CAA.

In terms of the siting, height and appearance of the proposed approach lights, again this is all fully controlled by the CAA and their operational requirements, including the height at 3.061m and 6.5m respectively, the yellow colour of the equipment, the no. of poles and lights and their spacing. For the purposes of safety and the need to comply with the necessary legislative requirements imposed by the CAA the proposed development is acceptable.

The application site is within a Site of Importance for Nature Conservation (SINC) which is addressed under policies NE2 and NE3 of the UDP and draft policy 8.3 of the Draft Local Plan. These seek to protect the SINC from harm or loss to wildlife features and ensure all development is mitigated as necessary. Policy NE2 identifies that development may outweigh the interest or value of the site as long as this can be justified. The proposed development has been justified for the reasons already discussed, nevertheless, the proposal is not considered to result in any harm to the SINC due to the limited works being proposed with limited foundations and the limited height of the post and rail security fencing. It is recommended that conditions and informatives are proposed to control this aspect as far as possible and raise awareness to these issues.

In respect of ecology, concern has been expressed by Orpington Field Club that the site may support slow worms and lizard, since these animals are often found in low level scrub areas and birds also use scrub for nesting. The potential presence of these reptiles, is significant as they are protected species under the Wildlife and Countryside Act 1981, however, there is no evidence of them on this site and due to the limited groundworks being proposed, it is the view that this can be controlled by conditions in respect of the timing of the proposed works outside of nesting seasons and appropriate care taken during construction works to minimise impact. Such an approach would accord with policy considerations, but the legislation regarding protected species protects any works which would harm the reptiles or their habitat if identified and identifies clear legal protection which would supersede any planning conditions.

Biggin Hill Conservation Area is sited to the north of the application site and the proposed lights, however, due to its distance from the site it is not considered there will be any detrimental impact on the character and appearance of the conservation area as a result of the proposed development. The proposed development would therefore be in accordance with policy BE13 of the UDP and draft policy 8.37 of the Draft Local Plan.

The proposed development has a minimal impact on residential amenity within the locality. The closest residential properties to the proposed approach lights are 200m to the south west of the application site. Vegetation also separates these residential properties from the site which further minimises any potential impact. Consequently, there is unlikely to be any detrimental impact on the closest residential and the applications result is no noticeable impact on residential amenities.

There are not considered to be any highway implications in respect of this development. The approach lighting is directed upwards and therefore will have no impact on traffic using Main Road or highway safety implications. In terms of the construction of the proposed lighting, cables and associated connections will need to be underground which will need to be controlled by Highways under their consent process. However, due to the potential impact on the road Highways have requested a Construction Management Plan is submitted, which can be controlled by condition.

Conclusion

The proposed approach lights are essential safety facilities to support the airport and ensure its compliance with relevant CAA legislation. For these reasons and those discussed, the principle of development is acceptable and amounts to a case of very special circumstance in the Green Belt. All attempts have been made to minimise the impact where possible and the proposed development is considered to comply with planning policies and is acceptable.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and

relevant planning history on the site were taken into account in the assessment of the proposal.

Background papers referred to during the production of this report comprise all correspondence on file ref: 16/02176/FULL1, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

REASON: Section 91, Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

REASON: The proposals are those required by the CAA and the protection of the visual amenities of the Green Belt.

- 3 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 shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

REASON: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 4 All proposed works shall take place outside of the outside of the bird nesting season, unless otherwise agreed in writing by the Local Planning Authority.**

REASON: The protection of breeding birds in accordance with policies NE2 and NE3 of the Unitary Development Plan.

You are further informed that :

- 1 The applicant is advised that protected species have been identified in the immediate locality. All protected species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended). When undertaking works, care should be taken during site clearance. If any protected species are found, work should stop immediately and Natural England need to be informed.**