



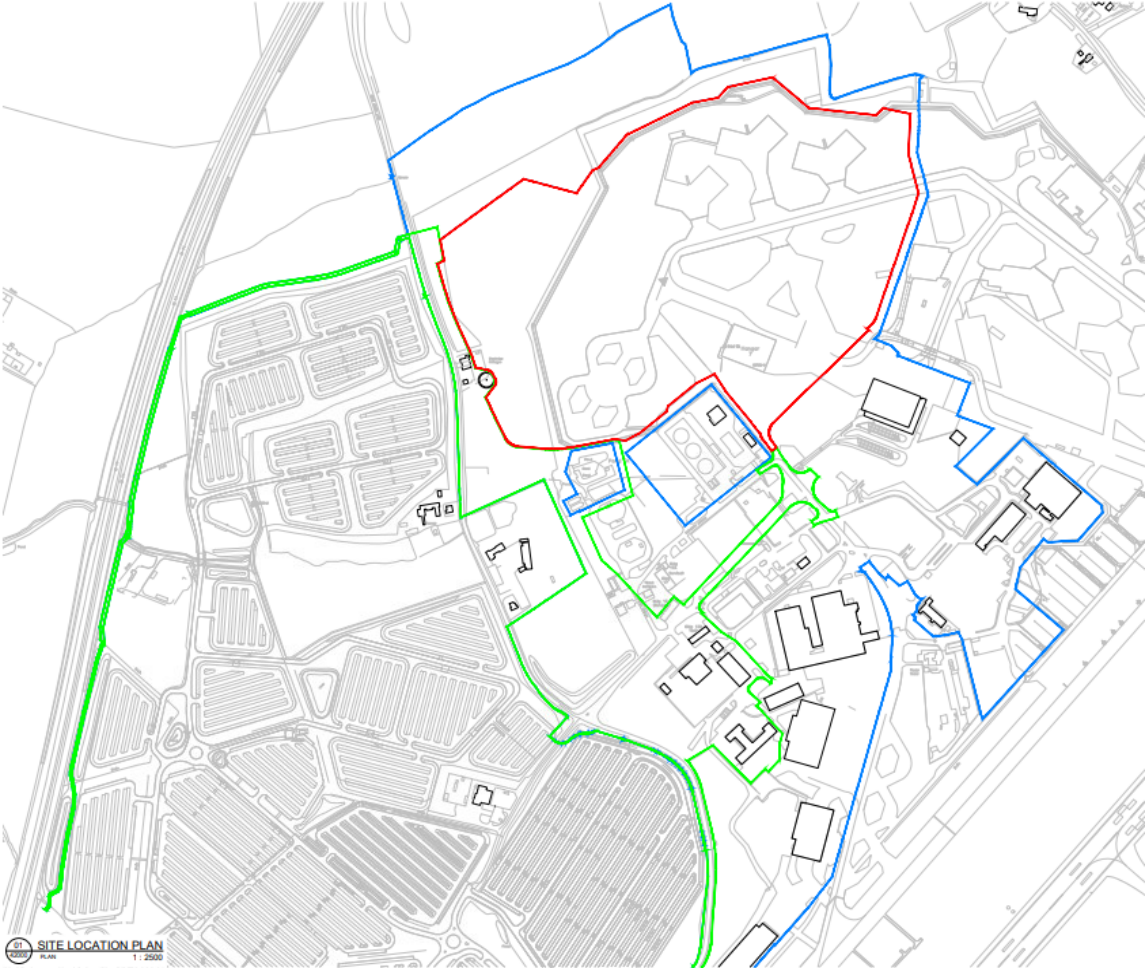
**ITEM NUMBER:**

**PLANNING COMMITTEE  
DATE:**

**REFERENCE NUMBER:** UTT/24/0902/DFO,  
UTT/24/0904/DFO,  
UTT/24/0906/DFO and  
UTT/24/0897/DFO

**LOCATION:** Land North of Stansted Airport, Third Avenue,  
Stansted Airport

**SITE LOCATION PLAN:**



**LEGEND:**

- PLANNING APPLICATION BOUNDARY
- PHASE 1 BOUNDARY
- OWNERSHIP BOUNDARY

**PROPOSAL:** UTT/24/0897/DFO - Reserved matters comprising external appearance, layout, scale and landscaping for Option 4 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access), and 38 (Drainage) pursuant to Outline Planning permission ref: UTT/22/0434/OP

UTT/24/0902/DFO - Reserved matters comprising external appearance, layout, scale and landscaping for Option 3 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) and 38 (Drainage), pursuant to Outline Planning permission ref: UTT/22/0434/OP

UTT/24/0904/DFO - Reserved matters comprising external appearance, layout, scale and landscaping for Option 1 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) and 38 (Drainage) pursuant to Outline Planning permission ref: UTT/22/0434/OP

UTT/24/0906/DFO - Reserved matters comprising external appearance, layout, scale and landscaping for Option 2 of Phase 2 pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works. Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) and 38 (Drainage) pursuant to Outline Planning permission ref: UTT/22/0434/OP

**APPLICANT:** Threadneedle Curtis Limited

**AGENT:** Montagu Evans LLP

**EXPIRY DATE:** 9<sup>th</sup> July 2024 (Options 1-3) and 17<sup>th</sup> September 2024 (Option 4)

**EOT Expiry Date** 25<sup>th</sup> September 2024

**CASE OFFICER:** Maria Shoesmith

**NOTATION:** Airport related uses protection area  
Aerodrome Directions  
Strategic landscape area  
Important Woodland – Round Coppice and Stocking Wood & Local Wildlife sites  
SSSI Impact Zone for Hatfield Forest  
Air Quality – M11 (within 100m) and A120 (within 35m)  
Oil pipelines hazard/Fuel Tank storage  
Within 250m landfill – contamination  
Noise restrictions of 57db 16hr LEQ  
Flood risk centre zone for Great Hallingbury Brook  
Public Right of Way  
Mineral Safeguarding Area

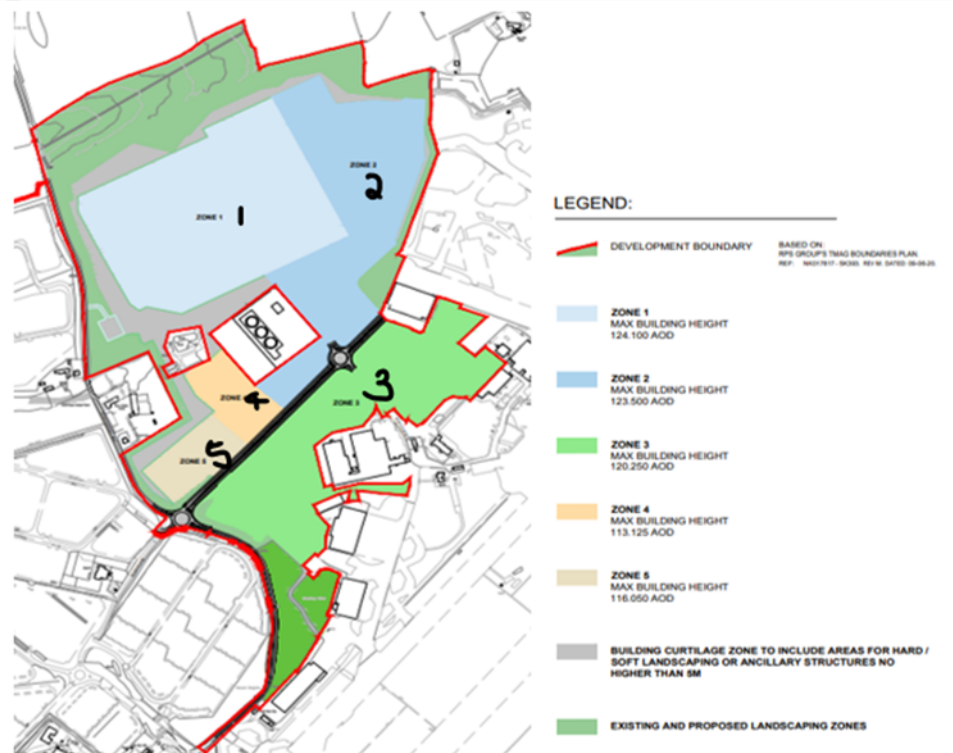
**REASON THIS APPLICATION IS ON THE AGENDA:** Major Application(s)

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## **1. EXECUTIVE SUMMARY**

- 1.1** The council is to consider four applications for reserved planning matters following outline planning permission being granted for “*the demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route and other associated works with matters of layout, scale, appearance and other landscaping reserved*”. Outline planning permission was granted in August 2023 subject to a schedule of conditions and a Section 106 Agreement.
- 1.2** The four applications are essentially four different options for the detailed / reserved matters pertaining to Northside. This provides the applicant flexibility. The Committee must thus make four separate planning decisions.

- 1.3** The application site is located west/north-west of Stansted Airport. The site's access would be taken from First Avenue, which is located off Bury Lodge Lane and Round Coppice Road that lie in the ownership of MAG however the applicant has the right to undertake highway improvements in association with the proposed development. The outline planning application site covers an area of 66.11ha of airport land that includes the proposed access, highway works and cycle route. The developable area for employment is 61.86ha. There are areas within the wider redline which are not included within it which are retained by the airport that consist of fuel storage tanks and storage area that also forms part of the airport's drainage.
- 1.4** As part of the outline application parameters were approved. An approved total floorspace of up to 195,100 sqm of mixed employment uses to comprise the following:
- 95% storage and distribution use (Class B8)
  - 5% mixed business uses (Classes E(g)/B2/B8)
  - Ancillary retail / café / day nursery uses (Classes E (a, b, f))
- 1.5** The approved parameter plans at the outline stage limited and show the extent of the development proposed, the extent of the built development zone, defined heights and maximum height limits, vehicular access points, extent of landscaping/and green zones (existing & proposed) and maximum floor area. The subject reserved matters should accord and be within the parameters that have been approved under the outline consent. The proposed Phase 2 units fall within the identified parameter height zones 1 and 2, and the proposed heights accord with the approved parameters outlined within drawing 31519-PL-102 approved under the Outline application.



- 1.6** The principle of the development has already been approved, and therefore the quantum of use is not for discussion nor is the flexibility in the approved use classes.
- 1.7** The considerations for these reserved matters application is in terms of **design layout, scale, appearance and other landscaping** in relation to Phase 2, which covers various unit formats for the main proposed logistic buildings. The adopted allocation policy, the draft allocation and the outline consent for the site has accepted the scale of such buildings in this location.
- 1.8** Several aerodromes protection measures have been proposed as part of the mitigation measures and secured as part of the outline planning conditions. All identified hazards and public safety issues such as the fuel storage tanks, bird hazard, glint and glare, wind impact, instrumental flight procedures, security and emergency access route have been mitigated within the outline application and conditions; also considered in further detail as part of this reserved matters. Concerns raised by the statutory consultees have been addressed.
- 1.9** The buildings in their fabric are proposed to be highly-sustainable, especially the offices, meeting BREEAM rating of 'very good' to 'excellent'. The scheme meets Local Plan Policies GEN1 and GEN2 Supplementary Planning Guidance Energy Efficiency and Renewable Energy SPG (October 2007) and the more recent Interim Climate Change Policy (2021), as well as the NPPF.

- 1.10** The layout is similar as that highlighted in the outline planning application on the illustrative master plan.
- 1.11** In terms of amenity, lighting, contamination, flooding, landscaping, and ecology in terms of protected species no objections have been raised by the statutory consultee. Many of the required details have been conditioned at outline stage to follow prior to commencement or occupation. It has been concluded that the development is in accordance with Local Plan Policies GEN2, GEN3, GEN4, ENV13, ENV14, GEN7 and NPPF.
- 1.12** The details submitted for the proposed development is considered to be acceptable across all four applications and in accordance with the outline planning permission.

## **2. RECOMMENDATION**

- 2.1** That the Strategic Director of Planning be authorised to **GRANT** permission for the development(s) (x4) subject to those items set out in section 18 of this report –
- A) Conditions

## **3. SITE LOCATION AND DESCRIPTION:**

- 3.1** The wider application site covers an area of 66.11ha of airport land that covers the proposed access, highway works and cycle route. The developable area for employment is 61.86ha. The site itself is largely flat. The scheme has been separated into three phases of which these subject applications fall under Phase 2. This part of Phase 2 occupies an area of approximately 26.03ha to the northern half of the wider site.
- 3.2** The site is located west/north-west of Stansted Airport. The site's access would be taken from First Avenue, which is located off Bury Lodge Lane and Round Coppice Road that lie in the ownership of MAG however the applicant has the right to undertake highway improvements in association with the proposed development, which have already been agreed as part of the outline consent.
- 3.3** There are areas within the wider redline which are not included within it which are retained by the airport that consist of fuel storage tanks and storage area that also forms part of the airport's drainage.
- 3.4** Stansted Mountfitchet Village is located approximately just over 1km to the northwest of the site, Burton End lies to the northeast of the airport Birchanger Village to the west and Takeley to the south.
- 3.5** Immediately opposite the application site is the airport's Long Stay car parks. The site is currently used for a mixture of services, storage and distribution warehouses, aeroplane hangars and stands.

- 3.6** The southern part of the site has low level buildings. There is an existing fuelling station and the two storey Stansted House. The consented first phase covers this area and would see the demolition of those buildings, as approved within the outline planning permission. The area subject of this application currently consists of lorry bodies and plane storage and grassland area. Forming a part of the demolition program is the removal of the Titan hanger building that is currently in place on Phase 2 of the approved development site.
- 3.7** There are three lots of residential properties that are located near the wider site as a whole. Within the wider application site are the Bury Lodge Cottages which are in the applicant's ownership and are proposed to be demolished as part of the proposed wider approved development and replaced with soft landscaping which will form a continuation of the existing strategic landscaping, also the construction of a new substation to serve the development and cycle path route that runs to the west of Phase 2. Adjacent to the site fronting Bury Lodge Lane to the north of the Elsenham Youth Football Club pitches is Bury Lodge Barn a wedding venue, events and boutique hotel. This is stated to be in the ownership of the applicant which has a long lease. This consists of barns that are Grade II Listed Buildings. Opposite the site, next to the long stay car parks is Little Bury Lodge Farm. This residential property west of Bury Lodge Lane is owned freehold by Stansted Airport Limited (STAL) and had been empty following fire in 2021. This property is already subjected to airport related activity already.
- 3.8** The site's roads are within easy reach of the M11 London to Cambridge corridor, A120 which links to the A131 and A12 beyond.
- 3.9** The application site is surrounded and protected by strategic landscape along the northern and western boundary which is protected by Local Plan Policy AIR6.
- 3.10** The application site has been underused surplus land, considered to be brownfield which had been sold to the applicant August 2020. *"The Site comprises predominately developed land with areas of undeveloped curtilage. Parts of the Site were originally used as the terminal building at Stansted, from which several buildings remain, a number of which are vacant. The existing buildings are predominantly clustered in the southern area of the site, with hard standing and open space to the north,"* (UTT/22/0434/OP Planning Statement)

#### **4. PROPOSAL**

- 4.1** The subject of this reserved planning matters application relates to the external appearance, layout, scale and landscaping of Phase 2 of the site relating to 4 x reserved matters planning applications for the same site providing 4 alternative design option formats. These 4 applications of varying formats are to allow flexibility when advertising the units to



prospective occupiers, in order to better and quicker respond to market demand without the delay of having to reapply for planning permission.

- 4.2** Option 1 - proposes a single large unit,  
Option 2 – proposes two large units,  
Option 3 - proposes 4 units in total two larger and two small units.  
Option 4 – proposes 3 units in total two larger units and one smaller unit.

- 4.3** All of the options are proposing industrial and logistics development, falling within Class B8 with Classes E(g) and B2 Class. The gross internal area proposed for each option is listed below:

Option 1: 125,839sq m



Option 2: 121,625 sq m



Option 3: 112,974 sq m



Option 4: 113, 620 sq m



- 4.4** The details of the main access, as well as works to the length of First Avenue have been approved as part of the outline and therefore the internal road layout off First Avenue also forms part of the Reserved Matters consideration.
- 4.5** Below indicates the redline for Phase 2 subject to these Reserved Matters applications in its context.



- 4.6** The reserved matters provide details of landscaping to the boundaries of the second phase in and around the proposed units, including the improvement to the strategic landscaping along the boundaries of the site. Details of the internal footpath/cycle path have been provided as well.
- 4.7** As part of the outline nature of the scheme parameters were proposed to provide clarity, certainty, and limitations in terms of what is being

proposed and the level of mitigation which is likely to be required. The proposed floorspace of up to 195,100 sqm of mixed employment uses to comprise approximately:

- 95% storage and distribution use (Class B8)
- 5% mixed business uses (Classes E(g)/B2/B8)
- Ancillary retail / café / day nursery uses (Classes E (a, b, f))

4.8 The tables below breaks this down further;

4.8.1

**Table 4.1 – Likely Development Uses Schedule**

Land Use	Land Use Class	GIA (SQM)
General Industrial	B2	9,715
Offices	E(g) (i), (ii), (iii)	
Research and Development Industrial Processes		
Storage & Distribution	B8	184,585
Sale of Food and Drink	E(b)	630
Day Nursery	E(f)	170
<b>Total</b>		<b>195,100</b>

4.8.2

**Table 4.2: Proposed Height Parameters**

	Proposed Height Parameter – AOD Meters	Approximate Equivalent Height - Meters
<b>Zone 1</b>	124.100 m	24m
<b>Zone 2</b>	123.500 m	22m
<b>Zone 3</b>	120.250 m	20m
<b>Zone 4</b>	113.125 m	14m
<b>Zone 5</b>	116.050 m	16m

4.8.3 In terms of the above approved floorspace, Phase 1 approved covered a mixed space floor area of 22,637m<sup>2</sup>. It is anticipated that the buildings will be for B8 with ancillary B1 office space which would leave a balance of 161,948m<sup>2</sup> of B8. It should be noted that condition 16 of the outline consent states “The development hereby permitted shall provide a minimum floorspace of 9,715 sqm of non Use Class B8 uses relating to Use Class B2, E (g) (i), (ii) and (iii).

4.8.3.1

Reason:

In order to provide a diversification and to mitigate socio-economic impacts in accordance with the NPPF.”

4.8.4

As the proposed units are being developed speculatively, there is no clear end user but the units are being built flexibly to appeal to a range of future occupiers and the market. The proposed Phase 2 would fall within the pararentres of the approved floorspace.

4.9

This Reserved Matters application for Phase 2 seeks the following;

- Reserved matters comprising external appearance, layout, scale and landscaping for four different options of Phase 2 for commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works.
- Part Discharge of planning conditions 5 (Landscape Management Plan), 7 (materials), 21 (Cycle Access) 38 (Drainage), 78 (BNG) and 79 (Landscape and Ecological Management Plan) pursuant to Outline Planning permission ref: UTT/22/0434/OP
- It proposes that the scheme ensures that in terms of landscape;
  - Ensuring the existing vegetated buffer along the north-western boundary is largely retained to ensure a near continuous line of vegetation.
  - Providing a landscape buffer around Bury Lodge.
  - Avoiding any unnecessary encroachment into area classified as ancient woodland
  - Use of a neutral colour palette to the buildings to enhance the landscaping
- The landscape proposals will focus on the following habitats:
  - Retained Semi Natural Deciduous Woodland
  - Retained Lowland Meadow
  - Proposed Tree Planting
  - Proposed Native Woodland
  - Proposed Native Woodland Edge
  - Proposed Hedgerows
  - Proposed Ornamental Planting
  - Proposed Amenity Grassland
  - Proposed Species Rich Grassland
- There is strong commitment for the creation of a sustainable development which includes the construction of low carbon, energy efficient buildings.
- The scheme will accord with the Design Code development at outline stage and have regard to the sites constraints in the form of retaining continued emergency access to the runway, protecting veteran trees, protecting and enhancing existing landscaping, topography, accessing existing infrastructure and Control of Major Accident Hazards (COMAH) associated to the Fuel Farm.
- The proposed development conforms with the approved outline parameters plan;
  - the buildings sit within the extent of built development zone.
  - the building heights sit below the specified maximum heights.

- the vehicular access points are accessed via the approved estate road
- the extent of existing landscaping has been retained.
- Access provision for safe and effective access points into the site from the proposed infrastructure has been proposed.
- Foot and cycle paths are proposed allowing segregation of movement between cars, service vehicles, cyclists and pedestrians entering the site.

**4.10** In terms of height, the parameters are stated to be reflective of what exists on site with the highest point being comparable to the existing Titan building. These reserved matters ensures that this is the case that the size, scale, appearance and layout are acceptable and compatible with the surrounding area.

**4.11** The proposed units will have a gross internal floorspace of as follows:

**4.11.1** Option 1: 125,839sq m/ 1,354,522 sqft (Unit 12)

**4.11.2** Option 2: 121,625 sq m total floor space:-  
(Unit 15 – 48,235 sqm / 519,202 sqft  
Unit 16 – 73,389 sqm / 789,955sqft)

**4.11.3** Option 3: 112,974 sq m total floor space:-  
Unit 14 – 37,369 sqm / 402,236 sqft  
Unit 15 – 51,425 sqm / 553,543 sqft  
Unit 16 – 14,823 sqm / 159,554 sqft  
Unit 17 – 9,356 sqm / 100,712 sqft

**4.11.4** Option 4: 113, 620 sq m total floor space  
Unit 12 - 43,116 sqm / 463,920 sqft  
Unit 14 - 50,501 sqm / 543,588 sqft  
Unit 15 - 20,003 sqm / 215,305 sqft

**4.12** **OPTION 1**

Unit 12

In accordance with the height parameters approved under the outline, the building straddles across two different height zones. To ensure conformity the overall building height falls within the lower height zone, resulting in a haunch height (clear internal height of the building) of 18m and a proposed ridge height of this building is 21.6m. (falls in zone 1 and 2)

**4.12.1** **OPTION 2**

Unit 15 and Unit 16

In order to accord with the height parameters approved under the outline, the haunch heights (the clear internal height of the building) are as follows:

Unit 15 - 18m (21.6m to ridge) (falls in zone 2)

Unit 16 – 21m (24.8m to ridge) (falls in zone 1)

#### 4.12.2

##### **OPTION 3**

Unit 14, Unit 15, Unit 16 and Unit 17

In order to accord with the height parameters approved under the outline, the haunch heights (the clear internal height of the building) are as follows:

Unit 14 - 21m (24.4m to ridge) (falls in zone 1)

Unit 15 - 21m (24.5m to ridge) (falls in zone 1)

Unit 16 – 18m (21.2m to ridge) (falls in zone 2)

Unit 17 - 15m (18.3m to ridge) (falls in zone 2)

#### 4.12.3

##### **OPTION 4**

Unit 12, 14 and 15

In order to accord with the height parameters approved under the outline, the haunch heights (the clear internal height of the building) are as follows:

Unit 12 - 21m / 24.7m (falls in zone 1)

Unit 14 - 21m / 24.6m (falls in zone 1)

Unit 15 - 18m / 21.5m (falls in zone 2)

#### 4.13

It has been highlighted within the submission that for all options, the finished floor levels will be set to ensure the ridge heights do not exceed the height parameters approved under the outline.

#### 4.14

The following documents have been submitted in support of the planning for consideration;

- Transport Statement
- Statement of Compliance
- Design And Access Statement

### 5.

#### **ENVIRONMENTAL IMPACT ASSESSMENT**

#### 5.1

The proposal falls within 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regs). An Environmental Impact Assessment has been provided as part of the outline application submission following earlier Screening and Scoping Opinions being issued prior to its submission. This reserved matters applications are in accordance and within the parameters of the initial outline EIA. Relevant Statutory consultees had been involved in this process at the time and have been reconsulted on this application. Their comments are highlighted below.



## **6. RELEVANT SITE HISTORY**

**6.1** A search of Council's records indicates the following recorded planning history:

**6.2** UTT/16/3601/SO - request for an EIA Scoping Opinion for “the demolition of existing structures and buildings at land northwest of the airport (referred to as ‘Stansted Northside’) and development of a new logistics centre with general industrial and storage / distribution uses to complement activities at Stansted”. The opinion was based on approximately 55ha of which up to 43ha was proposed to be developed. – Opinion given

**6.3** UTT/21/3180/SO - Request for Scoping opinion for proposed development of a logistics hub comprising of approximately 195,100m<sup>2</sup> (2.1 million square feet((ft<sup>2</sup>)) (Gross Internal Area (GIA)) of floorspace which shall comprise of Class B8 (storage or distribution) Class B2 (general industrial) and Class E (commercial business and service) (the Proposed Development)

- No opinion given following the submission of UTT/22/0434/OP

**6.4** UTT/18/0460/FUL – Airfield works comprising two new taxiway links to the existing runway (a Rapid Access Taxiway and a Rapid Exit Taxiway), six additional remote aircraft stands (adjacent Yankee taxiway); and three additional aircraft stands (extension of the Echo Apron) to enable combined airfield operations of 274,000 aircraft movements (of which not more than 16,000 movements would be Cargo Air Transport Movements (CATM)) and a throughput of 43 million terminal passengers, in a 12-month calendar period.

- The application was allowed by the Secretary of State on 21 June 2021

**6.5** UTT/17/1640/SO - Request for EIA scoping opinion under Regulation 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for proposed increase in annual number of passengers to 44.5mppa and corresponding increase of 11,000 annual aircraft movements with associated construction within the airport boundary including two new links to the runway together with nine additional aircraft stands

- Opinion Given

**6.6** UTT/0717/06/FUL – Extension to the passenger terminal; provision of additional aircraft stands and taxiways, aircraft maintenance facilities, offices, cargo handling facilities, aviation fuel storage, passenger and staff car parking and other operational and industrial support accommodation; alterations to airport roads, terminal forecourt and the Stansted rail, coach and bus station; together with associated

landscaping and infrastructure as permitted under application UTT/1000/01/OP but without complying with Condition MPPA1 and varying Condition ATM1 to 264,000 ATMs

- Allowed by the Secretary of State on 8 October 2008

**6.7** UTT/1150/80/SA - Outline app for expansion of Stansted Airport by provision of new passenger terminal complex with capacity of about 15 mppa east of extg runway cargo handling & general aviation facilities hotel and taxiways (incl. widening of proposed taxiway to be used

- allowed at appeal by the Secretary of State on 5<sup>th</sup> June 1985

**6.8** UTT/22/0434/OP – Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route and other associated works with matters of layout, scale, appearance and other landscaping reserved

- Approved subject to conditions and S106 Agreement 9.8.2023

**6.9** UTT/23/2187/DFO - Reserved matters comprising external appearance, layout, scale and landscaping for **Phase 1** pursuant to Outline Planning Permission ref: UTT/22/0434/OP; comprising 22,637sqm (GEA) commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, car parking, cycle storage, servicing, plant areas, landscaping and other associated works – Approved subject to conditions 8.03.2024

**6.10** A number of local and wider major schemes have been granted planning permission of which have been highlighted and taken into account within the EIA which had been assessed as part of the assessment of the outline planning report at the time. The most relevant to this development is below;

**6.10.1** UTT/23/2032/FUL - Construction of a 3G Artificial Grass Pitch, perimeter fencing, hardstanding including surface car and cycle parking, access road, flood lighting, a storage container, access ramp, associated works and landscaping at The Mountfitchet High School, Forest Hall Road, Stansted – Approved subject to conditions 19.12.2023

**6.10.2** UTT/24/1333/FUL - Change of use from agricultural field to 3 no. football pitches, car parking, site access, a storage container, associated works and landscaping at Land North of M11 Business Link Parsonage Lane, Stansted – Under determination

6.11 A number of Discharge of Condition applications have been submitted following conditions at outline and reserved matters for Phase 1 relating to materials, aerodrome safeguarding, lighting, air quality, landscaping and BNG.

6.12 A Statement of Compliance has been submitted as part of these application.

7. **PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

7.1 Local planning authorities are required to produce a Statement Community Involvement under Section 18 (Part 1) of the Planning and Compulsory Purchase Act (2004). The previous SCI was adopted on 9<sup>th</sup> March 2021. Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties and that good quality pre-application discussions enable better coordination between public and private resources, and improved results for the community.

7.2 No further community involvement has been undertaken following an extensive pre-application process at outline stage. However, discussions have been ongoing with statutory consultees regarding the evolution of the design and discharging of conditions.

8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 Refer to Appendix A

9. **PARISH COUNCIL COMMENTS**

9.1 **STANSTED PARISH COUNCIL**

9.1.1 Objects to options 1, 2 and 3. Refer to Appendix A

10. **CONSULTEE RESPONSES**

10.1 No objections that cannot be dealt with via conditions. Refer to Appendix A

11. **REPRESENTATIONS**

11.1 The application was formally consulted to the public by displaying a site notice, sending letters to adjoining and adjacent occupiers and placing an advert in the local paper. No representations were received.

12. **MATERIAL CONSIDERATIONS**

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the

policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

**12.2** Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a) The provisions of the development plan, so far as material to the application,:

(a) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

**12.3** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

## **12.4 The Development Plan**

**12.4.1** Essex Minerals Local Plan (adopted July 2014)  
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)  
Uttlesford District Local Plan (adopted 2005)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Thaxted Neighbourhood Plan (made February 2019)  
Felsted Neighbourhood Plan (made Feb 2020)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)  
Stebbing Neighbourhood Plan (made 19 July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made 6 December 2022)

**12.4.2** Stansted Mountfitchet is a Neighbourhood Plan Designated area which is still with the Parish Council to bring together. It should be noted however that the Airport falls outside of the designation.

## **13. POLICY**

### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (2023)

**13.2 Uttlesford District Plan 2005**

**13.2.1** The relevant policies associated to the application proposals are as follows:

S4 - Stansted Airport Boundary  
S7 – The Countryside  
S8 – The Countryside Protection Zone  
AIR3 - Development in the Southern Ancillary Area  
AIR4 – Development in the Northern Ancillary Area  
AIR6 - Strategic Landscape Areas  
GEN1- Access  
GEN2 – Design  
GEN3 -Flood Protection  
GEN4 - Good Neighbourliness  
GEN5 – Light Pollution  
GEN6 - Infrastructure Provision  
GEN7 - Nature Conservation  
GEN8 - Vehicle Parking Standards  
ENV2 - Development affecting Listed Buildings  
ENV3 - Open Space and Trees  
ENV4 - Ancient Monuments and Sites of Archaeological Importance  
ENV7 - The Protection of the Natural Environment Designated Sites  
ENV8 – Other Landscape Elements of Importance for Nature Conservation.  
ENV10 - Noise Sensitive Development  
ENV11 – Noise Generators  
ENV13 - Exposure to Poor Air Quality  
ENV14 - Contaminated Land

**13.3 Supplementary Planning Document or Guidance**

**13.3.1** Essex County Council Parking Standards (2009)  
Uttlesford Interim Climate Change Policy (2021)  
Uttlesford Design Code (2024)

**14. CONSIDERATIONS AND ASSESSMENT**

**14.1** The issues to consider in the determination of this application are:

- 14.2**
- A) Design**
  - B) Heritage**
  - C) Landscaping & Nature Conservation**
  - D) Amenity**
  - E) Highways**
  - F) Discharge of Conditions**

## **14.3 A) Design**

**14.3.1** The Principle of the proposed development has already been addressed and approved as part of the outline planning permission UTT/22/0434/OP. This application purely focuses on the detailed design in relation to the external appearance, layout, scale and landscaping for proposed units in Phase 2 in the form of 4 different layouts/formats under four different planning applications whereby four different decisions would be required.

**14.3.2** In terms of design policy, good design is central to the objectives of both National and local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development. This is reflected in Policy GEN2 of the adopted Local Plan.

**14.3.3** Local Plan Policy GEN2 states;

*“Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.*

*a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;*

*b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;*

*c) It provides an environment, which meets the reasonable needs of all potential users.*

*d) It helps to reduce the potential for crime;*

*e) It helps to minimise water and energy consumption;*

*f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.*

*g) It helps to reduce waste production and encourages recycling and reuse.*

*h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.*

*i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.”*

**14.3.4** Within the Outline Planning Statement, the applicant makes reference to paragraph 124 of the NPPF (2021) current paragraph 128 (NPPF 2023) which highlights the following;

*“128. Planning policies and decisions should support development that makes efficient use of land, taking into account:*

*(a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*

*(b) local market conditions and viability;*

*(c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*

*(d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*

*(e) the importance of securing well-designed, attractive and healthy places.”*

**14.3.5** The outline consent provided set parameters such as land use zoning, landscaping and building heights. The parameters have been set to mitigate the scheme and provide certainty to the quantum and scale of development. The setting of parameters would also ensure that the basic design principle of the schemes accord with policy.

**14.3.6** The parameter plans limited and showed the extent of the development proposed, the extent of the built development zone, defined heights and maximum height limits, vehicular access points, extent of landscaping/and green zones (existing & proposed) and maximum floor area.

**14.3.7** The key site constraints have informed the parameters, and illustrative masterplans are the Grade II Listed Bury Lodge, the fuel farm with associated COMAH restrictions, the ponds, underground fuel lines that go through the site and the existing strategic landscaping, plus woodlands.

**14.3.8** A Design Code has been prepared by the applicant’s Architect and had been submitted in support of the outline application. The Design Code provides a framework for the design of the speculative development as it evolves to follow a focused pattern of design and growth. The submitted Reserved Matters Design and Access Statement highlights that the scheme accords with the overarching Design Code in that the development would aim to achieve the following;

- Provides buildings of varying sizes and plot configurations, to suit occupier requirements and market demands;

- A consistency in design and materials through the use of a shared design code;
- Creation of open and permeable frontage to the estate roads which serve the development;
- Creation of an attractive and spacious entrance to the development at the junction with Round Coppice Road;
- Maintaining strong landscape buffers to minimise visual impact

**14.3.9** A Statement of Compliance has been submitted as part of this Reserved Matters applications which highlights the compatibility of the design of the scheme in line with the approved set parameters and well as the layout of the design reflecting the illustrative masterplan submitted at outline stage.

**14.3.10** *Layout;*

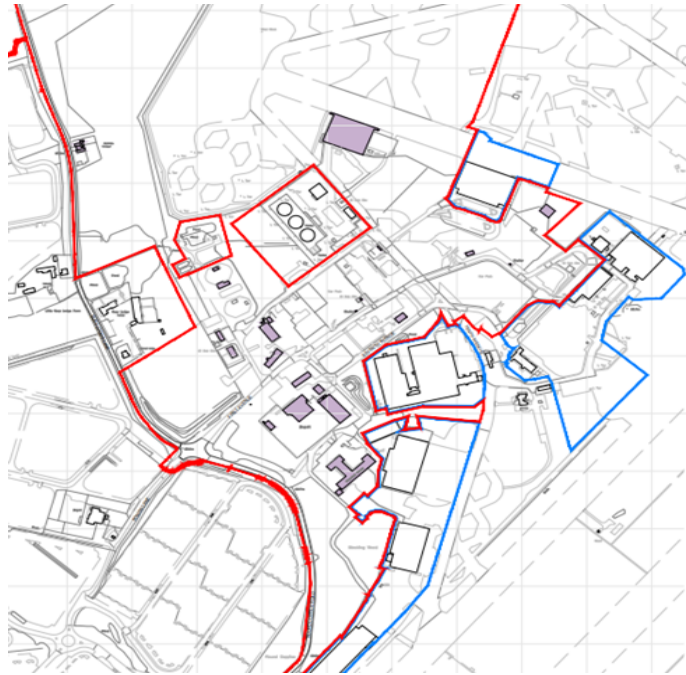
**14.3.11** This part of Phase 2 of the scheme provides varying options for number of units and sizes. The proposed units follow the outline indicative layout and the parameters plan zoning heights of the scheme. Detailed planning permission has been granted for access and an on-site substation. These are indicated as approved on the submitted plans. Also, as part of the submission the new cycle route that would run through the site is shown in detail.

**14.3.12** As part of the redevelopment of the site a number of existing dated buildings are proposed to be demolished, which has also been approved as part of the outline application. Many of the buildings to be demolished are in Phase One. A large existing hanger which housed Titan is located in Phase 2, which is also proposed to be demolished.

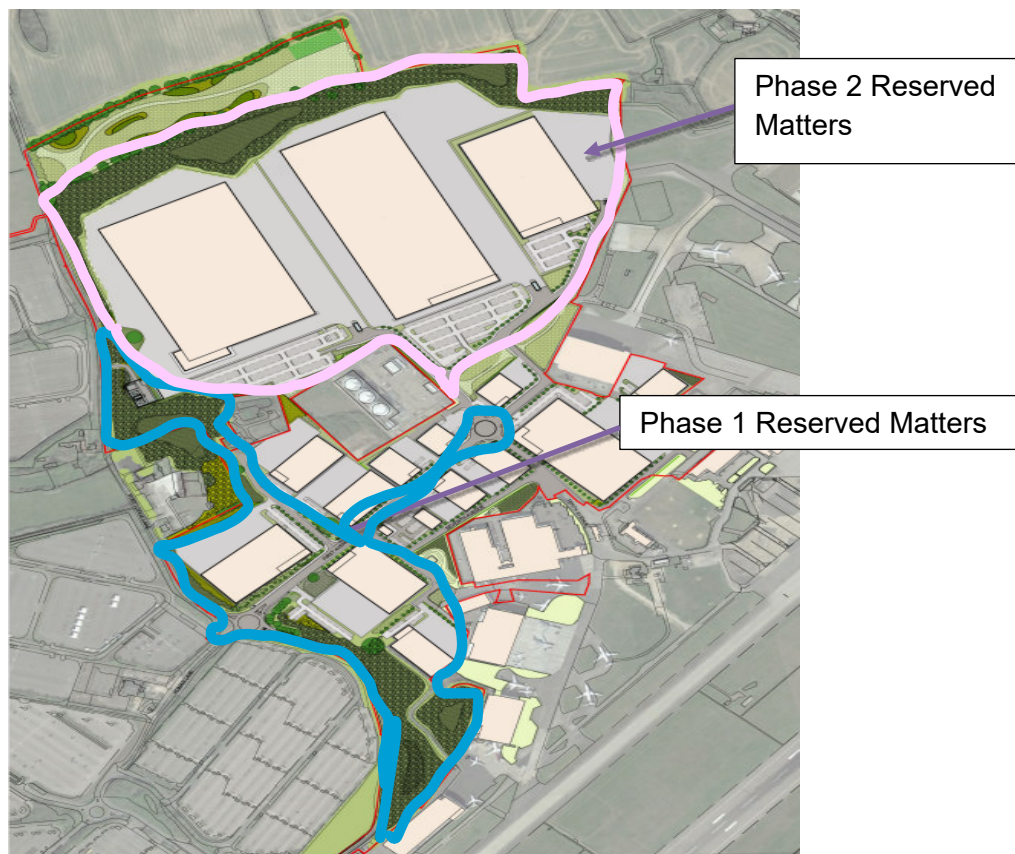
**14.3.13** Drawing 31519-PL-103, below, highlights the buildings proposed to be demolished.



**14.3.13.1**



**14.3.13.2** Outline Illustrative Masterplan – Drawing 31519-PL-104



**14.3.14** First Avenue remains as the main spine road into the site as a whole which provides the main frame for the scheme. The internal road access to Phase 2 would be off of First Avenue set into the site although would be partially visible from Bury Lodge Lane. The scheme still needs to be flexible both in terms of volume and shape; it would also need to be

attractive to draw in future tenants and be responsive to accommodate future business needs. This is the main reason why 4 options have been submitted for consideration and to better respond to market needs. This is in accordance with the approved Design and Access Statement (DAS).

- 14.3.15** All yards are designed to be at least 50m deep and are capable of offering the necessary manoeuvrability for HGV access in accordance with the size of buildings, number of loading doors and likely future operations. The larger units service yards are provided with larger depths that can accommodate extra trailer parking spaces or greater adaptability to specific tenant's requirements. The format layout for each of the units on each of the options are logical and acceptable in terms of overall siting of the buildings, service yard areas, access and parking.
- 14.3.16** Given the sizes of the buildings, future sprinkler tank provision has been provided for all the units, with the exception of Unit 17 of Option 3. This is based on the sizes of the buildings and likelihood an occupier may require provision.
- 14.3.17** Part of the Design Code assessment looked at offices fronting the main roads so there is an active frontage, separating vehicle movement from pedestrian movement and inward facing yards so that the main activity is hidden. Breaking up long elevations and using appropriate coloured materials as a design tool. The proposed schemes accord with the DAS as the main offices front the main roads so there is active street scene, the offices wrap around and include separate two-storey offices on the larger units which carry on the active elevations, together with elongated windows on various elevations this provides for natural surveillance in accordance with Local Plan Policy GEN2 and the NPPF.
- 14.3.18** The updated DAS for these Reserved Matters outlines the following;
- ❖ The use of vertical windows to the warehouse would break up the mass of the buildings and provide natural light.
  - ❖ "To the offices, the use of curtain walling and aluminium rainscreen cladding has been applied. Office and warehouse elements have been treated distinctly simply through the use of light colours for the warehouse/ production area and a darker colour for the offices." (DAS)
  - ❖ The offices are framed by a metal canopy structure that helps visually separate the offices from the warehouse and in doing so reduces the overall massing.
- 14.3.19** The above address concerns raised by the Crime Prevention Officer previously on Phase 1.

**14.3.20** Materials are stated would be of metal cladding with a consistent and common palette of colours and cladding type. A limited range of surface materials using vertical and horizontal bands to facilitate in reducing massing. A neutral palette is proposed to provide a simple uncomplicated modern appearance. Offices would be treated distinctly from other functional elements. The reserved matter details accord with this in line with the Outline DAS. The below CGI provides an example of materials for the commercial unit 12 under option 1 and Unit 15 in Option 2 is likely to look like;



Illustrative CGI of Option 1 Unit 12



Extract from Option 2 Unit 15 Elevation

**14.3.21** The scheme would sit within a reinforced landscaping scheme to the north and north-western part of the site's boundary, which forms part of Phase 1. This detail is in terms of number, species type and its management has also been conditioned as part of the outline (Condition 5 and 79) and has undergone intensive consultations with Ecology, Aerodrome and our Landscaping Officer, under Phase 1 and as part of these planning applications for Phase 2. For the purposes of the reserved matters applications the layout of the landscaping has been assessed and the conditions submissions parallel. The landscaping forms an important part of creating a desirable employment hub, providing defensible commercially 'private spaces', an attractive street scene and an improvement in biodiversity. It should be noted that the strategic landscaping, that is policy protected under Policy AIR6 in the

Local Plan, will remain protected, enhanced and better managed as part of the wider landscaping scheme. Landscaping is proposed to the frontages of each of the proposed units as a forecourt to soften and provide an attractive setting to the proposed units.

**14.3.22** **Appearance;**

**14.3.23** As part of the outline the submitted Design Code that sits alongside the DAS sets out the main principles of elevational design, the treatment of public realm, the most suitable orientation of buildings, and the specification of the colours and materials to be used. The Design Code provides flexibility and the use of good quality sustainable materials. This is to help in assisting in achieving the design visions of the site and to ensure high standard of design and consistency. The submitted design of the units in terms of appearance follows and is in accordance with the visual vision of the site.

**14.3.23.1** Outline application vision of site;



**14.3.23.2** Reserved Matters DAS Vision of Phase 2



Illustrative CGI Aerial

**14.3.24**     Scale:

**14.3.25**     The scale of the scheme also forms part of the reserved matters. The applicant has indicated the upper limits of floorspace and building heights plus zonal areas of building heights as part of the outline application, of which this has been conditioned within the outline consent. Paragraph 4.6 of this report highlights the approved parameters of the proposed development.

**14.3.26**     In terms of context the existing surrounding area has large scale developments on the site including airport hangers ranging from 21.2m-22m in height and warehousing around the western and eastern area.

**14.3.27**     The heights of the proposed units on each option accords with the set parameters approved at the outline stage.

**14.3.28**     The parameter heights provided are maximums and have been determined by constraints on site including Safeguarding of Aerodromes protecting the take-off cones from the main runways. The applicant has undertaken an assessment exercise of this as part of the outline planning support information. The Airport bodies have been consulted of these planning applications of there were which no objections in this respect. However, NATs have sought a condition to remove their objection relating to possibility of the heights of the buildings interfering with their radar equipment. Nevertheless, the requested condition has already been imposed on the outline consent as Condition 53, which still requires to be adhered to. It is therefore considered that their concerns have been mitigated.

**14.3.29**     In terms of floorspace for each of the units and options proposed, they will have a gross internal floorspace as follows;

**14.3.29.1**    **Option 1: 125,839sq m/ 1,354,522 sqft (Unit 12)**

**14.3.29.2**    **Option 2: 121,625 sq m total floor space:-**

(Unit 15 – 48,235 sqm / 519,202 sqft

Unit 16 – 73,389 sqm / 789,955sqft)

**14.3.29.3**    **Option 3: 112,974 sq m total floor space:-**

Unit 14 – 37,369 sqm / 402,236 sqft

Unit 15 – 51,425 sqm / 553,543 sqft

Unit 16 – 14,823 sqm / 159,554 sqft

Unit 17 – 9,356 sqm / 100,712 sqft

**14.3.29.4**    **Option 4: 113, 620 sq m total floor space:-**

Unit 12 - 43,116 sqm / 463,920 sqft

Unit 14 - 50,501 sqm / 543,588 sqft

Unit 15 - 20,003 sqm / 215,305 sqft

- 14.3.30** The scheme will be of mixed commercial / employment floorspace predominantly within Class B8 Classes E(g) (office/ light industrial/research and development) and Class B2, details are not provided of the end user as yet and remains flexible for marketing purposes. Nonetheless, the uses together with the floorspace falls within the permitted allowance granted under the outline planning consent as highlighted within paragraph 4.5 and 4.6 above, together in consideration of the approved Phase 1.
- 14.3.31** The design of the development is in accordance with Local Plan Policies GEN2, AIR3, AIR4 and AIR6 of the adopted Local Plan and in accordance with the NPPF.
- 14.3.32** **Sustainability:**
- 14.3.33** The proposed buildings would be subject to the current Building Regulations in terms of accessibility in accordance with Local Plan Policies GEN1 and GEN2 in terms of meeting Part M of the Building Regulations. However, the scheme would also at the very least meet sustainability in terms of energy efficiency and low carbon/renewable energy in accordance with the current high bar which is set. UDC have Supplementary Planning Guidance Energy Efficiency and Renewable Energy SPG (October 2007) and the more recent Interim Climate Change Policy (2021). The applicant has expressed their commitment at outline stage to ensuring the development would be at the forefront of the latest technology to achieve a highly sustainable scheme. The applicant has developed a Net Zero Strategy and Pathway (August 2021) to investing and decarbonising their entire portfolio by 2050. The scheme is designed to accommodate this with using an all-electric strategy, solar panels, energy metres, low carbon renewable technologies, targeting EPC rating 'A' as a minimum, provision for battery storage, air source heat pumps for the offices, air tightness and led lighting throughout. There is a commitment to at least meet a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'Very Good' and aiming for 'Excellent' with an ambition for 'outstanding' subject to the individual use of the buildings, of which this has been conditioned as part of the outline consent, Condition 10, which states;
- 14.3.33.1** *"The buildings shall be designed to meet at least BREEAM rating 'very good' and to aim for 'Excellent' wherever possible. The details shall be submitted to and approved in writing by the Local Planning Authority on each building reserved matters stage. Thereafter the development shall be implemented in accordance with the approved details."*
- 14.3.34** The development has been designed to facilitate the 'Net Zero Ready' through the achievement of net zero construction and then designing the building to facilitate net zero operation should a tenant choose to purchase renewable energy to power the building(s). The roof plans of all the proposed units on each Option show solar panels across the roofs

maximising on their scale. Condition 51 of the outline consent secures that an aviation perspective glint and glare assessment is to be undertaken prior to their installation.

**14.3.35** It has also been conditioned as part of the outline consent (condition 64) that 20% of the parking bays provide electric charging points. The condition states;

**14.3.35.1** *“Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces and passive provision shall be made available for at least 25% of the spaces in the development, so that the spaces are capable of being readily converted to electric vehicle charging points. Further provision is required subject to the availability of power supply and the consideration of new technologies.*

**14.3.35.2** *The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the commercial units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.”*

**14.3.36** Whilst this detailing has not been provided further details would come forward at a later date to satisfy the conditions and in order to still allow some flexibility in the layout of the approved scheme whilst the development still remains speculative. Nonetheless, the buildings would achieve Part L Building Control compliance through the following;

**14.3.37 Energy Strategies**

- EPC rating of A as a minimum;
- Achieving BREEAM ‘Excellent’ as a minimum rating (with ambition to Outstanding where possible) to help further lower the overall CO2 production of the building;
- Reduced Air Permeability, lower than standard Building Regulations;
- Improvement in fabric U-Values over what is currently a base requirement in Building Regulations;
- Building services shall be installed to include capability for automatic monitoring and targeting with alarms for out-of-range values;
- High efficiency LED lighting both internally and externally
- Renewable energy in form of a provision of solar photo voltaic (PV) panels and ASHP’s;
- Use of building materials i.e. roof lights to provide natural task lighting, to help reduce energy usage;

**14.3.38 Material Selection**

- Incorporation of the principles of circularity, ensuring careful selection of materials to not only create a high-quality built environment but to reduce embodied carbon, environmental impact, recyclability and ongoing maintenance;

- Where possible FSC certified timber will be sourced.

#### **14.3.39 Building Design**

- Application of passive design measures such as the visual appearance of the elevations when designing external envelopes with high thermal performance
- On south facing office windows, the use of brise soleil louvres above the window can contribute toward heat gain mitigation whilst enhancing the overall look of the elevation
- Rooflights over 15% of the warehouse area, to maximise natural daylight penetration;
- Efficient use of materials to minimise waste
- Rainwater harvesting

**14.3.40** This element of the proposal is therefore considered to be in accordance with and goes beyond policy requirements.

#### **14.3.41 Accessibility:**

**14.3.42** The Design Code submitted with the outline application lists various features that the scheme would adopt to comply with Part M Building Regulations. A lot of the detailing of this would be assessed separately by Building Control, in terms of internal layout. However, as part of the wider development new cycle footpaths are to be created which would need to be DDA compliant. 5% disabled car parking bays have been provided as well as cycle stands to allow for alternative means of transport. The layout of the car parks is in close proximity to the specific office/main entrance to the buildings. 2m wide footpaths and 3.5m wide footpath/cycle paths are proposed through the site. The scheme would comply with Policies GEN1 and GEN2 of the Local Plan.

#### **14.3.43 Crime Prevention & Personal & Aviation Safety:**

**14.3.44** Part of Local Plan Policy GEN2 seeks “c) *It provides an environment, which meets the reasonable needs of all potential users.*” Also “d) *It helps to reduce the potential for crime*” amongst other things.

**14.3.45** Due to the nature of the application and its location consideration has been highly focused on and provide security and safety to the airport and the site’s users. Detailed discussion has taken place during the course of assessing the applications between Essex Police, Aerodrome Safety, the LPA and the applicant. Many of the details would be currently unknown due to the speculative nature of the development. However, the outline DAS specified the following points to tackle crime prevention in the following ways:

- **Access & Movement:** The development needs to be laid out to permit open access points which are clearly visible and open to surveillance from a distance. The development should be laid out to permit convenient movement without compromising security. Car parking is to be provided in the most prominent locations available. The Reserved



Matters DAS states that car parks and pedestrian routes are well defined with easy to recognise entrances to the offices.

- Structure: The development is to be designed to remove opportunities for crime. The building is either within the tenants' own management or that of the management of the estate,
- Surveillance: CCTV is expected within the site, with car parking also overlooked by the offices. CCTV ducting, poles and brackets will be provided in the development with the CCTV cameras and cabling to be installed by occupiers. Dark spaces will be well lit,
- Ownership: The application site and the wider estate are in single ownership enabling a consistent approach to safety and security. The units will be designed to ensure sense of ownership by the occupier through good design and where appropriate this will be further enforced by enclosing potentially vulnerable areas by fencing and legal demise,
- Physical Protection: The building will be designed in robust materials - metal sheet cladding on a steel frame. Where glazing is incorporated, toughened laminated sections will be included around the yard and car parking where necessary,
- Activity: The main activity in the future units will be that of the business itself (i.e. industrial/ warehousing) which will tend to take place both within the building and its service areas,
- Management & Maintenance: A dedicated team as the estate operates 24 hours, 7 days a week, specifically charged with maintenance, landscaping and security of the estate.

**14.3.46** The Crime Prevention Officer has raised a number of points which have been outlined in Paragraph 10.5 and 10.6 located in Appendix A.

**14.3.47** The Design Code specifies that security fencing for services yards would be 2.4m high paladin/weldmesh. The detailing to ensure that the fencing is continuous 2.4m high welded mesh fencing around the perimeter/service yards can be further conditioned should planning permission be granted.

**14.3.48** The offices have been designed to provide natural surveillance along the main entrance/frontages of the site. The offices wrap around to provide dual aspect of natural surveillance, together with the provision of curtain wall windows provides passive surveillance all the way around the building. Lighting would be a design factor especially offices overlooking public realm and car parking. Lighting would be provided for cycle and footpaths during the dark hours with dark spots being avoided. Signage will also form part of defining public and private areas. However, the lighting is also conditioned at outline and would require further consideration in terms of ecology, aerodrome and designing out crime,

but also needs to remain flexible subject to future occupier needs. Defensible spaces have been provided to provide clear indication of public v private areas. For example, the service yards are separated from the car parking areas and are protected/monitored by gatehouses. The use of landscaping around the car parking areas and along the cycle/footpath provides a semiprivate appearance of space. The Crime prevention Officers concerns are considered to have been addressed through the submission of additional plans for clarity, the conditions imposed at outline stage (condition 11 and 56), the anything additional to be conditioned should planning permission be granted.

**14.3.49** The Strategic Crime Prevention Officer has provided comments regarding the scheme however these more relate to the operational function of the site which needs to be discussed further with the applicant and MAG through continued liaising outside of the application process.

**14.3.50** The above designing out crime tools are acceptable and in accordance with Local Plan Policy GEN2 and the NPPF.

**14.3.51** All identified hazards and public safety issues such as the fuel storage tanks, bird hazard, glint and glare, wind impact, instrumental flight procedures, security and emergency access route have been mitigated within the outline application and conditions. Some of the issues such as the fuel storage and emergency access falls under the second part of the phasing plan. Details regarding landscaping plant species which directly affects aerodrome safety in terms of BHMP has been agreed. The Aerodrome Safety team have raised no objection to the Landscape Management Plan information submitted as part of these applications to discharge condition 5 of the outline consent.

**14.3.52** In so far as the details submitted as part of this element of the reserved matters Phase 2 the development is in accordance with Local Plan Policy GEN2 and the NPPF.

#### **14.4 B) Heritage**

**14.4.1** Policy ENV2 (Development affecting Listed Buildings) seeks to protect the historical significance, preserve and enhance the setting of heritage assets. Part 16 of the NPPF addresses the conservation and enhancement of the historical environment. The Framework seeks to protect the heritage assets and seeks justification for any harm.

**14.4.2** Immediately to the west of the site is Bury Lodge which is a Grade II Listed Building. Phase 2 is located northeast of this, more than 145.5m away from the proposed structures.

**14.4.3** The principle of development in Zone 1 has been approved at outline planning stage, whereby it was concluded that the proposed development would result in **less than substantial and at the low end**

**of the scale** due to separation distances between the heritage assets and the site.

**14.4.4** It was noted by the Conservation Officer at the time that the proposed development, through its scale and massing, would detract from the wider rural setting and character of the heritage assets. The level of harm weighed against the public benefits at outline stage outweighed the resultant level of harm, in accordance with Paragraph 208 of the NPPF. No objection was raised by the Conservation Officer on these applications as no additional harm is considered.

**14.4.5** In conclusion the reserved matters details in this respect are acceptable and in accordance with Policy ENV2 of the Adopted Local Plan and the NPPF.

### **14.5 C) Landscaping & Nature Conservation**

**14.5.1** Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.

**14.5.2** Paragraph 180 of the NPPF seeks to protect the natural environment. It seeks to protect and enhance valued landscapes, sites of biodiversity, minimising impacts on and providing net gains for biodiversity amongst other things.

**14.5.3** Paragraph 181 of the NPPF also emphasizes the importance of promoting the conservation, restoration and enhancement of habitats.

**14.5.4** Paragraph 180 (d) of the NPPF goes onto state that “*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*”

**14.5.5** A Landscape Maintenance and Management Plan was submitted as part of the outline application. It provided the basis for a landscape strategy that would be enhanced with the provision of meaningful open spaces on site that contribute to biodiversity enhancement. The Plan also outlined the Biodiversity Management Strategy for the management and maintenance of mitigation measures identified in the EIA process.

**14.5.6** The DAS has highlighted that the landscaping would aim to achieve the following objectives which has fed into the parameters plan;

- to retain existing trees and landscape features as is practical and ensure that those that are retained are adequately protected and integrated within the design;

- to deliver strategic landscape in order to screen the development from sensitive receptors;
- to enhance the amenity value of the site and provide an attractive and welcoming environment sympathetic with the existing landscape character of the area;
- to create a 'feel safe' environment for site users;
- to use ecological design principles with emphasis on increasing the diversity of habitat creation within the context of airfield safeguarding;
- to take account of the future maintenance requirements by careful selection of plant species and their relationship, with emphasis on achieving good establishment whilst minimising maintenance costs.

**14.5.7** The submitted landscape layout and the Statement of Compliance reaffirms and meets the aims above.

**14.5.8** As mentioned above in paragraph 3.9, the application site is surrounded and protected by strategic landscape along the northern and western boundary which is protected by Local Plan Policy AIR6. The strategic landscaping will be retained and enhanced as part of the development and form a critical part in the overall landscaping strategy and is proposed to be enhanced further as part of the overall development. This is in accordance with Local Plan Policy AIR6 in this respect.

**14.5.9** The nature of the landscaping in terms of species, types and locations etc has been agreed through the Discharge of Conditions whereby no objections have been raised by the aviation safeguarding authorities.

**14.5.10** As part of the outline application a management plan was submitted which sets out a 15-year plan for the management of the new landscaping following completion of the works, which would also include the addressing of failed landscape works. It also highlights a selective thinning process every set number of years to allow the growth of other trees. This has been conditioned as part the outline planning consent to secure this (condition 5). However, no objection has been raised to the submitted Landscape Management Plan to discharge condition 5 of the outline planning consent as part of Phase 2 Options 1-4.

**14.5.11** The Landscape Officer has been consulted of the application of which has raised no objection to the soft landscape details, the landscape management plan. No objections have been raised by Aerodrome Safety or MAG in respect of landscaping.

**14.5.12** Overall, the landscape details are acceptable and in accordance with Local Plan Policies AIR6, GEN7 and GEN2 and the NPPF in this respect.

**14.5.13** **Ecology;**

- 14.5.14** The application site itself is not subject of any statutory nature conservation designation being located on airport land.
- 14.5.15** There are ancient woodlands adjacent to the site as well as mature landscaping which forms a defensible boundary. The impact of the development upon the woodlands has been assessed at outline stage within the Environmental Impact Assessment, whereby mitigation measures have been proposed as part of the wider scheme. It was concluded any impact to the woodland is thought to be minimal as it is highly unlikely that there would be any loss or deterioration to the Ancient Woodland following delivery of the mitigation measures proposed. The public benefits also would far outweigh any resultant harm.
- 14.5.16** As stated elsewhere in the report due the proximity of the Airport and safeguarding requirements the nature of landscaping would need to be specific as to not create bird drawing habitats. Amongst this care is stated to be taken to ensure that there is not an over reliance on one specie selection.
- 14.5.17** A variety of ecological and landscape condition were imposed on the outline planning consent of which various Discharge of Condition applications have been submitted allowing the in-depth consultations with Place Services Ecology, Landscape Officer, Aerodrome Safety and MAG. In terms of the details submitted as part of these applications to discharge Conditions 5, no objections have been raised by the consultees.
- 14.5.18** Place Services Ecologist have resolved to raise no objections with the reserved matters applications in regard to the Landscape Management Plan. However, they had raised concerns regarding the details relating to conditions 78 (BNG) and 79 (Landscape and Ecological Management Plan) following a series of additional information being submitted Place Services still require additional information. As a result, to ensure that the Reserved Matters are not unnecessarily delayed the consideration of conditions 78 and 79 are being removed from all four reserved matter options.
- 14.5.19** Therefore, in conclusion of the above the proposed development subject to the identified mitigation measures and agreed details is considered acceptable and in accordance with Local Plan Policies GEN7 and the NPPF.

**14.6 D) Amenity**

- 14.6.1** The NPPF requires a good standard of amenity for existing and future occupiers of land and buildings. Policies GEN2 and GEN4 of the Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties. Local Plan Policy ENV11 states *“Noise generating development will not be permitted if it would be liable to affect adversely the reasonable*

*occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated.” Paragraph 191 of the NPPF highlights that; “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*(a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life <sup>69</sup> ;*

*(b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*

*(c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

**14.6.2** Details relating to the noise, at the request of Environmental Health have also been conditioned as part of the outline planning consent under Condition 66-70, 72-74, which also includes details relating to the substation that falls under Phase 1. In respect of these applications Environmental Health have been consulted of which raised no objections to the information submitted.

**14.6.3** The development therefore is in accordance with Local Plan Policies GEN2, GEN4, and ENV11 of the adopted Local Plan and in accordance with the NPPF.

## **14.7 E) Highways**

**14.7.1** NPPF Paragraph 114 states;

*“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*(a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*(b) safe and suitable access to the site can be achieved for all users;*

*(c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code <sup>48</sup>; and*

*(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

**14.7.2** The NPPF goes on to state in Paragraph 115 “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*” Paragraph 116 seeks to give priority to pedestrian and cycle movement, creating safe spaces, efficiency of emergency vehicles and enabling charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The wider development was approved at outline whereby the highway impacts of the have been assessed and mitigated with a series of conditions and a complex S106 Agreement.

**14.7.3** **Access:**

**14.7.4** Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and encourage movement by means other than a vehicle.

**14.7.5** The outline planning consent granted approval for the main access into the site, First Avenue with associated widening works, and a separate access sought for the sub-station to serve the scheme via Round Coppice Road and Bury Lodge Lane. This has been reflected on the layout plans.

**14.7.6** The footways had been stated to be a minimum of 2m in width and the shared cycleway/footway within the site is 3m wide. The shared cycleway/footway on the main spine road through the site is indicated to be 3.5m, in accordance with the details of the outline application.

**14.7.7** **Parking:**

**14.7.8** Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning guidance ‘Vehicle Parking Standards’. The parking standards are defined in the Essex Parking Standards 2009.

**14.7.9** A condition was imposed on the outline consent to ensure that appropriate parking provision is provided across the scheme as it is assessed at Reserved Matters stage (Condition 13).

**14.7.10** The size of each unit across the 4 options is given in 4.1.

**14.7.11** The submitted Transport Statements indicates the car parking and cycle spaces would be provided across Phase 2 on all four options, as indicated below;

**14.7.11.1** Option 1

	Floorspace	Car Parking	Operational Parking	Blue Badge	Cycle Parking
Unit 12	125511sqm	959	158	56	377

Unit 12: 158 dock levellers

Unit 12 - required provision 377 cycle spaces – providing 377

**14.7.11.2** Option 2

	Floorspace	Car Parking	Operational Parking	Blue Badge	Cycle Parking
Unit 15	48,098sqm	377	66	18	144
Unit 16	73,157sqm	606	92	30	219

Unit 15: 66 dock levellers

Unit 16: 92 dock levellers

Unit 15 - required provision 144 cycle spaces – providing 144

Unit 16 - required provision 219 cycle spaces – providing 219

**14.7.11.3** Option 3

Unit Number	Floorspace	Car Parking	Operational Parking	Blue Badge	Cycle Parking
Unit 14	37,239sqm	314	39	15	111
Unit 15	51,276sqm	426	76	22	154
Unit 16	14,787sqm	136	20	7	45
Unit 17	9,255sqm	86	10	6	28

Unit 14: 39 dock levellers

Unit 15: 76 dock levellers

Unit 16: 20 dock levellers

Unit 17: 10 dock levellers

Unit 14 - required provision 112 cycle spaces – providing 111

Unit 15 - required provision 154 cycle spaces – providing 154

Unit 16 - required provision 45 cycle spaces – providing 45

Unit 17 - required provision 28 cycle spaces – providing 28

**14.7.11.4** Option 4

Unit Number	Floorspace	Car Parking	Operational Parking	Blue Badge	Cycle Parking
Unit 12	42,960sqm	349	81	20	155
Unit 14	50,335sqm	436	107	23	187
Unit 15	19,968sqm	174	21	10	68

Unit 12: 81 dock levellers

Unit 14: 107 dock levellers

Unit 15: 21 dock levellers



Unit 12 required provision 129 cycle spaces – providing 155  
 Unit 14 required provision 152 cycle spaces – providing 187  
 Unit 15 required provision 60 cycle spaces – providing 68

**14.7.11.5** The Transport Statement tables above show the floorspace marginally below the proposed floorspaces that form part of the applications. However, this difference in floorspace is considered minor based on the overall scale of the proposed development and that the parking standards are maximums, therefore it is not considered to be a concern.

**14.7.12** Essex Parking Standards seeks the following;

**14.7.12.1**

***Parking Standards for Use Class B1: Business***

Offices, Research and development, Light Industry appropriate in a residential area.

**Standard:**

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
B1	1 space per 30 sqm	1 space per 100 sqm for staff plus 1 space per 200sqm for visitors	1 space, + 1 per 20 car spaces (for 1 <sup>st</sup> 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	<b>200 vehicle bays or less = 2 bays or 5% of total capacity, whichever is greater, Over 200 vehicle bays = 6 bays plus 2% of total capacity</b>

**14.7.12.2** ***Parking Standards for Use Class B2: General Industrial***

**Standard:**

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
B2	1 space per 50 sqm	1 space per 250 sqm for staff plus 1 space per 500 sqm for visitors	1 space, + 1 per 20 car spaces (for 1 <sup>st</sup> 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	<b>200 vehicle bays or less = 2 bays or 5% of total capacity, whichever is greater, Over 200 vehicle bays = 6 bays plus 2% of total capacity</b>

### 14.7.12.3 **Parking Standards for Use Class B8: Storage and Distribution**

Including open air storage.

**Standard:**

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
B8	1 space per 150 sqm	1 space per 500 sqm	1 space, + 1 per 20 car spaces (for 1 <sup>st</sup> 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	<b>200 vehicle bays or less</b> = 2 bays or 5% of total capacity, whichever is greater, <b>Over 200 vehicle bays</b> = 6 bays plus 2% of total capacity
B8 with retail element	1 space per 150 sqm +1 space per 20 sqm retail area for customer parking	1 space per 500 sqm for staff plus 1 space per 1000 sqm for visitors		

**14.7.13** As it is unclear at this time the nature of uses that will occupy the units other than its specified it is likely to be Use Class B8, E(g) (light Industrial/Offices) and/or Class B2 general industrial uses. On this basis the following parking provision as a **maximum** number of space provision would be sought for each of the options;

#### 14.7.13.1 Option 1

**Table 4.2: Parking Standards**

	Unit 12	Policy Standards
Warehouse	121,273	808
Office	4,362	145
<b>Total</b>	<b>125,635</b>	<b>952</b>

#### 14.7.13.2 Option 2

**Table 4.2: Maximum Permitted Parking Spaces**

	Unit 15	Policy Standards	Unit 16	Policy Standards
Warehouse	46,200	308	69,582	464
Office	1,898	63	3,575	119
<b>Total</b>	<b>48,098</b>	<b>371</b>	<b>73,157</b>	<b>583</b>

#### 14.7.13.3 Option 3

**Table 4.2: Parking Standards**

	Unit 14		Unit 15		Unit 16		Unit 17	
	Floor Area	Policy Standards	Floor Area	Policy Standards	Floor Area	Policy Standards	Floor Area	Policy Standards
Warehouse	35,475	237	48,901	326	14,108	94	8,779	59
Office	1,764	59	2376	79	679	23	476	16
<b>Total</b>	<b>37,239</b>	<b>296</b>	<b>51,276</b>	<b>405</b>	<b>14,787</b>	<b>117</b>	<b>9,255</b>	<b>75</b>

14.7.13.4 Option 4

**Table 4.2: Maximum Permitted Parking Spaces**

	Unit 12		Unit 14		Unit 15	
	Floor Area	Policy Standards	Floor Area	Policy Standards	Floor Area	Policy Standards
Warehouse	40,769	272	47,298	315	19,333	129
Office	2192	73	3037	101	635	21
Total	42,961	345	50,335	416	19,968	150

- 14.7.14 Due to the scale and design of the units, these are likely to be in Use Class B8 (storage distribution) with ancillary offices. The applicant has indicated maximum Use Class B8 car parking provision to cater for such a use with the extra parking for the office space. The above proposed parking provision whilst meets the needs of a B8 use it is below the maximum for the alternative uses. Similarly, with the cycle provision it meets and exceeds the parking requirement for B8 use.
- 14.7.15 The required parking provision for Use Class B2 and B1/E(g) is considered excessive this is particularly considering that the site is located in a very sustainable location, there is large scale airport parking opposite the site plus increased sustainable travel alternatives have been provided in terms of shared cycle/footpaths and enhanced bus services. Nonetheless, it should also be noted that the parking standards are maximum and therefore technically the scheme accords. No objection has been raised by ECC Highways with regards to the level of parking provision.
- 14.7.16 ATE had raised concerns that the cycle parking did not cater for the change in the use whereby the proposed cycle parking provision, above, would be below standard. In response the Applicants' highway consultant has stated in relation to Option 1(similar to the other options response);
- 14.7.16.1 "Cycle parking was based on the B8 warehousing floor area rather than the ancillary office space; this has been updated to include the B1 office space. It is proposed that Unit 12 will have 1,731sqm of office space and 121,089sqm of warehousing. This equates to 439 cycle parking spaces (Based on 1/500sqm staff and 1/1000sqm for B8 and 1/100sqm staff and 1/200sqm staff for B1).
- 14.7.16.2 The cycle parking shown on the drawing was indicative but full provision will be made in the areas close to the building entrances as requested. Drawing 31939-MSA-ST-00-DR-A-48011has been provided by MSA Architects to demonstrate the type and location of the cycle parking included at Appendix B."
- 14.7.17 The applicant has indicated that here is sufficient room on site to cater for any shortfall in cycle parking. As a result, ATE raised no objection subject to conditions to cater for any shortfall dependent on the end user.

- 14.7.18** Just over 5% disabled parking spaces has been provided for each of the options in accordance with Parking Standards.
- 14.7.19** 20% of all car parking spaces would have EV (electric charging) provision. The provision of EVC is in accordance with NPPF paragraphs 109 and 116, and Local Plan Policies GEN2, GEN1 and ENV13.
- 14.7.20** No objection has been raised by ECC Highways, ATE, MAG or National Highways.
- 14.7.21** **Highways Impact:**
- 14.7.22** A Transport Assessment has been undertaken by Vectos and submitted in support of the outline application. Vectos have been actively in discussions with the three Highway Authorities affected by the development, Manchester Airport Group (also known as STAL) and ECC Highways who are responsible for the local road network and National Highways who manage the M11 and A120, who have intern assessed the Transport Assessment and Travel Plan Framework.
- 14.7.23** The following highway works were proposed to mitigate and improve access;
- Improvement and widening works to Bury Lodge Lane/Round Coppice Road;
  - No right-hand turn for HGVs out of the site towards Stansted Village together with CCTV monitoring;
  - Enhanced bus service;
  - Two Bus stops;
  - **Improvements of First Avenue;**
  - **Prohibition of cycling along Round Coppice Road between the roundabouts accessing the Long Stay Car Park and First Avenue for safety reasons;**
  - **Provision of cycle link from the site to the junction with PROW 45/62 with provision of Toucan crossing on Bury Lodge Lane as shown in principle in drawing number 215864/PD05 rev B**
  - Bridleway 45/60 to be surfaced;
  - A commuted sum for maintenance to be provided for new surface of the bridleway and any part of the cycleway to be adopted by the highway authority;
  - Provision of pedestrian/cycle signage;
  - junction improvements shown in outline on M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 15864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Birchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 24 November 22
- 14.7.24** The proposed scheme is in accordance with the approved Transport Assessment at outline. Access for pedestrians, cyclists, and those arriving by public transport, as well as the disabled, have been

considered as part of the scheme design. Footpaths and cycle paths have been incorporated to enable access to each of the buildings. This will form an important part of the access strategy, which will require the encouragement of alternative modes of travel by employees to reduce car use. It has been highlighted within the Transport Statement that facilities will be provided in each unit for cycles for changing and showering.

**14.7.25** The detailed plans submitted as part of this application includes a number of the highway works specified in paragraph 14.7.19 above, outlined in bold. All access requirements associated with Stansted Airport will be maintained and protected throughout the demolition and construction works and following completion and operation of the Proposed Development to safeguard the functioning of the Airport.

**14.7.26** All three governing Highway Authorities National Highways, Essex County Council and STAL have been consulted of the planning application as well as the newly formed Active Travel England.

**14.7.27** No objections have been raised by STAL or National Highways.

**14.7.28** ECC Highways have made comments on the application and had sought further information during the course of the application's assessment. They had resolved to not object to the reserved matters application subject to conditions relating to the implementations of the cycle routes within the site, the implementation of the shared footway/cycleway and for the provision of shower and changing facilities.

**14.7.29** As a result, and following thorough consideration the proposed development is acceptable in highways terms subject to mitigations and is in accordance with Local Plan Policies GEN1, and GEN2, also the NPPF.

## **14.8 F) Discharge of Conditions**

**14.8.1** As part of the planning applications submission of conditions listed below have been applied for Part Discharge of the conditions in relation to Phase 2 only.

### **14.8.2 Conditions 5 (Landscape Management Plan)**

**14.8.2.1** A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

- 14.8.2.2** Reason:  
In the interests of the appearance of the site and area in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).
- 14.8.3** The details of the landscape management are considered to be acceptable. The landscaping layout forms the functions of softening the development, integrating with the wider strategic landscape and providing a defensible boundary for each of the units. Aerodrome Safety, MAG, Ecology, Landscape Officer and the Crime Prevention Officer have all been consulted of the condition of which no objections have been raised. As a result, the condition can be discharged in Part in relation to Phase 2 on each of the four options proposed.
- 14.8.4** **Condition 7 (materials)**  
Prior to the above ground level construction of any phase the materials to be used in the construction of the external surfaces of that phase/plot shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 14.8.5** Reason:  
In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
- 14.8.6** In terms of the material proposed details of the hardscaping have been provided and are considered to be acceptable. The DAS has provided an illustrative of what the external materials are likely to look like and the materials have been specified on each elevational plan. These are generally consistent with Phase 1 materials and are also acceptable. As a result, the condition can be discharged in Part in relation to Phase 2 on each of the four options proposed.
- 14.8.7** **21 (Cycle Access)**  
The details of the Cycle Access to the Development Site shall be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority. The works shall be completed before first occupation of any part of the proposed development and retained thereafter in accordance with the approved plans. For the avoidance of doubt, the final design should be compliant with the DfT's Local Transport Note 1/20 (July 2020) or superseding standard, as a minimum.
- 14.8.8** Reason:  
To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and Paragraph 110(b) of the NPPF (2021)

**14.8.9** Details of the cycle access to each of the units have been provided. Further clarity and amendments were required in order to make the cycle routes more direct to the units of destination. Following amendments no objections to the revised details submitted have been raised by ATE, Essex Highways, Crime Prevention Officer or MAG. Therefore, the condition is discharge in part in relation to Phase 2 on each of the four options proposed.

**14.8.10 38 (Drainage)**

**14.8.10.1** Prior to commencement of development on any phase, except demolition, shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 105l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can EITHER half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event, OR are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.
- Demonstration of the range of SuDS features considered and the basis for adopting the proposed features.

- Substantiation of the EA requirement to maintain existing flows in the receiving watercourse. The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

- 14.8.11** Reason:  
To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.
- 14.8.12** The Lead Local Flood Authority had raised an objection in so far as further information is required around water quality, as highlighted in Appendix A, Paragraph 8.4. Therefore condition 38 is not discharged in this respect.

## **15. ENVIRONMENTAL STATEMENT**

- 15.1** The Town and County Planning (environmental Impact Assessment) Regulations 2017 as amended states the following procedures amongst others;

**15.1.1** ***Prohibition on granting planning permission or subsequent consent for EIA development***

*3. The relevant planning authority, the Secretary of State or an inspector must not grant planning permission or subsequent consent for EIA development unless an EIA has been carried out in respect of that development.*

**15.1.2** ***Consideration of whether planning permission or subsequent consent should be granted***

*26.—(1) When determining an application or appeal in relation to which an environmental statement has been submitted, the relevant planning authority, the Secretary of State or an inspector, as the case may be, must—*

*(a) examine the environmental information;*

*(b) reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to in sub-paragraph (a) and, where appropriate, their own supplementary examination;*



*(c) integrate that conclusion into the decision as to whether planning permission or subsequent consent is to be granted; and  
(d) if planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.*

*(2) The relevant planning authority, the Secretary of State or the inspector, as the case may be, must not grant planning permission or subsequent consent for EIA development unless satisfied that the reasoned conclusion referred to in paragraph (1)(b) is up to date, and a reasoned conclusion is to be taken to be up to date if, in the opinion of the relevant planning authority, the Secretary of State or the inspector, as the case may be, it addresses the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development.*

### **15.1.3 Co-ordination**

*27.—(1) Where in relation to EIA development there is, in addition to the requirement for an EIA to be carried out in accordance with these Regulations, also a requirement to carry out a Habitats Regulation Assessment, the relevant planning authority or the Secretary of State, as the case may be, must, where appropriate, ensure that the Habitats Regulation Assessment and the EIA are co-ordinated.*

*(2) In this regulation, a “Habitats Regulation Assessment” means an assessment under [F1 regulation 63 of the Conservation of Habitats and Species Regulations 2017] (assessment of implications for European sites and European offshore marine sites).*

**15.1.4** An Environmental Impact Assessment has been submitted as part of the outline planning application for consideration where various studies had been undertaken and considered. The proposed development forming part of this reserved matters application accords with this.

## **16. ADDITIONAL DUTIES**

### **16.1 Public Sector Equalities Duties**

**16.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

**16.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**16.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

## **16.2 Human Rights**

**16.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

## **17. PLANNING BALANCE AND CONCLUSION**

**17.1.1** The principle of the development of this site has been agreed under outline planning permission UTT/22/0434/OP subject to detailed conditions and a S106 Agreement. In order to retain flexibility on the use and marketing of the site a number of the details such as the location of EV charging points, installation of solar, some crime prevention details remains to be dealt with by conditions on a phase-by-phase basis.

**17.1.2** However, the submitted design of the development is compatible with its surroundings, providing suitable amenity spaces, being ultra-sustainable buildings meeting at least a very good or higher BREEAM rating through its fabric, meeting Secure by Design, Part M of the Building Regulations. By having set parameters and a Design Code agreed as part of the outline consent this provided a framework certainty and limitations in terms of the impacts of the development of which the proposed units accord with the DAS and Design Code set out and agreed previously. Therefore, in accordance with Local Plan Policy GEN2.

**17.1.3** Details of lighting both in terms of ecological, countryside, airport operations, detailing of landscape planting has been conditioned as well and details of noise assessments as part of the outline consent. No objection was raised by Environmental Health in respect of the reserved matters submission. The development is therefore considered to accord with Local Plan Policy GEN2 and GEN4, and the NPPF.

**17.1.4** No objection has been raised by ECC Ecology in terms of the landscape detailing. The scheme is therefore in accordance with Policy GEN7 of the adopted Local Plan. Further information is required in terms of condition 78 (BNG) and 79 (Landscape and Ecological Management Plan) and therefore these conditions have been removed from the determination within these applications.

**17.1.5** The layout of the proposed landscaping is acceptable according with the Design Code and the DAS. No objections have been raised by the

Landscape Officer. Therefore, the application is in accordance with Local Plan Policy GEN7 and S7 in terms of landscaping.

- 17.1.6 Adequate parking provision is provided on site in accordance with adopted parking standards, Local Plan Policy GEN8, Essex Parking Standards (adopted 2009).
- 17.1.7 Following thorough assessment from ECC Highways and ATE in terms of the internal off shoot of roads, footpath/cycle paths, they have not objected to the proposed development subject to conditions.
- 17.1.8 No objections have been raised by the aviation authorities in so far as the details submitted as part of this reserved matters schemes and condition details submitted as part of the reserved matters, the development is in accordance with Local Plan Policy GEN2 and the NPPF.
- 17.1.9 In terms of impact upon heritage assets the principle of the development has been agreed at outline stage together with the set approved parameters, whilst acknowledged that the site is designated for airport related development within the adopted local plan. As a result of the various design mitigations proposed between the site and the relationship with Bury Lodge to the north the development is considered to accord with the NPPF in this respect. No objections have been raised by the Conservation Officer. The scheme also accords with Local Plan Policy ENV2.
- 17.1.10 Overall, the scheme is acceptable and in accordance with national and local policies subject to conditions and Section 106 Agreement, and accords with the agreed outline consent parameters, conditions and Section 106 Agreement.

18. **RECOMMENDATION**

**UTT/24/0904/DFO - Option 1 – Approve subject to conditions**

**UTT/24/0906/DFO - Option 2 – Approve subject to conditions**

**UTT/24/0902/DFO - Option 3 – Approve subject to conditions**

**UTT/24/0897/DFO - Option 4 – Approve subject to conditions**

19. **CONDITIONS – TO FOLLOW**

## APPENDIX A

### 8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

#### Highway Authorities

#### 8.1 National Highways – No objection

##### 8.1.2 Option 1 & 2 – No objection

It is considered the granting of this Reserved matters permission will not have a severe impact on the SRN therefore, we have no objection.

##### 8.1.3 Option 3 – No response

##### 8.1.4 Option 4 – No objection

National Highways has been appointed by the Secretary of State for Transport as the strategic highway company under the provisions of the Infrastructure Act 2014. It is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we consider that it operates and is managed in the public interest, both in respect of its activities and needs as well as in providing effective stewardship of its land and operation and integrity.

##### 8.1.5 The granting of this permission will not affect our comments relating to the permission UTT/22/0434/OP. Therefore, we have no objection.

#### 8.2 MAG – No comment

##### 8.2.1

Option 4 -

No comments to make on the above application.

#### 8.3 ECC Highways – No objection Option 1, 2, 3 & 4 Condition 21 satisfied

##### 8.3.1 Option 1-

The highway authority have reviewed the application and have the following comments to make:

- i) The red line on the Location Plan does not include the area reserved for the shared footway/cycleway 'active travel route' shown on Vehicle Access Drawing 215864/PD08 (at Appendix G of the Transport Statement).
- ii) We request a more detailed plan of the active travel route to show cycle parking. We request a similar level of detail as shown on drawings at Appendix C of the Transport Statement which we submitted with the Phase 1 DFO application.
- iii) There is an under-provision of cycle parking – the Transport Statement notes that 377 spaces will be provided. Our assessment of the Parking Standards is that 435 spaces would be required. Further, it doesn't appear on drawing number 31939-MSA-ST-00-DR-A-PL01 that the full 377 spaces are provided – clarity would be required on this matter.

- iv) There appears to be a slight over-provision of car-parking, but we consider this will cause concern for highway safety and/or network impact
- v) At paragraph 4.28 of the Transport Statement, the applicant indicates that the shared footway/cycleway and toucan crossing of Bury Loc have already been delivered – this is not the case
- vi) At paragraph 5.14 of the Design and Access Statement, the applicant notes “A dedicated 3.5m wide footpath / cycleway which will run along the northeast corner of the site joining to First Avenue will be provided to ensure cycle connectivity” – please could further details be provided

We have no comments to make on conditions 5, 7, 38, 78 or 79.

### 8.3.2

Option 2 -

The highway authority have reviewed the application and have the following comments to make:

- i) The red line on the Location Plan does not include the area reserved for the shared footway/cycleway ‘active travel route’ shown on Vectos drawing 215864/PD08 (at Appendix F of the Transport Statement)
- ii) We request a more detailed plan of the active travel route to include cycle parking. We request a similar level of detail as shown on the drawings at Appendix B of the Transport Statement which were submitted with the Phase 1 DFO application
- iii) There is an under-provision of cycle parking – the Transport Statement notes that 144 spaces will be provided for Unit 15, and 219 spaces for unit 16. Our assessment of the Essex Planning Standards is that 167 and 263 spaces would be required respectively. Furthermore, on drawing number 31939-MSA-ST-00-DR-A-48 PL01 there appears to be a mislabelling of the views and it does not appear the full number of spaces are provided – clarity would be welcomed on this matter
- iv) There appears to be an over-provision of car-parking, but we consider this will cause concern for highway safety and/or network impact
- v) At paragraph 4.35 of the Transport Statement, the applicant indicates that the shared footway/cycleway and toucan crossing of Bury Loc have already been delivered – this is not the case
- vi) At paragraph 5.14 of the Design and Access Statement, the applicant notes “A dedicated 3.5m wide footpath / cycleway which will run along the northeast corner of the site joining to First Avenue will be provided to ensure cycle connectivity” – please could further details be provided

We have no comments to make on conditions 5, 7, 38, 78 or 79.

### 8.3.3

*Response 26.06.2024*

The applicant has responded to ECC Highway comments and addressed various points raised. *“Cycle parking was based on the B8 warehouse rather than the ancillary office space, this has been updated to include that space. It is proposed that Unit 15 will have 1,039sqm of office space and 46,065sqm of warehousing and Unit 16 will have 1899sqm of office space and 69,414sqm of warehousing. This equates to 447 cycle parking spaces (1/500sqm staff and 1/1000sqm for B8 and 1/100sqm staff and 1/200sqm for B1).”*

#### 8.3.4

##### Option 3 –

The highway authority have reviewed the application and have the following comments to make:

- i) The red line on the Location Plan does not include the area relating to the shared footway/cycleway ‘active travel route’ shown on Verulam drawing 215864/PD08 (at Appendix F of the Transport Statement)
- ii) We request a more detailed plan of the active travel route to the cycle parking. We request a similar level of detail as shown on drawing at Appendix B of the Transport Statement which were provided with the Phase 1 DFO application, particularly for the 3-way junction where this active travel route meets the Phase 1 shared footway/cycleway
- iii) There is an under-provision of cycle parking – the Transport Statement notes that a total of 338 spaces will be provided across the 4 phases. An assessment of the Essex Parking Standards is that 401 spaces are required – clarity would be welcomed on this matter
- iv) There appears to be an over-provision of car-parking, but we consider this will cause concern for highway safety and/or net impact
- v) At paragraph 4.39 of the Transport Statement, the applicant indicates that the shared footway/cycleway and toucan crossing of Bury Road have already been delivered – this is not the case
- vi) At paragraph 5.14 of the Design and Access Statement, the applicant notes “A dedicated 3.5m wide footpath / cycleway which will run along the northeast corner of the site joining to First Avenue will be provided to ensure cycle connectivity” – please could further details be provided

We have no comments to make on conditions 5, 7, 38, 78 or 79.

#### 8.3.5

##### Comments:

- i) The proposed development would be a continuation and link to a larger scheme that is captured by the main outline therefore this is not considered to be an issue when a condition could be imposed to ensure continuation of footpaths and roadways
- ii) Similarly, can be condition

- iii) A shortfall of just under 16 cycle spaces per unit in consideration of the location of the site, the improved alternative sustainable transport provisions is not ideal however not sufficient to warrant refusal of the application. However, the applicant has responded on 26 June 2024 that the cycling provision was worked out against warehouse and did not include the ancillary offices. This has been since now equate to 421 cycle parking spaces (Based on 1/500sqm for B8 and 1/1000sqm for B8 and 1/100sqm staff and 1/200sqm staff for other uses)
- v) This will be delivered as part of the wider development of which is currently under construction and the relevant safety audits are being carried out. Also this is required by condition 26 of the outline consent
  - The applicant has responded to this 26<sup>th</sup> June 2024.

**8.3.6** *Updated response 28.08.2024*

I have now reviewed the previous highways comments contained in e-mail dated 2nd May 2024 regarding the above DFO applications. These comments and responses from the applicant's highway consultant Vectos and I can confirm that all matters have now been satisfactorily addressed. The proposed cycle access and cycle parking for each option should therefore be implemented to accord with the details specified in the respective Vectos documents supporting options as required by condition 21 (Cycle access) of outline planning consent 2024/0904/DFO.

**8.3.7** *Updated response 30.08.2024*

The condition recommended by ATE will overcome the Highway Authority's concerns for Option 4.

**8.4** **Lead Local Flood Authority – Option 1, 2 & 3 do not object (part Discharge of condition / No response (Option 4))**

**8.4.1** Option 1 -

Having reviewed the Flood Risk Assessment and the associated documents accompanied the planning application, we wish to issue a holding object discharge of condition 38 of UTT/24/0904/DFO based on the following:

- In the section for 'Water Quality', reference is made solely to permeable pavement. The drainage plan appears to show Petrol Interceptors. Please clarify what other pollution treatments are. The preference of the LLFA would be that both permeable pavement and petrol interceptors are used. The pollution indices should be classified as high for the area and surface water will require two forms of treatment.

**8.4.2** Option 2 & 3 -

Having reviewed the Flood Risk Assessment and the associated documents accompanied the planning application, we wish to issue a holding object discharge of condition 38 of UTT/24/0902/DFO based on the following:

- In the section for 'Water Quality', reference is made solely to permeable pavement. The drainage plan appears to show Petrol Interceptors. Please clarify what other pollution treatments are.

pollution treatments are. The preference of the LLFA would be that both treatments are used.

#### 8.4.3

Comment:

Applicants response 26.06.2024 “We note that Drainage Strategy 0780-XX-RP-D-92108/ 078027-CUR-00-XX-RP-D-92109 outlines the SuL used. However, no details regarding the petrol interceptors are provided in the body of the report, as mentioned above. Drawings provided in Appendix 1 show that petrol interceptors are intended to be used.”

Discussions were held between the applicant and Suds 28.08.2024 “A during our call earlier regarding UTT/24/0904/DFO, it appears that the drawings (078027- CUR- XX- XX- D- C- 92096, Rev P03) for Option 1 Sheet 6 of petrol interceptors in this area and therefore is lacking the second stage requested by my colleague previously.

*If this drainage plan is updated to include a second stage of treatment, the Simple Index Approach used to show the High Pollution Hazard Level is updated to show two SuDS features, then I shall be in a position to part discharge to the proposed condition.”*

#### 8.4.4

*Updated response 5.08.2024*

Do not object on the basis that already imposed conditions still apply.

As the application is to part discharge the drainage condition, I would not recommend removal of the holding objection and discharge the condition if additional details are provided. This would ensure the Senior SuL comments around water quality dated 12/06/24 are addressed.

#### 8.4.5

Option 4 no response.

### 8.5

**Historic England - No Comment**

#### 8.5.1

Option 1 & 2 - No response

#### 8.5.2

Option 3, 4 -

Historic England provides advice when our engagement can add most value. In this case we do not wish to offer advice. This should not be interpreted as a comment on the merits of the application. We suggest that you seek the advice of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/>. It is not necessary to consult us on this application again, unless there are changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

### 8.6

**Environment Agency – No objection**

#### 8.6.1

Option 1, 2, & 3



We have reviewed the submitted documents and have no objection to the proposed development. We have provided additional information on page 7 below.

### 8.6.2

#### Permitting

New development within 20 metres of a CHOMA site could result in impacts including the nearby community being exposed to odour and pollution. Some of these impacts will depend on prevailing weather conditions.

Planning policy requirements (paragraph 193 of the National Planning Framework) state that new development should integrate effectively with businesses and not place unreasonable restrictions upon them. Where the operation of an existing fuel storage facility could have significant adverse effects on new development (including changes of use), the applicant should be required to provide

suitable mitigation for these effects. Mitigation can be provided through the new development to minimise exposure to the neighbouring fuel storage facility and/or through financial contributions to the operator of the facility to fund measures that minimise impacts.

Environmental Permitting Regulations require operators to demonstrate that they have taken all reasonable precautions to mitigate impacts of their operations. It is unlikely to eliminate all emissions and there is likely to be residual impacts. In some cases, these residual impacts may cause local residents concern. There are limits to the measures that the operator can take to prevent impacts to receptors. Consequently, it is important that planning decisions take full account of paragraph 193 of the NPPF. When a new development is built near to an existing fuel storage facility this does not automatically trigger a review of the permit.

### 8.6.3

#### Option 4 -

We have reviewed the documents as submitted and can confirm we have no objection to the proposed development. We wish to take this opportunity to reconfirm our comments on the outline application in our response refer AE/2022/126874/01-L0 and dated 17 March 2022, that we would expect the proposed development would not restrict access to the COMAH facility in any way that necessary for emergency response arrangements.

### 8.7

#### **Aerodrome Safeguarding Authority - No objection subject to previous conditions**

### 8.7.1

#### Option 1 -

This consultation relates to option 1 of phase 2. We have also assessed options 2 and 3, and as they are in many ways similar much of our response will be the same. The reason for all conditions is to maintain safety for aircraft operating at or around Stansted Airport.

- We are content for the discharge of condition 5 – Landscape Manager

### 8.7.2

#### Option 2 –

This consultation relates to option 2 of phase 2. We have also assessed options 1 and 3, and as they are in many ways similar much of our response will be the same. The reason for all conditions is to maintain flight safety for aircraft operating at or around Stansted Airport.

- We are content for the discharge of condition 5 – Landscape Manager

### 8.7.3

Further comments 1.08.2024

Essentially, we have no aerodrome safeguarding objections, subject to the conditions that have been previously applied to all the applications for the development, those conditions should also be applied to the RM element of Option 2.

We are content for the discharge of conditions, 5, 7, 21, 38, 78 and 79.

### 8.7.4

Option 3 -

This consultation relates to option 3 of phase 2. We have also assessed options 1 and 2, and as they are in many ways similar much of our response will be the same. The reason for all conditions is to maintain flight safety for aircraft operating at or around Stansted Airport.

- We are content for the discharge of condition 5 – Landscape Manager

CONDITION: The construction phase Bird Hazard Management Plan for this development should be extended to cover Phase 2.

CONDITION: Development shall not commence until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by UDC in consultation with the aerodrome safeguarding authority for Stansted Airport. The submitted plan shall include details of:

- monitoring of any standing water within the site temporary or permanent
- sustainable urban drainage schemes (SUDS)
- management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds.
- reinstatement of grass areas
- maintenance of planted and landscaped areas, particularly in terms of species of plants or trees that are allowed to grow
- management of waste materials including physical arrangements for collection (including litter bins) and storage of putrescible waste, arrangement and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds.
- prevention of ingress to the underside of a solar PV arrays
- monitoring of and disturbance of any roof loafing / nesting activity (with numbers and procedure with the air ops for STN)

CONDITION: No development to take place until a formal assessment of the impact upon Stansted Airport’s Communications, Navigation & Surveillance Systems (CNS) is submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

CONDITION: No development to take place until a Wind Shear Assessment submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

CONDITION: No development to take place until details of the permanent lighting scheme(s) for the development shall be submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) lighting shall be capped at the horizontal with no upward light spill. No subsequent alterations shall take place unless first submitted to and approved in writing by UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

CONDITION: No development of the solar pv installation to take place until an aviation perspective Glint & Glare assessment has been submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

The predictions in the assessment will need to demonstrate no harmful effects on pilots using Stansted Airport or air traffic controllers at Stansted Airport.

CONDITION: No development to take place until a construction environmental management plan (CEMP) has been submitted to and approved in writing in consultation with the aerodrome safeguarding authority for Stansted Airport. The CEMP should cover the application site and any adjoining land which will be affected during the construction period. Such a strategy shall include the following:

- Details of the area(s) subject to construction activity and the storage of materials and equipment
- Details of cranes and other tall construction equipment (including the obstacle lighting)
- Control of activities likely to produce standing water, dust and smoke, noise and debris
- Details of temporary lighting
- Height of storage areas for materials or equipment
- Control and disposal of putrescible waste to prevent attraction of birds (in accordance with the BHMP)
- Site restoration.
- Frequency emitting equipment
- Drone usage
- Gas purging / venting

INFORMATIVE: The applicant's attention is drawn to the procedures for tall equipment notifications, please see:

<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

It is important that any conditions or advice in this response are applied to any planning approval. Where a Planning Authority proposes to grant permission for development, the applicant should ensure that the conditions and advice are included in the planning application.

against the advice of Manchester Airport, or not attach conditions which Manchester Airport has advised, it shall notify Manchester Airport, and the Aviation Authority as specified in the Town & Country Planning (Safeguarding Aerodromes, Technical Sites and Military Explosive Storage Areas) Directions 1998.

**8.7.5** *Updated response 1.08.2024:*

Essentially, we have no aerodrome safeguarding objections, subject to conditions that have been previously applied to all the applications for this site development, those conditions should also be applied to the RM elements of Option 3.

We are content for the discharge of conditions, 5, 7, 21, 38, 78 and 79.

**8.7.6** Option 4 – 11.07.2024

Thank you for consulting with the aerodrome safeguarding authority for Stansted Airport on the above reserved matters application.

This consultation relates to option 4 of phase 2. We have also assessed other options for phase 2, and as they are in many ways similar much of our response will be the same. The reason for all conditions is to maintain flight safety for aircraft operating at or around Stansted Airport.

-We are content with the part discharge of condition 5 – Landscape Management Plan.

-We are content for the part discharge of Condition 7 (materials) on the understanding that our below condition with regards to a Glint and Glare Assessment is adopted.

-We are content with the discharge of Condition 21 (Cycle Access).

-We are content with the part discharge of Condition 38 (Drainage).

-We are content with the part discharge of Condition 78 (BNG).

-We are content with the part discharge of Condition 79 (Landscape and Management Plan).

CONDITION: The construction phase Bird Hazard Management Plan for this development should be extended to cover Phase 2.

CONDITION: Development shall not commence until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

The submitted plan shall include details of:

-monitoring of any standing water within the site temporary or permanent

- sustainable urban drainage schemes (SUDS)

-management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds

-reinstatement of grass areas

-maintenance of planted and landscaped areas, particularly in terms of identifying species of plants or trees that are allowed to grow

- management of waste materials including physical arrangements for the (including litter bins) and
- storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds
- prevention of ingress to the underside of a solar PV array
- monitoring of and disturbance of any roof loading / nesting activity (with numbers and procedure with the air ops for STN)

CONDITION: No development to take place until a formal assessment of impact upon Stansted Airport's Communications, Navigation & Surveillance Systems (CNS) is submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

CONDITION: No development to take place until a Wind Shear Assessment is submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

CONDITION: No development to take place until details of the permanent scheme(s) for the development shall be submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or amending that Order), all exterior lighting shall be capped at the horizon to prevent upward light spill. No subsequent alterations shall take place unless first approved in writing by UDC in consultation with the aerodrome safeguarding authority for Stansted Airport.

CONDITION: No development of any solar PV installation to take place until an aviation perspective Glint & Glare assessment has been submitted to UDC in consultation with the aerodrome safeguarding authority for Stansted Airport. Predictions in the assessment will need to demonstrate no harmful glare using Stansted Airport or air traffic controllers at Stansted Airport.

CONDITION: No development to take place until a construction environmental management plan (CEMP) has been submitted to and approved in writing by UDC in consultation with the aerodrome safeguarding authority for Stansted Airport. The CEMP should cover the application site and any adjoining land which will be affected during the construction period. Such a strategy shall include the following:

- Details of the area(s) subject to construction activity and the storage of materials and equipment
- Details of cranes and other tall construction equipment (including the design of obstacle lighting)
- Control of activities likely to produce standing water, dust and smoke, and debris
- Details of temporary lighting
- Height of storage areas for materials or equipment

- Control and disposal of putrescible waste to prevent attraction of birds (the BHMP)
- Site restoration.
- Frequency emitting equipment
- Drone usage
- Gas purging / venting

**8.7.7** Updated response 1.08.2024

Essentially, we have no aerodrome safeguarding objections, subject to conditions that have been previously applied to all the applications for the development, those conditions should also be applied to the RM element Option 4. We are content for the discharge of conditions, 5, 7, 21, 38, 71

**8.7.8** *Comments:*

The above requested conditions to cover Phase 2 are already attached outline consent in the form of conditions 45, 46, 47,49, 50, 51, 52, 53, 54 covering all phases.

**8.8 Active Travel England – approve subject to conditions**

**8.8.1** Option 1, 2,3, 4 (3.5.20.24) –

c. Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in response.

More information is required around the internal infrastructure and access including cycle parking and trip end facilities

**8.8.2** *Response 26.06.2024*

Applicant provided a response on addressing ATE comments. “Cycle parking based on the B8 warehousing floor area rather than the ancillary office space has been updated to include the B1 office space. It is proposed that Uni have 1,039sqm of office space and 46,065sqm of warehousing and Uni have 1899sqm of office space and 69,414sqm of warehousing. This equates to 1/500sqm staff and 1/1000sqm for B8 and 1/100sqm staff and 1/200sqm staff for B1).”

**8.8.3** *Updated response 29.07.2024 (Options 1, 2 and 3)*

ATE recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations as set out in this response.

**8.8.4** *Option 4 response (dated 11.07.2024)*

c. Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in response.

**8.8.5** *Updated response 30.08.2024 (Option 4)*

ATE is content with the cycle parking and Active Travel Facilities provided in the submitted document ‘Additional Information for Option 4’. While the ad

information addresses some concerns about cycle access, ATE request condition be applied that ensures 3m shared use paths serve access to parking.

ATE has no objection to the application in view of revised drawings 319-ST00-DR-A-48014 Rev PL06 and 215864/PD11 Rev A, subject to the following conditions being secured.

## **8.9 NATs – No response (option 4) / Object Option 1, 2 & 3 subject to conditions**

### **8.9.1** We refer to the application above. The proposed development has been assessed from an en-route infrastructure technical safeguarding perspective and it is shown that it will infringe NERL safeguarding criteria for the following reasons:

The proximity, physical size and relative orientation of the development, are sufficient to generate false tracks on the Stansted S10 SSR (Accordingly Route) plc objects to the proposal. We do however believe that the impact can be mitigated via an adaptation to the radar software and therefore should the local authorities be minded to grant consent then NATS would support this if a suitable worded condition, such as the one below, is imposed at this time.

No construction shall commence on site until a Radar Mitigation Scheme (including a timetable for its implementation during construction), has been agreed with the Operator and approved in writing by the Local Planning Authority. Reason: In the interests of aircraft safety and the operations of NATS En Route PLC.

"Operator" means NATS (En Route) plc, incorporated under the Companies Act 2006 (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham PO15 7FL or such other organisation licensed from time to time under sections 60 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act). We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission. The obligation to consult in respect of certain applications that would affect a technical site operation on behalf of NATS (such sites being identified by safeguarding plans that are submitted to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local planning authorities are obliged to follow the relevant directions within Planning Directions 2003 - Scottish Planning Series: Town and Country Planning (Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas) (SI 2003/1000) or Annex 1 - The Town And Country Planning (Safeguarding of Aerodromes, Technical Sites And Military Explosives Storage Areas) Directions 2002.

These directions require that the planning authority notify both NATS and the Civil Aviation Authority (?CAA?) of their intention. As this further notification is required to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission.

It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause safety risks for air traffic.

- 8.9.2**      *Comments:*  
The above suggested condition is already covered by conditions 52 and outline consent.
- 8.10**      **Civil Aviation Authority – No Comments (option 1, 2, 3, 4)**
- 8.10.1**      While the CAA has a duty to provide aviation safety advice when requested, it is not a statutory consultee for planning applications (unless its own property is affected).
- 8.11**      **Fisher German OIL Pipes – Neutral**
- 8.11.1**      Option 1, 2, 3, 4  
We confirm that our client Exolum's apparatus will be affected by your proposals as indicated on the attached plan(s). The plan(s) supplied are for general guidance only and should not be relied upon for excavation or construction purposes. No guarantee is given regarding the accuracy of the information provided and in order to verify location of the pipeline you should contact Exolum to arrange a site visit.
- 8.12**      **Health and Safety Executive – No objection**
- 8.12.1**      Option 1 - Do Not Advise Against, consequently, HSE does not advise, on the grounds, against the granting of planning permission in this case.  
  
HSE's Explosives Inspectorate has no comment to make on this application as according to our records it does not appear to fall within the consultation zones of an HSE licensed explosives site.
- 8.12.2**      Option 2 - HSE's Explosives Inspectorate has no comment to make on this application as according to our records it does not appear to fall within the consultation zones of an HSE licensed explosives site.  
  
HSE to be consulted regarding Major Hazard site based on location of pipelines.
- 8.12.3**      16.04.2024 - Do Not Advise Against, consequently, HSE does not advise, on the grounds, against the granting of planning permission in this case.
- 8.12.4**      Option 3 - Do Not Advise Against, consequently, HSE does not advise, on the grounds, against the granting of planning permission in this case.
- 8.12.5**      Option 4 - We note that the development site lies partly within the inner, outer consultation zones for a major hazard site, the fuel depot operated by Robertson (North Air) Ltd at 11th Avenue, Stansted Airport.



This consultation has taken account of the fact that:

- The three warehouse units are each expected to have more than 100 occupants and are located partly in the outer consultation zone of the major hazard and partly outside of the consultation zones altogether. HSE classes warehouses with more than 100 occupants per building as sensitivity level 2 workplaces does not advise against such developments in the outer consultation zone outside the consultation zones altogether.
- The area of the development in the inner and middle consultation zone assigned to car parking (with no associated facilities), access roads (i.e. transport links) and landscaping. HSE classes car parking with no associated facilities and minor transport links as sensitivity level 1 developments, and does not advise against these developments against landscaping in the inner or middle consultation zones.

### **8.13 Sports England – No Comments**

**8.13.1** Option 1 - Sport England has no comments to make on this additional information consultation. Therefore, please refer to Sport England's previous response to our current position on this application which for the benefit of doubt have not been superseded and remain extant.

**8.13.2** Option 2 – no response

**8.13.3** Option 3 – no comments

**8.13.4** Option 4 - The proposed development does not fall within either our statutory (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case [...].

### **8.14 Natural England – No Comments**

**8.14.1** Option 3 – No response

**8.14.2** Option 1, 2, & 4 -  
Natural England has no comments to make on this reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standards on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the

application is not likely to result in significant impacts on statutory design nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies or individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological and other environmental advice when determining the environmental impact of development.

**8.15 NHS – No response**

**9. PARISH COUNCIL COMMENTS**

**9.1 STANSTED PARISH COUNCIL – Objects (Option 1, 2 & 3) Neutral (**

**9.1.2 Option 1, 2 & 3**

The Parish Council objects to this application unless it is given assurance that HGV's will be instructed to turn left out of the site and away from Mountfitchet village.

This was previously discussed with the Parish Council by the applicant and officers and agreed.

They will also need to ensure that enforcement and monitoring of this is

**9.1.3 Option 4 -**

No objections, but as previously discussed, members would like to see a well illuminated cycle and footway provided alongside Bury Lodge Lane to ensure safe passage from the village to the site. Using the public rights of way network is considered a safe route.

**9.1.4 Comments:**

Mitigation measures have been dealt with at outline stage in terms of introducing a no right hand turn from Bury Lodge Lane/First Avenue junction, HGV monitoring on peak hours and monitoring cameras.

**10. CONSULTEE RESPONSES**

**10.1 UDC Environmental Health – No Objection**

**10.1.1 Option 1 - no response**

**10.1.2 Option 2 & 3**

I have reviewed the information submitted and I have no comments regarding any of the listed conditions due to the fact they are not with Environmental Health.

**10.1.3 Option 4 -**

Suitable conditions were attached to the permission given to this site at c (UTT/22/0434/OP.) The Environmental Protection team have no further to add at this stage.

Additionally, I have no comments to make regarding any of the listed conditions due to the fact they are not within the remit of Environmental H

## **10.2 UDC Landscape Officer/Arborist – No Objection**

**10.2.1** The submitted detailed landscaping proposals for Option 4 Phase 2 (UTT/24/0897/DFO); Option 3 Phase 2 (UTT/24/0902/DFO); Option 1 P (UTT/24/0904/DFO); and Option 2 Phase 2 (UTT/24/0906 Phase 2) are considered satisfactory, together with the landscape management plans

## **10.3 UDC Conservation Officer – No Objection**

**10.3.1** The Built Heritage Advice received at Outline Application stage suggests proposals resulted in less than substantial harm to the designated heritage in proximity of the site, however that the harm should be weighed against the public benefits of the proposals. It is agreed that the identification and the level of harm was in accordance with the Applicant's heritage assessment.

**10.3.2** The proposed details as part of this application follow the principles set out in part of the Outline Application and are therefore considered acceptable.

**10.3.3** Option 1, 2, 3 & 4 -  
The details submitted as part of this application (Option 1, 2, 3 & 4) do not cause any additional harm to the setting of the listed buildings noted in Section 10.2.

## **10.4 ECC Place Services (Ecology) – Holding Objection**

**10.4.1** We have reviewed the documents supplied by the applicant, relating to the impacts of development on designated sites, protected & Priority habitats, species and identification of proportionate mitigation. We are generally satisfied with the details submitted with the application and their assessment of impact of the proposed development and the identification of proportionate mitigation.

**10.4.2** Option 1, 2 and 3 -  
We are unable to recommend the discharge of Conditions 78 and 79. Additional information outlined above has been provided.

**10.4.3** Option 4 –  
We have reviewed the Site Layout Plan, drawing no. 31942-MSA-S-42004 PL04 (Michael Sparks Associates, May 2024), Biodiversity Net Gain Statement (Stage Report (RSK Wilding, February 2024), Design and Access Statement (Michael Sparks Associates, March 2024), Landscape Management Plan (Michael Sparks Associates, March 2024), Option 4 Detailed Landscape Proposals, drawing SHRSK-XX-XX-DR-L-1004 Rev 06 (Stephenson Halliday, May 2024) and

Schedule And Planting Details, drawing no. 0751-SHR SK-XX-XX (Stephenson Halliday, March 2024).

**10.4.4** **We are satisfied that there is sufficient ecological information a determination of this reserved matters application and we s submitted planting specifications and schedules in at an perspective.**

**10.4.5** We are unable to recommend the discharge of Conditions 78 and additional information outlined above has been provided. It is also noted that a condition for a Construction Environmental Manag for Biodiversity (CEMP: Biodiversity) and wildlife-sensitive lighting sti secured as a condition of the outline planning permission ref. UTT/22/0434/OP.

**10.4.6** Updated response 13.08.2024  
We are unable to recommend the discharge of Condition 78 until fu updates and clarification is undertaken. We are unable to recommend th of Condition 79 until the additional information outlined above has been

**10.4.7** Comments:  
Further matrix and updated information were submitted by the applicant on which Place Services have been reconsulted..

## **10.5 Strategic Crime Prevention - Neutral**

**10.5.1** Various comments regarding the logistics of surveillance and other deta is unknown at this time. This has been discussed directly with the Strat the applicant and MAG. Further direct liaison meetings are being held.

## **10.6 Crime Prevention Officer – Neutral**

**10.6.1** We acknowledge the continued “partnership working” with the develop design team on this proposed development programme and the possibl implications of the development in this area.

**10.6.2** Looking for more detail in the DAS and details in relation to condition 11 outline consent in terms of designing out crime.

**10.6.3** Details of the gatehouse and link bridges are required in terms of its dai operation, and nature of glazing/security screens. More information is re the management of the estate. Clarification regarding intended occupal whether this will be for single or multiple tenants. As there is significant : proposed for office/admin functions we require further information regar surveillance over stairwells and lobbies. Details regarding the fenestration of unit 15 and sensitive areas on site.

**10.6.4** Public realm (all options)

Further clarity required if there is a public access north to south along side and car park area. Planting details need to be clarified regarding unit 1 and 3.

**10.6.5** Details of lighting and CCTV plan, protection of the fuel storage, cycle storage and park control are required. Discussion is required regarding control of parking. Details of lighting and uniformity across the development. Recommend and CCTV coverage of cycle storage areas.

Comments:

**10.6.6** Details of operation is something that is not understood at the moment in the absence of an operator and the management of the estate. Details of the construction of the gatehouse link bridge can be conditioned.

**10.6.7** This has been clarified and shown on the amended plans submitted that it would be self-contained and no public access through each of the compound areas.

**10.6.8** Details of security, lighting and CCTV have been already conditioned as Condition 56 of the outline consent. The wording of which has been amended to be more flexible and to allow more consultation with Essex Police. This could include the cycle storage areas.

**10.6.9** Concerns regarding HGV outside of secure compound areas has been addressed and suggested control of any issues would be through a occupier's liaison being set up and a member of the Police actively sitting on the group.

## **10.7 Affinity Water – No Comment**

**10.7.1** Option 1 – No response

**10.7.2** Option 2 – No comments

**10.7.3** Option 3 – No response

**10.7.4** Option 4 – No comments.

## **10.8 Thames Water – No objection**

**10.8.1** Option 1, 2 & 3 -  
Water Comments

With regard to water supply, this comes within the area covered by the Thames Water Company

**10.8.2** We are finding it difficult to understand the drainage strategy for this proposal option. In order for Thames Water to determine whether the existing sewer has sufficient spare capacity to receive the increased flows from the proposed development, we require details of proposed connection points, pipe sizes and alterations to the public system, including calculated discharge rates (proposed development) must be included in the drainage strategy.

- 10.8.3** Comment:  
The applicant has responded 26.06.2024 by outlining that the “*proposed strategy outlines that surface water is to be attenuated on site and discharged to an existing watercourse. Flow rates for this surface water discharge have been discussed with the LLFA and Environment Agency.*”
- With regards to foul water, this is proposed to be conveyed to a network of pumping stations on site which discharge downstream to an existing third-party asset. The capacity of this third party asset has been discussed with the third party. The third-party asset conveys foul flows downstream to Thames Water sewer (MH 7201).*
- The capacity for the whole Land North of Stansted, currently forms part of a separate ongoing conversation with Thames Water’s Developer Service Project team (DS6081842). Note this included anticipated foul flows from the site.*
- This discussion has been ongoing since the approval of the overarching application (Ref: 22/0434/OP), with all requested information provided to support the required modelling to be undertaken.”*
- 10.8.4** Updated comments 25.07.2024 – no objection.
- 10.8.5** Option 4 –  
Waste Comments  
The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however a connection should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review the application position.
- 10.9** **National Grid Electricity – No comments received (option 2, 3, 4)**
- 10.10** **National Gas – No affected assets**
- 10.10.1** Option 1, 2, 3 & 4 - No affected assets
- 10.11** **ECC Minerals & Waste Team – No response (Option 1, 2, 3, & 4)**
- 10.12** **Cadent Gas – No Objection add informative**
- 10.12.1** Option 1, 2, 3, 4  
We have received a notification from the LinesearchbeforeUdig (LSBL) regarding a planning application that has been submitted which is in close proximity to our gas assets. We have no objection to this proposal from a planning perspective however we need you to take the following action.

**10.13 Gigacler Ltd – No objections**

**10.13.1 Option 1, 2, 3 & 4**

Provided plans of approximate location of equipment. Strongly advise to undertake hand dug trial holes prior to commencing any of your works.

**10.14 UK Power Network – Informative**

**10.14.1 Option 1, 2, 3, & 4**

Should your excavation affect our Extra High Voltage equipment (6.6 KV or 132 KV), please contact us to obtain a copy of the primary route and associated cross sections.

**10.15 Open Space Society – No Response**

**10.16 East Herts DC – No objection**

**10.6.1 Option 1, 2, 3, & 4**

The Council note the four different options for the scheme which include in the number and size of commercial units, ranging from one large individual units within the site.

As this is a reserved matters application, the principle of development is established and the Council have no comment to make on the proposed location, other than to welcome it in the context of generating opportunities for East Herts' residents.

Given the location of the application site, being beyond the Birchanger and the M11, it is not likely the proposed units would be highly visible from East Herts District, in particular from the A120 which is mostly screened by boundaries.

Whilst the site is not located in East Herts, the development is likely to be beneficial for the district in terms of the effects of the additional employment opportunities generated by the development leading to increased economic activity and through, the district. The Council consider it important that, as motorists do not stop at the Essex border, any mitigations to ameliorate impact include appropriate measures within East Herts, particularly where they affect Bishop's Stortford. In this respect, we wish to be assured that East Herts County Council, as Highways Authority for the district, has been consulted on the proposals and has had the opportunity to comment on trip impacts and their proposed mitigations.

The Council are aware that the Airport has previously been involved in discussions regarding a potential cycle way between Stansted Airport and Bishop's Stortford (then onwards to wider destinations), which would be beneficial for Bishop's Stortford wishing to cycle to work. Alongside this, East Hertfordshire County Councils are currently working in partnership to develop an emerging East Herts Local Cycling and Walking Infrastructure Plan, which will promote green travel. It would therefore be helpful if any S.106 agreement

make provision for contributions towards the development and implement these initiatives to help reduce the propensity for motorised travel to the employment facility. Any such contributions should be subject to discussion with Hertfordshire County Council and the level of contribution agreed should be assessed in conjunction with that authority.

Whilst we raise no objections to the development proposals, the development should comply with the relevant design/landscaping policies in the Uttlesford Local Plan to ensure a high standard of design is achieved. We will take into consideration the comments made in relation to transport, cycling and infrastructure funding above.

Comments:

**10.16.2** No comments were provided to previous consultations relating to this development. Whilst HCC were not consulted the concerns raised have been suitably addressed through detailed consultations with the three Highways Authorities and I

**10.17 Economic Development – No Response**

**10.18 Essex Wildlife Trust - No Response**

**10.19 Braintree District Council**

Option 4 -

The principle of the development was accepted by way of UTT/22/0434/OP, therefore BDC have no comments to make on this Matters application in relation to appearance, layout, scale and layout. Braintree District Council would request that all Statutory and Non-Statutory Consultees comments are taken into consideration in the assessment and determination of the planning application.

**10.20 Essex County Fire & Rescue Service**

**10.20.1** Option 1, 2,3, & 4

Access

Access for Fire Service purposes has been considered in accordance with the Fire Act 1987 - Section 13.13 and the following matters need to be ensured that access for fire service purposes can be considered satisfactory:

- For buildings not fitted with fire mains, between 16000m<sup>2</sup> - 24000m<sup>2</sup> Fire & Rescue Service access is required to be 75% of the perimeter. ADB Table 15.1.
- For buildings not fitted with fire mains, over 24,000m<sup>2</sup>, Fire & Rescue Service access is required to be 100% of the perimeter. ADB Table 15.1.

More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.



**10.20.2**      Building Regulations

It is the responsibility of anyone carrying out building work to comply with requirements of the Building Regulations. Applicants can decide whether the Local Authority for Building Control or to appoint an Approved Inspector. Authority Building Control will consult with the Essex Police, Fire Commissioner Fire and Rescue Authority (hereafter called “the Authority”) in accordance with “Building Regulations and Fire Safety - Procedural Approved Inspectors will consult with the Authority in accordance with Part 7 (Registered Building Control Approvers Etc.) (England) Regs 2024.

**10.20.3**      Water Supplies

The architect or applicant is reminded that additional water supplies may be necessary for this development. The architect or applicant is urged to contact the Water Section at Service Headquarters, 01376 576000.

**10.20.4**      Sprinkler Systems

“There is clear evidence that the installation of Automatic Water Sprinkler Systems (AWSS) can be effective in the rapid suppression of fires. Essex Fire & Rescue Service (ECFRS) therefore uses every occasion to urge owners and developers to consider the installation of AWSS. ECFRS is pleased to promote a better understanding of how fire protection measures can reduce the risk to life and property continuity and limit the impact of fire on the environment and to the local community.”

**10.20.5**      Even where not required under Building Regulations guidance, EC strongly recommend a risk-based approach to the inclusion of AWSS which can substantially reduce the risk to life and of property loss. We also urge developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.”

**10.21**      **Urban Design – No objection**

**10.21.1**      Option 1, 2,3, 4  
General

The above applications are for different options (4 in total, 3 of which are detailed here) within the consented parameters of an outline application ref: UTT/2024/001 for predominantly storage and distribution uses within the Stansted Airport.

**10.21.2**      These are separate applications, but as they all sit within the outline application parameters and are all broadly similar in use and have the same site location, and only one option will be ultimately built-out, I have reviewed them as a single proposal.

**10.21.3**      Given the singular and unusual setting of the airport and the associated commercial and logistics buildings, the scale, height and nature of the proposed buildings are appropriate within the existing built context.

**10.21.4** Impacts have been adequately addressed through visual screening and buffers, in particular relation to the ancient woodland and woodland margin. Sustainable travel is catered for through secure and covered cycle paths, although it is acknowledged that as a storage and distribution hub, the volume of travel will be high.

**10.21.5** Materials have been well considered and are appropriate for the buildings. The accompanying hard landscaping is of good quality. The use of a Design Outline stage is noted and supported. Attempts have been made to achieve a human scale at points of office entry, although this is inevitably challenging given the scale and function of these buildings.

**10.21.6** Summary  
This proposal is for storage and distribution buildings with ancillary accommodation within the unique setting and context of Stansted, and the proposals sit within approved parametric volumes and appear appropriate in this special context.

**10.22** **Bishop Stortford Town Council – No response (option 4)**

## Appendix B



### UTTLESFORD DISTRICT COUNCIL

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Montagu Evans LLP  
70 St Mary Axe  
London  
EC3A 8BE

Dated: 9 August 2023

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Application Number: UTT/22/0434/OP  
Applicant: Threadneedle Curtis Limited

Uttlesford District Council Grants Permission for:

Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route and other associated works with matters of layout, scale, appearance and other landscaping reserved at Land North Of Stansted Airport

The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
2158464/A/04	C/M11/A120 Other	14/02/2022
Junction		
31519-PL-100	Location Plan	14/02/2022
31519-PL-101	Other	14/02/2022
31519-PL-102	Other	14/02/2022
31519-PL-103	Other	14/02/2022
31519-PL-104	Other	14/02/2022
31519-PL-105	Other	14/02/2022
31519-PL-106	Existing Site Plan	14/02/2022
31519-PL-107	Elevations (existing)	14/02/2022
31519-PL-108	Elevations (existing)	14/02/2022
31519-PL-109	Elevations (existing)	14/02/2022
31519-PL-110	Elevations (existing)	14/02/2022
31519-PL-111	Elevations (existing)	14/02/2022
99001 P02/Substation Sweep	Other	14/02/2022
Path		
99002 P02/Substation Vis splay	Other	14/02/2022
DR-LA-1000	05/Illustrative Landscape Details	14/02/2022

Masterplan			
DR-LA-1001	01/Illustrative	Other	14/02/2022
Boundary			
E12524/SKT/003	2/Substation	Other	14/02/2022
Elevation			
E12524/SKT/004	2/Substation	Other	14/02/2022
layout			
E12524/SKT/005	2/Substation	Other	14/02/2022
location			
VD21521-DR-0101	Revision	Other	14/02/2022
D/Access Plan RdCoppice			
VD21521-DR-0102	Revision	Other	14/02/2022
D/Access Plan First Avenue			
VD21521-DR-0103	Revision	Other	14/02/2022
E/Access Plan Roundabout			
VD21521-DR-0131	Revision	Other	14/02/2022
E/Access Plan Long Section			
VD21521-DR-0132	Revision	Other	14/02/2022
D/Access Plan 1st Ave Long			
VD21521-DR-0133	Revision	Other	14/02/2022
F/Access Plan Rdabout Long			
VD21521-SK-017	Revision	Other	14/02/2022
G/Access Plan Composite			
15 YEAR LANDSCAPE PLAN		Other	14/02/2022
ARBORICULTURAL IMPACT ASSESSMENT		Other	14/02/2022
AVIATION MATTERS		Other	14/02/2022
BIODIVERSITY CHECKLIST		Other	14/02/2022
BIRD STRIKE ASSESSMENT		Other	14/02/2022
DESIGN AND ACCESS STATEMENT		Design and Access Statement	14/02/2022
DESIGN CODE		Other	14/02/2022
ECONOMIC NEEDS AND MARKET COMMENTARY		Other	14/02/2022
ES NON TECHNICAL SUMMARY		Other	14/02/2022
ENVIRONMENT STATEMENT		Other	14/02/2022
FRAMEWORK TRAVEL PLAN		Other	14/02/2022
HEALTH IMPACT ASSESSMENT		Other	14/02/2022
LIGHTING STRATEGY		Other	14/02/2022
PLANNING STATEMENT		Other	14/02/2022
STATEMENT OF COMMUNITY INVOLVEMENT		Other	14/02/2022
SUDS CHECKLIST		Other	14/02/2022
SUSTAINABILITY STRATEGY		Other	14/02/2022
TECHICAL BRIEFING NOTE -		Other	14/02/2022

ANCIENT WOODLAN...			
TRANSPORT ASSESSMENT	Other		14/02/2022
UTILITY PLANNING	Other		14/02/2022
STATEMENT			
WRITTEN SCHEME OF	Other		14/02/2022
INVESTIGATION FOR AN A...			
COMAH ASSESSMENT	Other		14/02/2022
215864/A/04	Revision	Other	29/11/2022
E/Birchanger Interchange			
215864/A/04	Revision	Other	29/11/2022
G/Revised M11/A120 Priory			
215864/PD05	Revision	B/Cycle	Other
route Crossing			29/11/2022
215864/PD07/Substation		Other	29/11/2022
Access			
215864/PD07/AT01/Sweep		Other	29/11/2022
PathSubstation			
215864/SPA/08	A/M11	Junction	Other
8			29/11/2022
215864/SPA/08	B/M11/A120	Other	29/11/2022
Priory Wood			
31519-FE-057	Revision	Details	
A/emergency services route			

Permission is granted with the following conditions:

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

Reason:

In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the Reserved Matters must be made to the Local Planning Authority not later than the expiration of five years from the date of this permission.

Reason:

In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted must be begun no later than the expiration of two

years from the date of approval of the last of the Reserved Matters to be approved.

Reason:

In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

Reason:

For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

In the interests of the appearance of the site and area in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

- 6 All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 7 Prior to the above ground level construction of any phase the materials to be used in the construction of the external surfaces of that phase/plot shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

- 8 The development shall accord with parameters land use, heights and landscaping set out in the Design Code submitted as part of the planning application.

Reason:

In the interest of the design of the development in accordance with Local Plan Policy GEN2 (adopted 2005)

- 9 Prior to the commencement of development a long term plan for Bury Lodge as a listed building such a details of lease, long term use in relation to the development and whether it can be sensitively integrated into the scheme, shall be submitted to and approved by the Local Planning Authority which sets out its longer-term protection and preservation.

Reason:

In the interest of protecting and preserving the long-term protection of the adjacent Listed Building in accordance with Local Plan Policy ENV2 and the NPPF.

- 10 The buildings shall be designed to meet at least BREEAM rating 'very good' and to aim for 'Excellent' wherever possible. The details shall be submitted to and approved in writing by the Local Planning Authority on each building reserved matters stage. Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of the design of the development and securing a sustainable development in accordance with Local Plan Policy GEN2 (adopted 2005) and the Interim Climate Change Policy (2021)

- 11 Details of designing out crime and any required security measures to protect the operation of the airport and users of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground level works. Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005)

- 12 Prior to the commencement of above ground level works development details of a site wide waste management strategy and waste collection points for each phase shall be submitted to and approved in writing by the Local Planning Authority.

A SWMP would be expected to:

- o present a site wide approach to address the key issues associated with sustainable management of waste, throughout the stages of site clearance, design, construction and operation,
- o establish strategic forecasts in relation to expected waste arisings for construction,
- o include waste reduction/recycling/diversion targets, and monitor against these,
- o advise on how materials are to be managed efficiently and disposed of legally during the construction phase of development, including their segregation and the identification of available capacity across an appropriate study area.

The operational site waste management strategy shall be in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan including mitigation methods to control noise and odour from the waste storage and collection arrangements and pest control measures.

Thereafter the development shall be implemented in accordance with the approved details.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 13 Parking details for each plot shall be in accordance with the Essex parking standards.

Reason:

In the interest of the development and highway and pedestrian safety, in accordance with Local Plan Policy GEN2, GEN8 and the Essex Parking Standards (2009), also the NPPF.

- 14 Prior to the commencement of development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details unless otherwise agreed in writing.

Reason:

In the interest of the design and implementation of the development and relevant infrastructure in accordance with Local Plan Policy (adopted 2005) as a whole and the NPPF.

- 15 Prior to the commencement of the development tree protection measures for the trees to remain shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved protection measures, subsequently; the approved measures shall not be changed without the prior written consent of the Local Planning Authority.

Reason:

The use of such pre commencement condition is required to ensure the protection of the existing trees that bound the site during the construction of the development in accordance with Local Plan Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005)

- 16 The development hereby permitted shall provide a minimum floorspace of 9,715 sqm of non Use Class B8 uses relating to Use Class B2, E (g) (i), (ii) and (iii).

Reason:

In order to provide a diversification and to mitigate socio-economic impacts in accordance with the NPPF.



## HIGHWAYS

### NATIONAL HIGHWAYS

- 17A. Before the beneficial occupation of phase one of the permission, the developer shall submit and have approved in writing by the local planning authority in consultation with National Highways the following design details relating to the required improvements to the M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 G dated 24 November 22 (the "Priory Wood Roundabout Works"). The design details shall include drawings and documents showing:
- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations;
  - ii. Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis;
  - iii. Full Signing and Lighting details;
  - iv. Confirmation of compliance with Departmental standards (DMRB) and policies (or approved relaxations/departures from standards);
  - v. Evidence that the scheme is fully deliverable within land in the control of either the applicant, the Highway Authorities, or Stansted Airport Limited;
  - vi. An independent Stage 2 Road Safety Audit (taking account of any Stage 1 Road Safety Audit recommendations carried out in accordance with Departmental Standards (DMRB) and Advice Notes;
  - vii. A Construction Management Plan detailing how construction traffic will be managed.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 17B. No beneficial occupation of further phases (ie beyond phase 1) shall take place unless and until either:
- i. the Priory Wood Roundabout Works have been delivered in accordance with the design details approved pursuant to condition 17a to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and are fully operational; or
  - ii. a s278 agreement has been entered into in order to secure delivery of the Priory Wood Roundabout Works and all obligations on the part of the developer that relate to the Priory Wood Roundabout Works in the s278 agreement have been discharged.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 18A. Before the beneficial occupation of phase one of the permission, the developer shall submit and have approved in writing by the local planning authority in consultation with National Highways the following design details relating to the required improvements to M11 Junction 8 Birchanger Junction shown in outline on Vectos drawing 215864/A/04 E dated 22 November 2022 (the "Junction 8 Improvements"). The design details shall include drawings and documents showing:
- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations;

- ii. Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis;
- iii. Full Signing and Lighting details;
- iv. Confirmation of compliance with Departmental standards (DMRB) and policies (or approved relaxations/departures from standards);
- v. Evidence that the scheme is fully deliverable within land in the control of either the applicant or the Highway Authority;
- vi. An independent Stage 2 Road Safety Audit (taking account of and Stage 1 Road Safety Audit recommendations carried out in accordance with Departmental Standards (DMRB) and Advice Notes);
- vii. A Construction Management Plan detailing how construction traffic will be managed.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 18B. No beneficial occupation of further phases (ie beyond phase 1) shall take place unless and until either:

- i. the Junction 8 Improvements have been delivered in accordance with the design details approved pursuant to condition 18a to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and are fully operational; or
- ii. a s278 agreement has been entered into in order to secure delivery of the Junction 8 Improvements and all obligations on the part of the developer that relate to the Junction 8 Improvements in the s278 agreement have been discharged.

Reason:

To ensure the efficiency and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

#### STAL

- 19 The emergency services' routes, as indicated on plan 31519-FE-057 A (contained in EIA Chapter 'Aviation Safeguarding Matters', Montague Evans, January 2022) and dated November 2021, shall be constructed in accordance with final details and a programme to be first submitted to, and approved in writing by the Local Authority in conjunction with the Airport Highway Authority, and be retained thereafter. For the avoidance of doubt, the routes shall be capable of accommodating the weight and width of special appliances that require access to the airport infrastructure.

Reason:

To ensure safe and efficient emergency service access to an operational airfield and its supporting infrastructure. This is in accordance with Paragraphs 97 (a) and 110(b) of the NPPF (2021).

- 20 The highway works to Round Coppice Road / First Avenue Roundabout, the upgrade of First Avenue, and the widening of Round Coppice Road (between the roundabouts accessing First Avenue and the Long Stay Car Park) shall be completed before any occupation of the development, in accordance with final details to be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the

Highway Authority. The works shall be completed in accordance with the approved plans and retained thereafter.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and Paragraph 110(b) of the NPPF (2021).

- 21 The details of the Cycle Access to the Development Site shall be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority. The works shall be completed before first occupation of any part of the proposed development and retained thereafter in accordance with the approved plans. For the avoidance of doubt, the final design should be compliant with the DfT's Local Transport Note 1/20 (July 2020) or superseding standard, as a minimum.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and Paragraph 110(b) of the NPPF (2021).

- 22 Prior to the first occupation of any part of the development hereby approved, a scheme for the prohibition of cycling along Round Coppice Road between the roundabouts accessing the Long Stay Car Park and First Avenue shall be brought into effect.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and Paragraphs 97 (a) and 110(b) of the NPPF (2021).

#### **ECC HIGHWAYS**

- 23 Prior to commencement of development, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period, including the substation and the pedestrian cycle route on PROW 45/60. The Plan shall provide for;

- I. The parking of vehicles of site operatives and visitors,
- II. Loading and unloading of plant and materials,
- III. Storage of plant and materials used in constructing the development,
- IV. Wheel and underbody washing facilities.
- V. Routing strategy for construction vehicles, including protection of local villages and information on the enforcement strategy using CCTV
- VI. Protection of any public rights of way within or adjacent to the site
- VII. Time of operation including hours and time of year being sensitive to the operation of the airport and the impact on local residents
- VIII. how the construction works will not impede on emergency service operations

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the

highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011 and in accordance with Local Plan Policy GEN1 and GEN2 (adopted 2005)

- 24 Prior to occupation details of a routing agreement to be submitted to the planning authority for approval. The routing agreement to include, but not be limited to,
1. prohibition of HGVs from going north on to Bury Lodge Lane either via access or other adjacent roundabout on roundabout on Round Coppice Road
  2. Signing of routes to and from the strategic network
  3. Camera enforcement of route
  4. Details of information to be provided to employees and contractors in advising route to take
  5. Details of how Sat Nav providers will be informed of preferred route
  6. Details of reporting mechanism and penalties to be applied if routing agreement is not adhered to.

The approved agreement to be implemented in full from commencement.

Reason:

To protect the local highway network in villages from unnecessary impact by HGVs from the scheme. This is in accordance with Policy GEN1 of the Uttlesford Local Plan and the NPPF.

- 25 Prior to construction of the substation an access shall be provided as shown in principle in drawing number 215864/PD07, including clear to ground visibility splays with dimensions of 2.4 metres in both directions, as measured from and along the nearside edge of the carriageway. Turning and parking shall be provided at the substation to accommodate service vehicles and ensure they can leave the site in a forward gear. Vegetation shall be removed from the visibility splay and shall be subject to a maintenance regime to ensure they are retained free of any obstruction at all times thereafter.

Reason:

To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. This is in accordance with Policy GEN1 of the Uttlesford Local Plan and the NPPF.

- 26 Prior the implementation of any Traffic Regulation Order banning cycling on airport network or first occupation of the development, whichever is sooner, a cycle link from the site to the junction with PROW 45/62 as shown in principle on drawing number shall be provided.

It shall consist of the following:

1. A signalised Toucan crossing on Bury Lodge Lane as shown in principle in drawing number 215864/PD05 rev B, including a maintenance bay, anti-friction surfacing, crossing warning signs and the cutting back of vegetation to provide visibility splays conforming to the speed of the road. The visibility splays shall be maintained thereafter.
2. Cycleways and footways within the development site designed to the standards in

LTN1/20 linking to key employment areas and facilities.

3.A shared use cycleway/footway between the toucan crossing and PROW 45/60 to be designed in accordance with LTN1/20, minimum effective width 3m and appropriately surfaced and lit.

4.Bridleway 45/60 to be surfaced for its full effective width with an appropriate semipermeable material suitable for equestrians and cyclists and appropriate lighting

5. Details of a maintenance plan shall be submitted to and approved in writing by the LPA.

Thereafter the approved details shall be implemented and maintained.

Reason:

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 27 Prior to first occupation a signing strategy for walking and cycling to from and around the site shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be implemented prior to occupation and at the appropriate phases of the development.

Reason:

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 28 Prior to first occupation two bus stops shall be provided on either side of Round Coppice Road with associated connecting footways. The bus stops shall comprise (but not be limited to) the following facilities: shelters; seating; raised kerbs; bus stop markings; poles and flag type signs, timetable casings and real time information. Prior to commencement of development a plan showing the above shall be submitted to and approved in writing by the Local Planning Authority in consultation with ECC Highways Authority. Thereafter the details shall be implemented as approved.

Reason:

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 29 The development hereby permitted shall not restrict access to the COMAH facility in any way at anytime for emergency response arrangements.

Reason:

In the interest of Health and Safety of the hazardous facility in accordance with Local Plan Policy GEN2 and the NPPF.

#### **ARCHAEOLOGY**

- 30 Prior to commencement of development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

The submitted Environmental Statement suffers from assessing only a limited area and many of the major discoveries at Stansted have not been identified. The submitted ES has omitted all of the extensive excavations to the east of the present runway which is disappointing as this would have provided a better understanding of the extent of the likely archaeological deposits. Under 12.47 of the ES it states that the archaeological remains would have been impacted by the World War II construction, however, a number of the archaeological sites already excavated have shown a high level of preservation beneath elements of the WWII airfield.

This office would largely agree with the Receptors and Receptor sensitivity identified in 12.48, however, considering the extent of Roman burials and other occupation in the adjacent long term car parks we would recommend that the Roman remains are also identified as of high potential.

Within the mitigation section (12.60-12.66) this office would support the proposal for evaluation trenches on all areas of development, to include those within the present built up area, and the 2 high voltage under ground cables and the new buildings on the present fields to the north, followed by open area excavation, with a programme of building recording on those structures which warrant recording prior to demolition. We would not recommend a programme of watching brief on any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

- 31 Prior to commencement of development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Authority archaeological advisors.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex

Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-191 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 200 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

- 32 A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the Local Planning Authority following the completion of the archaeological evaluation.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-191 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the

late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

- 33 Prior to commencement of development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted



G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

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

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

- 35 No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a written scheme of investigation (WSI) to be submitted to and approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

- 36 No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI has been submitted to the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

- 37 Thereafter a report detailing the results of the recording programme and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI shall be submit to the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

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

### **SUDS**

- 38 Prior to commencement of development on any phase, except demolition, shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:
- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
  - Limiting discharge rates to 105l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
  - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
  - Demonstrate that all storage features can EITHER half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event, OR are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
  - Detailed engineering drawings of each component of the drainage scheme.
  - A final drainage plan which details exceedance and conveyance routes, FFL and ground

levels, and location and sizing of any drainage features.

- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.
- Demonstration of the range of SuDS features considered and the basis for adopting the proposed features.
- Substantiation of the EA requirement to maintain existing flows in the receiving watercourse.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

- 39 Prior to occupation of any part/phase of the development hereby permitted a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason:

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

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

This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

- 40 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason:

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF

## THAMES WATER

- 41 There shall be no occupation until confirmation has been provided that either:-
1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or-
  2. A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of those additional buildings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

### Reason:

Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. This is in accordance with Policy GEN6 of the Uttlesford Local Plan and the NPPF.

## ECOLOGY (i)

- 42 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Chapter 11: Ecology and Biodiversity of the Environmental Statement: Volume 1, subsequent Volume 2 Annexes (RSK) and Bat Survey Report (RSK Biocensus, June 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

### Reason:

To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006. Also, in accordance with Local Plan Policies GEN2, and GEN7 (adopted 2005) and the NPPF.

- 43 No development shall not in in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant authorizing the specified activity/development to go ahead; or
  - b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

### Reason:

To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998. Also, in accordance with Local Plan Policies GEN2 and GEN7 (adopted 2005) and the NPPF.

- 44 Any works which will impact the resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

**Reason:**

To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998. Also, in accordance with Local Plan Policies GEN2 and GEN7 (adopted 2005) and the NPPF.

## **AERODROME SAFEGUARDING**

- 45 No development shall commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Aerodrome Safeguarding Authority, covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- Details of the area(s) subject to construction activity and the storage of materials and equipment;
- Details of cranes and other tall construction equipment (including the details of obstacle lighting);
- Control of activities likely to produce dust and smoke etc.
- Details of temporary lighting;
- Height of storage areas for materials or equipment;
- Control and disposal of putrescible waste to prevent attraction of birds;
- Site restoration;

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

**Reason:**

To ensure that construction work and construction equipment on the site and adjoining land is in compliance with CAP 1096 'Guidance to crane users on aviation lighting & Notification'; does not breach the aerodrome safeguarded surfaces surrounding Stansted Airport and thereby endanger aircraft movements and the safe operation of the aerodrome; and, to ensure the development does not endanger the safe movement of aircraft or the operation of Stansted Airport through interference with communication, navigational aids and surveillance equipment. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 46 No development shall take place until the construction phase Bird Hazard Management Plan (BHMP) for the construction period is amended to specify the monitoring frequency; the plan should include details of the earthworks phase with an option to remove, compact or cover (e.g. with tar spray) areas of bare earth so as not rely solely on plastic safety



fencing; and the management and removal of any Rookery or pigeon, corvid or Starling roost in this area, including in existing woodland. The amended construction BHMP should be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority. Thereafter the amended BHMP shall be implemented in accordance with the approved details.

Reason:

Flight safety - Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 47 No development shall take place until an operational phase robust BHMP is submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, for the life of the site in perpetuity. For the avoidance of doubt the BHMP should include, but not be limited to, details of:

- a) regular monitoring to prevent the use of the roofs by breeding, loafing or roosting large gulls, potentially with a commitment to net if necessary;
- b) measures to ensure buildings are designed with no ledges or other access points of exploitable areas for birds such as Feral Pigeons.
- c) food outlets and recreation areas, which should avoid having outdoor seating, or where it is present, it should be designed in such a way to reduce access to hazardous birds, for example by being under a canopy.
- d) a site wide waste management policy which should be in place to ensure adequate lidded bins are provided and emptied routinely.
- e) staff and visitors training to understand why it is imperative to not drop litter in this area i.e., that food detritus is a bird attractant; litter is a bird attractant; litter is a Foreign Object Debris (FOD) risk to aircraft engines.

Reason:

Flight safety - Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 48 No development phase including site clearance to take place until the detail of landscaping and management plan are submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority. The landscaping plan should be developed to ensure the use of berry and fruit bearing plants (including orchard trees) should be heavily restricted to avoid the formation of an exploitable food resource for hazardous flocking birds. The use of large, dense canopied tree species such as Oak and Scots Pine should be limited, as should the use of large evergreen species to avoid attractive habitat for a range of bird species. The management plan for the landscaping should specify appropriate measures to ensure restriction of heights in proximity to an active aerodrome.

Reason:

Flight safety - Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and

Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 49 Prior to the commencement of any phase of the development, including any highway works, a detailed lighting scheme showing all lighting to be installed on site shall be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, showing full specification of lighting, including polar throw diagrams, the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated. All exterior lighting to be capped at the horizontal with no upward light spill. No lighting directly beneath any roof lights that will emit light upwards - only downward facing ambient lighting to spill from any roof lights upwards - ideally, automatic blinds to be fitted that close at dusk. Prior to the energising of the site and use of any exterior lights, a lighting check will need to be carried out with the aerodrome safeguarding team at STN.

At all times the lighting scheme shall conform to The Institution of Lighting Engineers Guidance Note 01/21 for The Reduction of Obtrusive Light.

Reason:

Flight safety - to prevent distraction or confusion to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002 also to protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 50 No phase of the development shall take place until an aviation perspective glint and glare assessment for the building materials is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight safety - to prevent ocular hazard and distraction to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 51 No solar PV panel development to take place until an aviation perspective glint and glare assessment is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight safety - to prevent ocular hazard and distraction to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 52 Buildings and structures on this site must not exceed the following heights:

ZONE 1 MAX BUILDING HEIGHT 124.100 AOD  
ZONE 2 MAX BUILDING HEIGHT 123.500 AOD  
ZONE 3 MAX BUILDING HEIGHT 120.250 AOD  
ZONE 4 MAX BUILDING HEIGHT 113.125 AOD  
ZONE 5 MAX BUILDING HEIGHT 116.050 AOD

These heights will be subject to further assessment including an Obstacle Limitation Surfaces assessment; Instrument Flight Procedures (IFP) assessment; communications, navigational aids and surveillance (CNS) impact assessment.

Reason:

Development exceeding this height would penetrate the safeguarded surfaces surrounding Stansted Airport and development up to and exceeding this height could endanger the safe operation of the airport. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 53 No development to take place until the developer has engaged with NATS to undertake any necessary radar mitigation works. Any mitigation works must be carried out in accordance with an agreed timetable.

Reason:

Flight Safety - to protect the integrity of radar equipment. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 54 No phase of development shall commence until building specific aviation perspective Wind Shear studies, have been submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight Safety - to ensure that development does not create an increase to the risk of a wind shear hazard at STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 55 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order 2015 (or any Order revoking or re-enacting it, with or without modification/s), no development within Part 4 - Temporary Buildings and Uses, Class A: The provision on land or buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations, being or to be carried out on, in, under or over land or on land adjoining that land shall be carried out without a construction management plan and / or a Crane and Tall Equipment Plan first being submitted to and approved in writing by the LPA, in consultation with the Airport Safeguarding Authority.

Reason:

To ensure that site construction and site maintenance operations and equipment on site or on any adjoining land do not breach the protected surfaces surrounding Stansted Airport, or create any interference with communication, navigational aids and surveillance equipment, both of which could endanger the safe movement of aircraft at, and the safe operation of, the aerodrome. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

#### **CRIME PREVENTION**

- 56 Prior to the commencement of any part of the development hereby permitted discussions

shall be entered into with Essex Police relating to detailed layout and implications on Operational Policing, road infrastructure, CCTV/ANPR and security and management plan, details of design to be to Secure By Design Principles and ensure airwaves are unaffected. Details of which shall be submitted to and approved in writing by the Local Planning Authority in consultation with Essex Police. Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005)

## **ENVIRONMENTAL HEALTH**

### **LAND CONTAMINATION**

- 57 The following works shall be conducted by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and The Environment Agency Land Contamination Risk Management (LCRM) and other current guidance deemed authoritative for the purposes. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

#### **A. Site Characterisation**

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - o Human health,
  - o Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o Adjoining land,
  - o Groundwaters and surface waters,
  - o Ecological systems
  - o Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

#### **B. Site Remediation Scheme**

The development hereby permitted shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Remediation Implementation and Verification

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the measures set out in the approved Remediation scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

E. Long Term Monitoring and Maintenance

If found to be necessary from the Phase 2 investigation and remediation scheme, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed with the Local Planning Authority, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**UNEXPLODED ORDNANCE (UXO)**

- 58 A detailed assessment of the potential for unexploded ordinance (UXO) at the site and a UXO risk assessment shall be undertaken by a competent person further to the recommendations of the submitted Environmental Statement, Volume 1 chapter 16 Ground Conditions, section 16.61. Any recommendations for further investigation and/or mitigation in the UXO assessment shall be fully implemented. A copy of the assessment shall be submitted to the Local Planning Authority.

Reason:

To ensure that the proposed development does not cause harm to human health, the

water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

#### **CEMP**

- 59 Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

The CEMP shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice.

All works shall be carried out in accordance with the approved CEMP thereafter.

#### **Reason:**

In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **ILLUMINATED SIGNS**

- 60 Details of any illuminated signs to be installed on the site, including the design and illuminance levels shall be submitted to and approved in writing by the Local Planning Authority prior to the signs being brought into use. The signs shall be installed in accordance with the approved details.

The illuminated signs shall comply with the Institution of Lighting Engineers Professional Lighting Guide 05, The brightness of Illuminated Advertisements.

#### **Reason:**

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **AIR QUALITY**

- 61 Prior to the commencement of development on each plot or phase, details of the proposed use and operation for each commercial unit/plot together with an updated associated Transport Plan and Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason:

In the interest of protecting the residential amenity, highways and pedestrian safety and air quality from unacceptable levels of increased vehicle movements in accordance with Policy GEN1, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 62 No development shall take place until a scheme, informed by an appropriate air quality assessment, for protecting local air quality and the Bishops Stortford Air Quality Management Area from adverse impacts associated with the commercial and industrial uses hereby approved has been submitted to and approved in writing by the local planning authority. No occupation of the units hereby consented shall take place until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason:

To protect human health and the amenity of local residents, and prevent any adverse impacts on the Bishops Stortford Air Quality Management Area, in accordance with Local Plan Policies ENV14 of the Uttlesford Local Plan and in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017

- 63 Prior the commencement of development the locations of an air quality monitoring receptor(s) at the junction of Church Road/ Bury Lodge Lane to be used in the air quality assessments in accordance with Condition 62 shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To protect human health and the amenity of local residents, and prevent any adverse impacts in the local area, in accordance with Local Plan Policies ENV14 of the Uttlesford Local Plan and the NPPF.

- 64 Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces and passive provision shall be made available for at least 25% of the spaces in the development, so that the spaces are capable of being readily converted to electric vehicle charging points. Further provision is required subject to the availability of power supply and the consideration of new technologies.

The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the commercial units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.

Reason:

To protect local air quality and amenity of existing neighbouring and future occupiers of the development. This will facilitate sustainable modes of transport in a development that will impact on an Air Quality Management Area and in accordance with the National Planning Policy Framework (para35) that 'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to [i]ncorporate facilities for charging plug-in and other ultra-low emission vehicles'. This is in accordance with Policies GEN1 and ENV13 of the Uttlesford Local Plan (adopted 2005).

- 65 Prior to the commencement of development details of an air quality barrier scheme to

provide mitigating effects to pollutants on the ancient woodland sites (Stocking Wood and Round Coppice), as indicated on drawings Illustrative Landscape Masterplan drawing 32636-RSK-XX-XX-DR-LA-1000 Revision 05 and VD21521-DR-0101 Revision D, as well as restorative management, is submitted for approval in writing by the local planning authority. The approved scheme shall be implemented in full and maintained thereafter.

Reason:

To protect the ancient woodland sites from adverse air pollution effects from the development. in accordance with Local Plan Policy GEN2, GEN7 and the NPPF

#### **PRIMARY ELECTRICITY SUB STATION**

- 66 Prior to development commencing for the Electricity Sub Station hereby approved a noise impact assessment must be conducted by a competent person to assess the potential noise impact of the substation on noise sensitive receptors (e.g. hotel, residential, nursery). Noise from the substation shall be assessed in accordance with BS4142:2014+A1 2019 and any other relevant published procedure or assessment method (subject to local authority approval). Particular attention shall be given to directional and low frequency impact at times of low background levels.

If required, a mitigation scheme to control noise from the substation shall be submitted for written approval. The works shall be carried out in accordance with the approved report shall be retained as such thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **NURSERY AND OTHER NOISE SENSITIVE PREMISES**

- 67 Prior to the commencement of development a report identifying those noise sensitive premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their external amenity areas, where relevant) shall first be submitted to and agreed in writing by the Local Planning Authority. The report shall also detail the arrangements for ventilating the premises so identified. The development shall thereafter be carried out in accordance with the report so agreed and shall be retained as such thereafter.

Reason:

To ensure that potential adverse noise impacts to noise sensitive premises within the development are mitigated and to ensure a high standard of amenity for future occupiers in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **INDUSTRIAL/COMMERCIAL NOISE IMPACTS**

##### **Plant noise**

- 68 For each of the permitted commercial and industrial units hereby approved, prior to the installation of any plant, machinery or equipment the details of such shall be submitted to and approved in writing by the Local Planning Authority.

A noise impact assessment must also accompany the submission and include noise emissions from the equipment and mitigation measures to be incorporated. The sound levels shall be assessed in accordance with BS4142:2014+A1 2019 (Or latest equivalent



version). The sound emitted must be measured (or calculated if measurement is not possible) at 1.0m from the facade of all residential premises to demonstrate that the sound emitted by the cumulative operation of all external building services plant and equipment hereby permitted does not exceed 5db below the background noise level at any time when the plant is operating. The noise survey must include reference to measured background noise level at monitoring locations and times agreed by the Local Planning Authority. Measurement parameters must include the LA90, LAeq, LA Max and frequency analysis.

Any scheme of mitigation shall be implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Should the plant and equipment fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply. The use of the equipment must not commence or re-commence until a fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures have been implemented. The plant and equipment shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained at all times.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 69 Within 3 months from the hereby approved permission, to establish background noise levels in vicinity of the development a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 and/or the most suitable method to fully represent any noise source and impact at the boundary of the nearest noise sensitive properties. This shall be undertaken by a suitably competent person. The noise sensitive property locations shall be submitted for written approval by the Local Planning Authority. The noise survey results shall be submitted for written approval of the representative background noise levels for each of the noise sensitive receptors at the reserved matters application stage.

Background noise levels shall be established for the following periods:

- o Daytime 0700 to 1900
- o Evening 1900 to 2300
- o Night 2300 to 0700

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 70 Prior to operation a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Where the proposed or actual plant and equipment rated noise levels are predicted to be in excess of 5 dB(A) above background noise levels a noise mitigation scheme shall be implemented.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**HOURS OF OPERATION**

- 71 Prior to the first occupation any of the individual non-residential units hereby permitted, details of the hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The non-residential units shall thereafter be occupied solely in accordance with the approved details.

**Reason:**

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**ROAD TRAFFIC NOISE IMPACT**

- 72 No development shall take place until a scheme for protecting the existing noise sensitive premises from noise from road traffic changes resulting from the development, including increases in road traffic, changes to road layouts, roundabouts and new road crossings has been submitted to and approved in writing by the local planning authority.

The approved development shall not be brought into use until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

**Reason:**

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**INDUSTRIAL/COMMERCIAL OPERATIONAL NOISE**

- 73 No development shall take place before a noise impact assessment and noise mitigation scheme for noise from all non- residential uses hereby approved (including industrial, commercial, retail, leisure and manufacturing processes, mobile plant and equipment, loading and unloading of goods and materials and any other noise source associated with the use hereby permitted) has been submitted to, and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented before the use/operation commences and be thereafter operated in accordance with the approved details.

**Reason:**

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**SERVICE YARD MANAGEMENT**

- 74 Prior to the commencement of development a Service Yard Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the service yards. Thereafter the approved plan shall be implemented at all times.

**Reason:**

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**ODOUR/FUMES INDUSTRIAL/COMMERCIAL**

- 75 Prior to first occupation a scheme detailing all plant, machinery, chimneys, ducting, filters or extraction vents to be used in connection with that uses/plot hereby approved shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the use commencing and retained thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **ODOUR/NOISE FOOD BUSINESSES**

- 76 Prior to first occupation of units relating to food businesses details of any proposed odour extraction systems shall be submitted to the local planning authority for written approval.

The details provided shall include an odour risk assessment and information on ventilation, odour control and noise control in accordance with the Guidance on the Control of Odour and Noise from commercial Kitchen Exhaust Systems.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **ECOLOGY (ii)**

- 77 Concurrent with the submission of reserved matters and prior to commencement of the development a Construction Environmental Management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to include the protection of retained and Priority habitats as well as bats, Great Crested Newt, nesting birds, reptiles and Badger.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). Also, in accordance with Local Plan Policies GEN2, and GEN7 (adopted 2005) and the NPPF.

- 78 Concurrent with the submission of reserved matters and prior to commencement of the development a Final Biodiversity Net Gain Design Stage Report, in line with Table 2 of CIEEM Biodiversity Net Gain report and audit templates (July 2021), shall be submitted to and approved in writing by the Local Planning Authority which provides a measurable biodiversity net gain, using the DEFRA Biodiversity Metric 3.1 or any successor.

The content of the Biodiversity Net Gain report should include the following:

- o Baseline data collection and assessment of current conditions on site;
- o A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity;
- o Provision of the full BNG calculations, with plans for pre and post development and detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality;
- o Details of the implementation measures and management of proposals;
- o Details of any off-site provision to be secured by a planning obligation;
- o Details of the monitoring and auditing measures.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reasons:

In order to demonstrate measurable net gains and allow the LPA to discharge its duties under the NPPF (2021). Also, in accordance with Local Plan Policies GEN2, and GEN7 (adopted 2005) and the NPPF.

- 79 Concurrent with reserved matters and prior to first beneficial use a Landscape and Ecological Management Plan (LEMP) including the provision of bird and bat boxes shall be submitted to, and be approved in writing by, the Local Planning Authority prior to beneficial use of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). Also, in accordance with Local Plan Policies GEN2, and GEN7 (adopted 2005) and the NPPF.

- 80 Concurrent with the submission of reserved matters for each phase and the wider site

prior to first beneficial use of any phase a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason:

To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species). Also, in accordance with Local Plan Policies GEN2, and GEN7 (adopted 2005) and the NPPF.

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy	Local Plan	Local Plan Phase
NPPF4 - National Planning Policy Framework July 2021		
S4 - Stansted Airport Boundary	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
S7 - The Countryside	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
S8 - The Countryside Protection Zone	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
AIR3 - Development In The Southern Ancillary Area	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
AIR4 - Development In The Northern Ancillary Area	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
AIR6 - Strategic Landscape Areas	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN4 - Good Neighbours	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN5 - Light Pollution	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN6 - Infrastructure Provision to Support Development	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005

GEN7 - Nature Conservation	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV2 - Development affecting Listed Buildings	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV3 - Open spaces and trees	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV4 - Ancient Monuments and Site of Archaeological Importance	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV7 - The protection of the natural environment designated sites	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV8 - Other landscape elements of importance for nature	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV10 - Noise sensitive development and disturbance from aircraft	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV11 - Noise generators	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV13 - Exposure to poor air quality	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV14 - Contaminated land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
LC1 - Loss of sports fields and recreational facilities	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
LC2 - Access to Leisure and Cultural Facilities	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
LC3 - Community facilities	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005

**Notes:**

- 1 The local planning authority has worked with the applicant in a positive and proactive manner in determining this application.
- 2 This Decision Notice must be read in conjunction with an Obligation made under Section 106 of the Town and Country Planning Act 1990, relating to this site/property.
- 3 Highway Informative:(i) In making this recommendation the Highway Authority has treated all planning application drawings relating to the internal layout of the proposal site as illustrative only.(ii) Any signal equipment, Bus real time information signs, structures and nonstandard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction. To be provided prior to the issue of the works licence.(iii) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact

the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to SMO2 -Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.(iv) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.(v) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.(vi) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required. (vii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public bridleway no 45/60 shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.(viii) Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available

- 4 Building in Accordance with the Plans Planning permissions are given on the basis of the details submitted. If you plan to make any changes whatsoever to deviate from the approved plans then you are strongly advised to liaise with Uttlesford District Council Planning Services prior to undertaking any works. You may require a new planning application or a variation to your existing permission. Failure to construct in accordance with the plans could lead to potential Enforcement Action. Requirement to Comply With Your Conditions Please read all of your conditions carefully. All of your conditions must be complied with. Failure to comply in full with a planning condition placed upon your permission may result in potential Enforcement Action. Planning conditions require certain things to be done at certain times, often prior to the commencement of any works. If you are in any doubt as to the requirements of your conditions please liaise with Uttlesford District Council Planning Services. Building Regulations Did you know that this permission may require Building Regulations approval? For further information please contact the building control team on 01799 510510, or by emailing [building@uttlesford.gov.uk](mailto:building@uttlesford.gov.uk) or by visiting our website [www.uttlesford.gov.uk/buildingcontrol](http://www.uttlesford.gov.uk/buildingcontrol) Rights of Way The applicant is reminded that the grant of planning permission does not entitle them to obstruct a Right of Way. If it is necessary to stop up or divert a footpath or bridleway in order to enable the development to be carried out, they should, on the receipt of planning permission, apply

without delay to the Local Planning Authority for an order under section 257 of the Town and Country Planning Act 1990. In the case of any other right of way, application should be made to the Secretary of State for an order under section 247 of the Act. In either case development shall not be started until a decision has been taken on the application. Purchase Notice If either the Local Planning Authority or the Secretary of State refuses permission to develop land, or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonable beneficial use in its existing state, nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be, permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990, or section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as appropriate. You are advised to seek professional advice before embarking on the serving of a purchase notice. Compensation In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused, or granted subject to conditions, by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

- 5 Third Party Works (Section 278 Agreements) If as part of development proposals, there is a need to alter the trunk road network either to provide access on to it or to provide improvements to the road and its junctions, in order to mitigate the impact of the development, then the developer will need to enter in an arrangement with Highways England to procure and deliver these works. This is undertaken by entering into a Section 278 Agreement of the Highways Act, 1980, as amended by section 23 of the New Roads and Street Works Act 1991, with Highways England. The Agreement provides a financial mechanism for ensuring delivery of the mitigation works identified and determined as necessary for planning permission to be granted. This protects the Public owned Company against the risk of carrying out the works without adequate funds being in place. Following granting of planning consent, the developer should contact the Service Delivery Manager of the trunk road affected to discuss taking these matters forward. The contact details are: Service Delivery Manager Network Operations Highways England Woodlands Manton Lane Bedford MK41 7LW Email [PlanningEE@highwayseagland.co.uk](mailto:PlanningEE@highwayseagland.co.uk) Telephone 0300 123 5000 There are a number of key points that should be noted in the delivery of highway works:

- o It will be necessary to underwrite the whole cost of the works required under the S278 Agreement. This will include: -

- o The preparation of the cost estimate by our Service Provider Highways England employs the Service Provider who provides day to day operational support to maintaining and operating the trunk road network. The Cost Estimate is the initial estimate of all the costs associated with implementing the scheme and provides the initial basis for entering into a S278 agreement. This can be split into two stages -Stage 1 design checking and Stage 2 supervision.

- o Review of the design of proposed works agreed at the planning stage. Sometimes there is a significant delay between agreeing highway measures at the planning stage, receiving planning consent and implementation. The check is to ensure the proposed works are still appropriate in light of any changing circumstances.

- o Site supervision.

The cost of supervising any highway works to be undertaken. This is to ensure works are implemented in accordance with current standards and in a safe and appropriate manner

- o Temporary Traffic Management (if required) Temporary Traffic Management is a system of road traffic signs, placement of traffic cones required to ensure that road works can be



carried out safely whilst still allowing traffic to proceed in a safe manner.

o Scheme works

The costs of the works

o Road safety audits (RSAs) There are four different stages of Road Safety Audits depending on the stage of implementation of the works. The audits ensure that the highway design is safe to use. RSA Stage 1 is an initial safety audit check undertaken as part of the planning application process. RSA Stage 2 is normally carried out prior to works on site commencing and Stage 3 is normally carried out once the works are complete. RSA Stage 4A & B is a check of the operation of the scheme once the works have been completed and are open to traffic. Usually Stage 4A 18 months and Stage 4B 42 months after works completed.

o Highway England's administration fee. This sum covers all the administrative costs associated with processing and progressing the S278 works through to completion.

o Maintenance commuted lump sum payment (CLS) (if required) This sum covers the maintenance to be undertaken by Highways England relating to elements of the proposed highway scheme and is calculated on the basis of a 60 years evaluation period in accordance with Her Majesty's Treasury guidelines.

o Land Compensation Act 1973, Part 1 Claims (if required) There is the potential for claims by adjoining property and/or land owners affected by the highway works under the Land Compensation Act 1973. This applies to individual property owners who consider they may have a right to compensation where the value of an interest in land is depreciated by physical factors caused by the highway works, such as an increase in traffic noise due to re-alignment of the carriageway and the provision of artificial lighting or traffic signals.

o It should be noted that before any works can take place, the S278 Agreement will need to be signed and all the estimated costs, including administrative costs and Agents fees, will have to be paid prior to the commencement of the highways works. Highways England is not allowed under statute to bear any cost associated with the drawing up of the Agreement, or related design and construction costs. It is likely that any work on Highways England's Network will have to be carried out at night, we will do all we can to coordinate roadworks to reduce impact both on road users and to reduce costs. Further Information regarding S278 Agreements. This is an initial guidance on the need for a S278 agreement. Further information on S278s can be found by contacting Highways England using the contact details above.

- 6 Given the nature of the proposed development, it is possible that a crane may be required during its construction. Your attention is therefore drawn to the requirement within the British Standard Code of Practice for the Safe Use of Cranes, for crane operators to consult with Stansted Airport before erecting a crane in close proximity to the airport. This is explained further in the attached Advice Note 4 'Cranes and Other Construction Issues'.



**Dean Hermitage**  
**Director Planning**