

**EXTRAORDINARY DEVELOPMENT CONTROL COMMITTEE held at
COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 10.00 am on
5 SEPTEMBER 2007**

Present:- Councillor J F Cheetham – Chairman.
Councillors E C Abrahams, C A Cant, R Clover, C M Dean,
C D Down, K L Eden, E J Godwin, J E Menell, M Miller,
D J Perry, J Salmon, C C Smith and L A Wells.

Officers in attendance:- M Cox, R Harborough and J M Mitchell.

DC43 APOLOGIES

An apology for absence was received from Councillors J I Loughlin.

DC44 DECLARATIONS OF INTEREST

Councillor Cheetham declared a personal interest as a member of SSE, the National Trust and the Hatfield Forest Management Committee.
Councillor C Dean declared a personal interest as a member of SSE and the National Trust.
Councillor Godwin declared a personal interest as a member of SSE.
Councillor Down declared a personal interest as a member of CPRE.

**DC45 STANSTED G1 INQUIRY – OBLIGATION AND CONDITIONS FOR
APPLICATION UTT/0717/06/FUL - REFUSAL TO PERMIT EXTENSION TO
THE PASSENGER TERMINAL; PROVISION OF EXTRA 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 WITHOUT COMPLYING WITH
CONDITION MPPA1 AND VARYING CONDITION ATM TO 264,000 ATMS**

The Director of Development updated the Committee on the progress of the public inquiry and reminded them of the reasons for the refusal of the application at its meeting on 29 November 2007. At that meeting the Committee had considered the effects of the proposal submitted and the significance of those effects. It took account of the extent to which these could be mitigated in a draft obligation dated 9 November 2006 or by imposing conditions, and concluded that the impacts would be unacceptable.

The Environmental Statement submitted by BAA with the application had included only limited additional mitigation measures to those attached to the permission for the 2003 application. The Council's reasons for refusal had highlighted the inadequacy of mitigation to address the impacts without suggesting that the development could be rendered acceptable by the provision of additional mitigation. In preparing its evidence BAA had indicated that it would now accept certain obligations and conditions, and in June 2007, Stansted Airport set out its latest position on planning obligations. This used the 2003 agreement as its starting point, removed the obligations that had been discharged and rolled forward other obligations to continue beyond 2010

to 2015. These had been discussed between the parties and draft conditions and a draft Agreement had been prepared.

The Director of Development said that at the conclusion of the public inquiry there would be a session to discuss the potential obligations and conditions which might be imposed in the event that the Inspector was minded to recommend the granting of planning permission. This would be submitted by the end of October and officers were now working on the draft documents. These included the list of conditions of the 2003 permission with the proposed changes highlighted and the original Section 106 Agreement with the proposed changes shown. The Committee was asked to confirm whether or not the new proposals would have resulted in the omission of any reason for refusal, or the application being approved.

It was stressed that these documents were very much a work in progress and the changes had not yet been agreed. Discussions on all aspects were still ongoing. In particular, STAL had proposed a number of obligations on surface access issues, but as the Highway and Transportation Authorities had yet to form a view on the latest Transport Assessment it was premature to assess these obligations.

The condition relating to water efficiency measures had now addressed the requirements of the Environment Agency and this was now considered sufficient to overcome the issues that led to the refusal reason R90D.

The Committee then examined the conditions and the draft S106 agreement in detail. Comments were made regarding the Highway Authority obligations and in particular the proposed closure of the Coopers End junction. Members commented that there should be greater local input into these issues. There was concern at the inadequacy of a number of measurements and controls especially in relation to noise. Concern was expressed over paying to park while waiting to pick up passengers. A member mentioned the need for controls on the number of flights in the shoulder period and there was concern that there were no obligations relating to health issues. A member suggested that BAA should off-set its contribution to carbon emissions by funding the construction of a wind farm to produce energy from renewable sources. The committee stressed the importance of any new agreement being very tightly drafted.

After considering the proposed conditions and the obligations the Committee concluded that, if anything, the discussions had raised even more concerns and there was nothing in the proposals that would have altered its decision on the planning application.

RESOLVED that the Committee confirms that the Council's decision would not have been different if BAA had indicated its willingness to enter into obligations specified in this report prior to 29 November 2006, with one exception. An obligation is now proposed to use all reasonable endeavours to reach agreement with the Environment Agency as to details of water efficiency measures to be incorporated into the development of Satellite4, and conditions are now proposed relating to water efficiency measures. These proposals now address adequately the issues that led to R90D.