

Appendix 1 – Statutory Consultee Responses

National Highways



National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Martin Fellows (Regional Director)
Operations Directorate
East Region
National Highways
PlanningEE@Nationalhighways.co.uk

To: Uttlesford District Council

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Ref Utt/22/0434/op

Location: Land North Of Stansted Airport

Proposal 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 with matters of layout, scale, appearance and other landscaping reserved

Referring to the consultation on a planning application dated 22 Feb 22 referenced above, in the vicinity of the A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

a) offer no objection (see reasons at Annex A);

- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Signature: 	Date: December 22
Name: Mark Norman	Position: Spatial Planner
National Highways National Highways Woodlands Manton Lane Bedford MK41 7LW	

¹ Where relevant, further information will be provided within Annex A.

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and 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 work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to the above planning application and has been prepared by Mark Norman.

This response should be read in conjunction with the responses from ECC's Highway Authority and MAG Stansted Airport. All three highway authorities have worked together in assessing the relevant access implications of the development and we agree the impact of the development on the surrounding highway networks and the sustainable access measures and mitigation.

We have reviewed the technical information provided in support of this planning application. The development has the potential to have a material impact upon the Strategic Road Network, to address this the developer has suggested a monitor and manage approach, and they have recently provided some details to be included in a S106 agreement. Physical capacity and safety improvements are also required these are detailed below.

A clause similar to that included within the S106 permission for Stansted Airport expansion should be included with the S106 for this development as it would allow the option of contributing to a larger improvement scheme if one were to materialise.

We therefore recommend that planning permission can be granted with the following conditions attached

1. Before the beneficial occupation of phase one on 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 and M11 J8 Junction

8 Birchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 22 November 22

Scheme 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.
2. The above scheme approved by the Local Planning Authority shall be implemented and completed to the satisfaction of the Local Planning Authority in consultation with the Highways Authorities and NO beneficial of further phases occupation (ie beyond phase 1) shall take place unless and until the junction improvements shown in outline on M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 215864/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 and referred to above have been delivered and are fully operational.

The Highways Agency 'Informative' re S278 agreements dated April 2019 in respect of planning application relating to the development known as Stansted Northside, is attached and should be appended to any subsequent

ECC Highways

Your Ref: UTT/22/0434
Our Ref: HT/TPD /SD/KW/51793/4B
Date:- 28/11/2022



Essex County Council

Paul Crick
Director for Highways and Transportation

CC: Cllr Gooding
National Highways
Manchester Airport Group (Stansted)

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
SAFFRON WALDEN
Essex CB11 4ER

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. UTT/22/0434/OP

Applicant Threadneedle Curtis Limited C/o Montagu Evans

Site Location Land North Of Stansted Airport

Proposal 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 with matters of layout, scale, appearance and other landscaping reserved

Note

This application was accompanied by a Transport Assessment which has been reviewed by the highway authority in conjunction with a site visit and internal consultations. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2021 and in particular paragraphs 110 – 112, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

This site falls under three highway authorities Essex County Council (the local network), National Highways (strategic network) and Stansted Airport (the network within the airport land). All three authorities must be satisfied that the impact of the application is mitigated and that sustainable options have been taken up in accordance with NPPF. The highway authorities have been working together to ensure that all the areas have been covered and that the impact on the networks is acceptable.

The proposal includes capacity enhancements to the M11 and Priory Wood roundabouts which are on the National Highways network and have been reviewed and agreed by National highways.

The proposal also includes changes to the Round Coppice Road roundabout including capacity enhancements and footways to improved bus stops served by bus 510 which serve Harlow, Bishops Stortford and the south of Stansted Mountfitchet. These are on the Stansted Airport Network.

While the local highway authority has made some comment on these it is expected that Stansted Airport will recommend conditions/S106 obligations on access. Similarly National Highways will recommend conditions/section 106 obligations for the capacity enhancements on their network.

An initial response was made by the Local Highway Authority in July 2022. This identified eight areas where the highway authority had concerns or required further information. Since that time further information had been provided. Key to ensuring the impact on the network is acceptable is the imposition of a Cap on the number of vehicles entering and leaving the site in the peak period. This is to be monitored automatically by cameras and the data supplied to the highway authorities. There will be financial penalties if the cap is breached, and the funding put into mitigation works, the key principles are outlined in the conditions below.

In addition to the Cap on the number of vehicles accessing and exiting the site the development will subject to a number of obligations to protect the local highway, these include a routing agreement that will be enforced by CCTV to ensure HGVs do not route through Stansted Mountfitchet. A contribution to funding for schemes within Stansted Mountfitchet to help develop and fund schemes to protect the highway against illegal HGV movements and improve the efficiency and capacity of the Four Ashes junction.

Sustainable transport mitigations include provision of a bus service between the site and Stansted Airport rail and bus station to connect to local services, this will be operational in perpetuity and will serve all the shifts. There is an opportunity to extend this to serve the local area but this will depend on the need, which will be monitored through the Bus strategy and Travel Plan. A walking cycling route will also be provided that links to the local network to Bishops Stortford and the Flich Way. Opportunities were looked for to improve the cycling network on the Stansted network but for ecological reasons this was not possible.

A travel plan will promote sustainable travel to site, the co-ordinator will work with the airport travel plan team and the same benefits that Stansted employees have will be given to the employees at this site.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following obligations and conditions:

1. No development shall take place, 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

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.

2. **Access** Prior to construction of the substation an access shall be provided as shown in principle in drawing number 215864/PD07 shall be provided, including clear to ground visibility splays with dimensions of 2.4 metres by 160 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.
3. **Footway/cycleway:** Prior the implementation of any Traffic Regulation Order banning cycling on airport network or first occupation whichever is first 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:
 - 3.1. 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.
 - 3.2. Cycleways and footways within the development site designed to the standards in LTN1/20 linking to key employment areas and facilities.
 - 3.3. A shared use cycleway/footway between the toucan crossing and PROW 45/60 to be designed in accordance with LTN1/20, minimum effective width 3.5m and appropriately surfaced and lit.
 - 3.4. Bridleway 45/60 to be surfaced for its full effective width with an appropriate semi-permeable material suitable for equestrians and cyclists and appropriate lighting
 - 3.5. A commuted sum for maintenance of £31.83 per m² to be provided for surfacing of the bridleway and any part of the cycleway to be adopted by the highway authority.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011
4. **Pedestrian/cycle Signing:** Prior to first occupation a signing strategy for walking and cycling to from and around the site shall be submitted to the planning authority for approval in writing. The approved strategy shall be implemented prior to occupation and at the appropriate phases of the development. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011
5. **Bus Stops:** Prior to first occupation two bus stops to 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. **Reason:** In the

interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

6. **Bus services:** Six months prior to occupation the developer to submit a bus strategy to the planning authority for approval, the strategy to include, but not be limited to:
 - 6.1. provision of a bus service from the site to the airport bus and train station, which shall commence on first occupation and serve the shift pattern of all employees on the site and remain in operation for occupation of the development.
 - 6.2. Details of information and promotion of bus services including, but not limited, to real time information within buildings, at bus stops and/or sent directly to employees, and time table information.
 - 6.3. Details of a program of monitoring the use of bus services and how the demand from employees will be responded too.
 - 6.4. Details of liaison with Airport Bus Group, the local planning authority and highway authority to ensure a co-ordinated approach
 - 6.5. Details of flexibility of service or enhancement of local services to include the local villages and support services up to value of two buses (operating for the shift periods) which shall at all times include the link between the employment site and the airport bus and train station.
 - 6.6. The provision of bus stops within the site to be a maximum distance of approximately 400m from the entrance of any employment building

The approved strategy to be implemented in full from first occupation and reviewed annually in consultation with and any revisions to be approved by the local planning authority and implemented by the developer

Reason: To provide convenient access to bus services in accordance with DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. **Routing agreement:** Prior to commencement details of a routing agreement to be submitted to the planning authority for approval. The routing agreement to include, but not be limited to,
 - 7.1. prohibition of HGVs from going north on to Bury Lodge Lane either via access or other roundabout on roundabout on Round Coppice Road
 - 7.2. Signing of routes to and from the strategic network
 - 7.3. Camera enforcement of route
 - 7.4. Details of information to provided to employees and contractors in route to take
 - 7.5. Details of how Sat Nav providers will be informed of preferred route
 - 7.6. Details of reporting mechanism and penalties to be applied if routing agreement 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.

8. **Vehicle Cap:** Six months prior to occupation the developer to submit details of a vehicle cap to the planning authority for approval, the cap to include, but not be limited to, the following details:
 - 8.1. **Vehicle Monitoring System (VMS):** Permanent monitoring all vehicle movements to and from the application site and from individual buildings. The equipment to be able to distinguish between types of vehicles. VMS to be maintained and repaired by Owner. Step in rights for ECC to instal monitoring equipment at the developer's expense if there is extended period of failure

- 8.2. Reporting:** Monitoring of the vehicle movements from 6am to 10am and 4pm to 7pm. To submit a report to ECC and National Highways on a monthly basis (or lesser frequency if agreed). The format and content of the report to be agreed with ECC but to include access to the raw data and to identify any Exceedances and Penalised Exceedances within the report. The costs of monitoring by the highway authorities and planning authority to be met by the developer.
- 8.3. Exceedances:** Details of definitions of exceedances as being every occasion when the number of vehicles (excluding Public Service Vehicles) entering and leaving the site during the restricted hours exceeds the Restricted Vehicle Numbers attributed to that hour. Excluding exceedances deemed by ECC to be beyond the control of the Owner, for example closure of the M11 between junction 8 and 9. If there a regular exceedance of the Cap, a review to take place and action taken by the developer to reduce the trip generation of the site.
- 8.4. Penalty:** First 3 exceedances if they are under 10% of the cap in one month not to be penalised. Penalties to be a minimum of £3500 per vehicle for the fourth to ninth exceedance and £7000 per vehicle for the 10th exceedance and beyond. Penalties to be held by ECC to be used as highway or sustainable transport mitigation.
- 8.5. Review:** Local planning authority and highway authority to review the vehicle monitoring provisions annually after first occupation of the site to determine if any provisions can be amended. This review to consider any additional highway mitigation proposals, the levels of traffic using key infrastructure etc
- 8.6. Caps:** The Restricted Hours and maximum vehicle numbers permitted during those hours as set out below. The peak hour in the AM is 07:00-08:00 for the network and the peak hour in the PM is 17:00-18:00 as such an hour either side of the peak hour has also been restricted.

9. Restricted Hours	Max Vehicle Numbers (PCU)
06.00 - 07.00	516
07.00 - 08.00	546
08.00 - 09.00	602
16.00 - 17.00	627
17.00 - 18.00	580
18.00 - 19.00	454

The calculation of PCUs to be based on the following PCU calculation factors which have been applied to the trip generation and would also be applied during monitoring of traffic: Cars and Vans – PCU Factor of 1.0 Heavy Goods Vehicles – PCU Factor of 2.3

The approved Cap scheme to be implemented in full from 6 months after first occupation. **Reason:** to ensure impact of the traffic generated from the site is acceptable and can be mitigated by the proposed works and sustainable transport initiatives.

- 10. Stansted Mountfitchet Scheme:** Prior to occupation a financial contribution to be paid to the highway authority of £25,000 towards the design and implementation of a scheme or schemes to reduce the impact within and approaching Stansted Mountfitchet of HGV, such measures could include, but not be limited to, CCTV enforcement cameras, signing, vehicle activation signing, Traffic Regulation Orders, re-classification of road network. If ECC has carried out the work at their own expense then the contribution can be provided retrospectively for design and implementation. **Reason:** to help protect the highway network in Stansted Mountfitchet from unnecessary HGV traffic generated by the proposed development.

11. Takeley Four Ashes Junction: : Prior to occupation a financial contribution to be paid to the highway authority of £75,000 towards the design and implementation of operation improvements to the signalised junction at Takeley Four Ashes. If ECC has carried out the work at their own expense then the contribution can be provided retrospectively for design and implementation. **Reason:** to provide capacity improvements at the junction.

12. Workplace Travel Plan: Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented by a travel plan co-ordinator for a minimum period of 5 years or 1 year after the development is completed whichever is longer. It shall be accompanied by a monitoring fee of £6,132 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period and £1226 (plus the relevant sustainable travel indexation) per annum for any period beyond the initial 5 years. The Travel Plan shall provide but not be limited to staff information, public transport discounts, pool cars, facilities for cyclists, car sharing system, electric vehicle charging and shall be managed in conjunction with the Stansted Airport Travel Plan and include targets of a minimum of 10% decrease in single occupancy vehicle trips for employees over a 5 year period.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1 and the National Planning Policy Framework 2021.

Informatives:

- (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 non-standard 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 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.



12 December 2022

Maria Shoesmith
Development Management Team Leader
Uttlesford District Council
Council Offices
London Road
Saffron Walden
CB11 4ER

Dear Ms Shoesmith,

Re: Development of Land North of Stansted Airport by Threadneedle Curtis Limited, Application Reference UTT/22/0434/OP

In respect of the above application, Stansted Airport Limited (STAL) as the Highway Authority for the airport has **no objections, subject to conditions** for the re-development of Land North of Stansted Airport. Please note that should the suggested conditions not be applied or not obligations entered into by the applicant, as part of any permission, then STAL as Highway Authority would object to the planning application.

This response should be read in conjunction with the responses from ECC Highway Authority and National Highways. All three highway authorities have worked together in assessing the relevant access implications of the development. STAL concurs with ECC's and NH's responses on the impact of the development on the highway networks and the sustainable access measures and mitigation.

1) Emergency Access

The Northside of Stansted Airport, even after the proposed development, will still contain critical airport infrastructure and an active airfield. As a result, it is vital that emergency service access and egress is maintained through the development site. The Applicant has supplied a plan ref: "31519-FE-057 A" (contained on p150 within Chapter 16 'Aviation Safeguarding' of the Environmental Statement) that describes the principal emergency service routes that will be maintained. These routes show access to the drainage pond, fuel farm (on 3 sides) and to two crash gate locations along the airfield fence line. These routes must be provided and retained thereafter. I have attached the extracted plan for completeness. As the scheme is in outline for routes beyond part of the upgraded First Avenue primary access road, further detailed approval will be necessary. Accordingly, the following condition is recommended:

The emergency services routes, as indicated on plan 31519-FE-057 A (contained within Chapter 16 of the Environmental Statement) and dated Nov 2021, shall be constructed in accordance with final details 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

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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.

2) Widening of Round Coppice Road and Cycle Access to Development Site

The proposed widening of Round Coppice Road to allow safe HGV access to the development is considered necessary to make the scheme acceptable, given the levels of projected traffic.

It is noted that the potential effects on the adjacent ancient woodland limit the scope and extent of widening that is achievable. The promoted design is based on the standards in Manual for Streets (MfS). The road is rural in nature and within an airport environ so it is not considered that MfS is entirely appropriate as a design standard and instead should follow Design Manual for Roads and Bridges (DMRB).

Nevertheless, it is acknowledged that a balance must be struck between road widening and retention of the ancient woodland. The proposed road design is an improvement and offers benefits for increased vehicle (HGV) use as required by the proposed development. Accordingly, this route upgrade should form part of a planning condition / obligation, with details to be approved by STAL as Highway Authority and be completed before first occupation of any part of the proposed development.

However, the proposed design does raise potential safety concerns for cycle users. In response, the Applicant has submitted a cycle scheme along the edge of the Airport's Long Stay Car Park as an alternative dedicated route. This is considered an acceptable alternative route as it links into the current cycle network within the local area. This cycle route should form a planning condition / obligation which should ensure that the final design is compliant with the DfT's Local Transport Note 1/20 (July 2020) as a minimum and be approved by STAL as the Highway Authority.

This cycle route on its own does not however resolve the residual safety concerns on Round Coppice Road for vulnerable users, given the volume and nature of predicted traffic and because the DMRB standards are not met. Therefore, in addition to the dedicated cycle route, prohibition of cycling is required on Round Coppice Road between the two roundabouts accessing the Long Stay Car Park and the First Avenue respectively.

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: In the interests of highway safety.

3) Works to Round Coppice Road / First Avenue Roundabout and upgrade of First Avenue

The applicant has proposed that the access roundabout to the development and First Avenue within the development site are to be upgraded. It is also noted that both appear in the draft Heads of Terms for a s106 agreement, although First Avenue is within the development site and could be subject of a condition. Either way, the works are necessary to make the development acceptable as the current network is unsuitable for the levels of traffic suggested. Both should be completed before any occupation of the building and with final details to be approved by STAL as the Highway Authority.

In summary, subject to the necessary conditions and planning obligations (set out above in bold for ease) there are no objections to the proposed development.

Yours sincerely,

A solid black rectangular box used to redact the signature of Alistair Andrew.

Alistair Andrew, MRTPI
Strategic Planning and Investment Director

Lead Local Flood Authority

Essex County Council
**Development and Flood Risk
Environment and Climate Action,**
C426 County Hall
Chelmsford
Essex CM1 1QH



Uttlesford District Council
Planning Services

Date: 16th March 2022
Our Ref: SUDS-005823
Your Ref: UTT/22/0434/OP

Dear Sir/Madam,

Consultation Response –UTT/22/0434/OP: Land North of Stansted Airport

Thank you for your email received on 22nd February 2022 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we **do not object** to the granting of planning permission based on the following:

Condition 1

No works except demolition shall takes 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.

Condition 2

Prior to occupation 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.

Condition 3

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.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
<https://www.essex.gov.uk/protecting-environment>
- The frequent references in the outline strategy to Uttlesford District Council as LLFA should be replaced as references to Essex County Council.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning

Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Yours sincerely,

Richard Atkins
Development and Flood Risk Officer
Team: Green Infrastructure and Sustainable Drainage
Service: Climate Action and Mitigation
Essex County Council

Internet: www.essex.gov.uk

Email: suds@essex.gov.uk

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- **Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)**

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- **Flood recovery measures (including flood proofing and other building level resistance and resilience measures)**

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs

are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

ECC Education

Education and Early Years and Childcare

There is ongoing consideration of the proposed nursery and comments will be forwarded as soon as possible. ECC welcomes the inclusion of childcare facilities to support people working at the site, as well as residents in the area who require access to local childcare.

Environment Agency



Uttlesford District Council
Development Control
Council Offices London Road
Saffron Walden
Essex
CB11 4ER

Our ref: AE/2022/126874/01-L01
Your ref: UTT/22/0434/OP
Date: 17 March 2022

Dear Sir/Madam

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 FOODRETAIL/ FOOD/BEVERAGE/NURSERY USES WITHIN CLASSES E (A), E(B) AND E(F) AND ASSOCIATED ACCESS/HIGHWAY WORKS, SUBSTATION, STRATEGIC LANDSCAPING AND CYCLE ROUTE WITH MATTERS OF LAYOUT, SCALE, APPEARANCE AND OTHER LANDSCAPING RESERVED

LAND NORTH OF STANSTED AIRPORT

Thank you for your consultation dated 22 February 2022. We have inspected the application as submitted and No objections to the development in principle however we would expect that any development would not restrict access to the COMAH facility in any way, including that necessary for emergency response arrangements.

We trust this information is useful

Yours Sincerely

Aerodrome Safeguarding Authority



STANSTED AIRPORT AERODROME SAFEGUARDING AUTHORITY PLANNING APPLICATION CONSULTATION RESPONSE – under Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002					
Planning Authority:	Uttlesford District Council			Application No: UTT/22/0434/OP	
Date Application Received (including sufficient information as required by Circular 1/03):	22/02/2022	Response Deadline on Consultation	24/03/2022 (Extension agreed)	Date Response Returned:	25/05/2022
Development Proposal:	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 with matters of layout, scale, appearance and other landscaping reserved.				
Location:	Land North Of Stansted Airport CM24 1SG			Application Type: OUT	
OS Co-ordinates (Eastings/Northings):	552805 / 223126				
Our Reference:	2022/033				
No Objection	Crane Advisory Permits Required	Need to engage with MAG Safeguarding	Request Conditions	Objection	
	X		X		
<p>The Aerodrome Safeguarding Authority for Stansted Airport (STN) has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. Our following response is made as a statutory consultee under the provisions made to safeguard aerodromes in Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002.</p> <p>We have no objection to this outline application subject to the following Conditions:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> - 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. <p>The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.</p> <p>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.</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <p>Cont.</p>					

- No development to 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.

- 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.

- Prior to the commencement of any phase of the development, including any highways, a detailed lighting scheme should 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. 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.
 Reason: Flight safety - to prevent distraction or confusion to pilots using STN.

- No phase of the development to 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.

- 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.

- 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.

- 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.

Cont.

• 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.

• 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.

Informatives:

• Given the location of this property the applicant should be aware that the airport will take action against anyone found in contravention of the Air Navigation Order ("Order"). In particular in contravention of the following provisions under that Order:-

➤ Part 10: 240: A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft.

➤ Part 10: 241: A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.

• The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

• The applicant's attention is drawn to Civil Aviation Publication CAP393 – Air Navigation: The Order and the Regulations Part 28, Article 221 (i) which states that 'A person shall not exhibit in the United Kingdom any light which: (a) by reason of its glare is liable to endanger aircraft taking off or landing at an aerodrome; or (b) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft.' The Order also grants the Civil Aviation Authority power to serve notice to extinguish or screen any such light which may endanger aircraft.

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Signed: Diane Jackson

Date: 25/05/2022

(Authorised MAG Aerodrome Safeguarding Officer)

The appropriate office for consultation is:

aerodrome_safeguarding@stanstedairport.com

Enterprise House
Bassingbourn Road
Essex
CM24 1QW

Switchboard: +44 (0) 844 335 1803



NATs

There is insufficient information at this stage for us to undertake an in-depth assessment however a development of this scale so close to the airport has the potential to degrade the communications, navigation and surveillance equipment NATS operate in support of the air traffic operation at the airport and this should be considered as the design matures.

Initial work indicates that our radar to the north of the runway is the most likely candidate to experience issues although these are likely to be mitigatable if the developer is willing to work with us.

Cranes and other large plant deployed during construction also have the potential to cause issues although again these are likely to be manageable if NATS are engaged early enough.

Regards,

Alasdair

NATS

NATS Safeguarding

Natural England

Date: 04 March 2022
Our ref: 384600
Your ref: UTT/22/0434/OP



Maria Shoesmith
Uttlesford District Council
planning@uttlesford.gov.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Maria Shoesmith

Planning consultation: 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 foodretail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved

Location: Land north of Stansted Airport

Thank you for your consultation on the above dated 22 February 2022 which was received by Natural England on 22 February 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning

authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Joe Thorpe
Consultations Team

Health & Safety Executive (major hazard sites/pipelines)

Uttlesford District Council
Council Offices, London Road
Saffron Walden
Essex
CB11 4ER



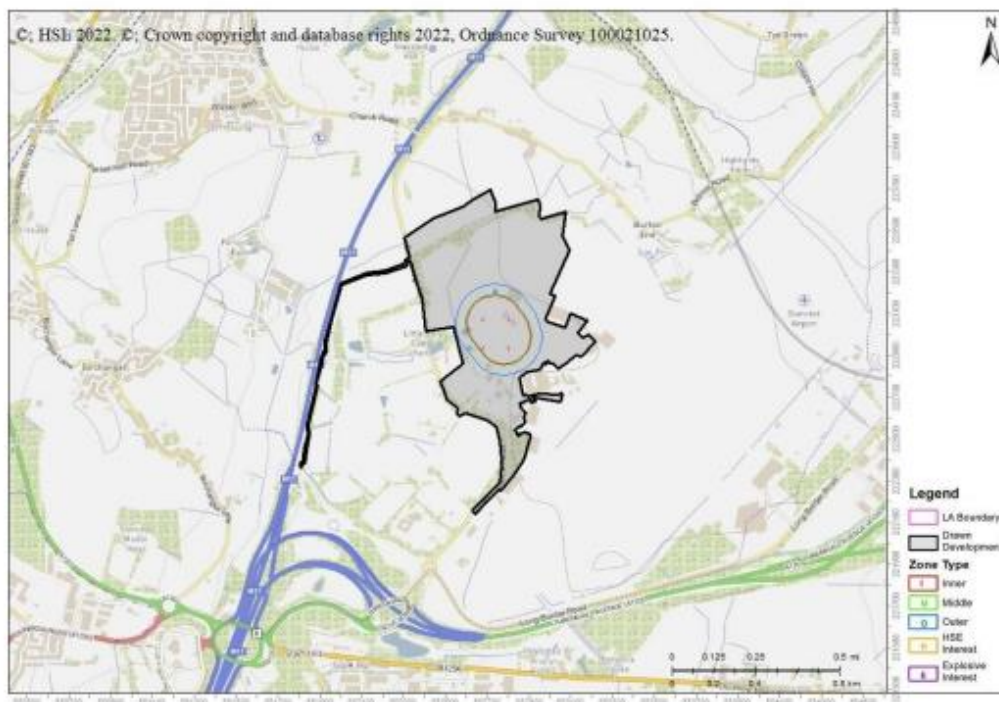
Advice : HSL-220215110716-45 Crosses Consultation Zone

Please enter further details about the proposed development by continuing with the enquiry on the HSE's Planning Advice Web App from the Previous Enquiries tab either now or at a later time, unless the Web App has stopped the process and notified you to contact HSE.

Your Ref: UTT/22/0434/OP

Development Name:

Comments: Main site



The proposed development site which you have identified currently lies within the consultation distance (CD) of at least one major hazard site and/or major accident hazard pipeline; HSE needs to be consulted on any developments on this site.

This advice report has been generated using information supplied by Lynn Rusling at Uttlesford District on 15 February 2022.

You may wish to contact HSE's Planning Advice team to discuss the above enquiry result on 0203 028 3708 or by email at lupenquiries@hse.gov.uk.

Advice : HSL-220215110716-45 DO NOT ADVISE AGAINST

Your Ref: UTT/22/0434/OP

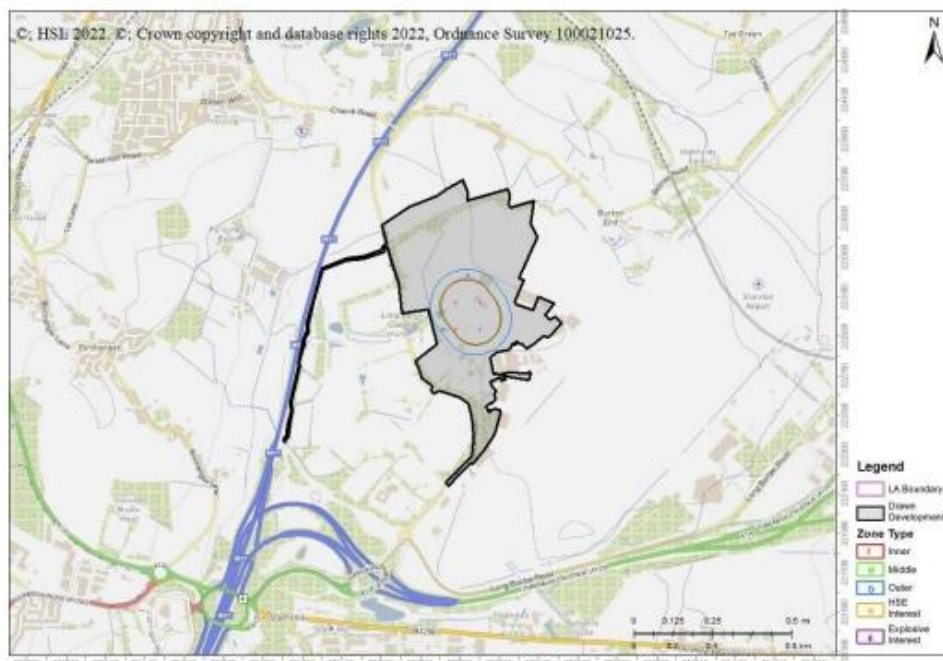
Development Name:

Comments: Main site

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Uttlesford District.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

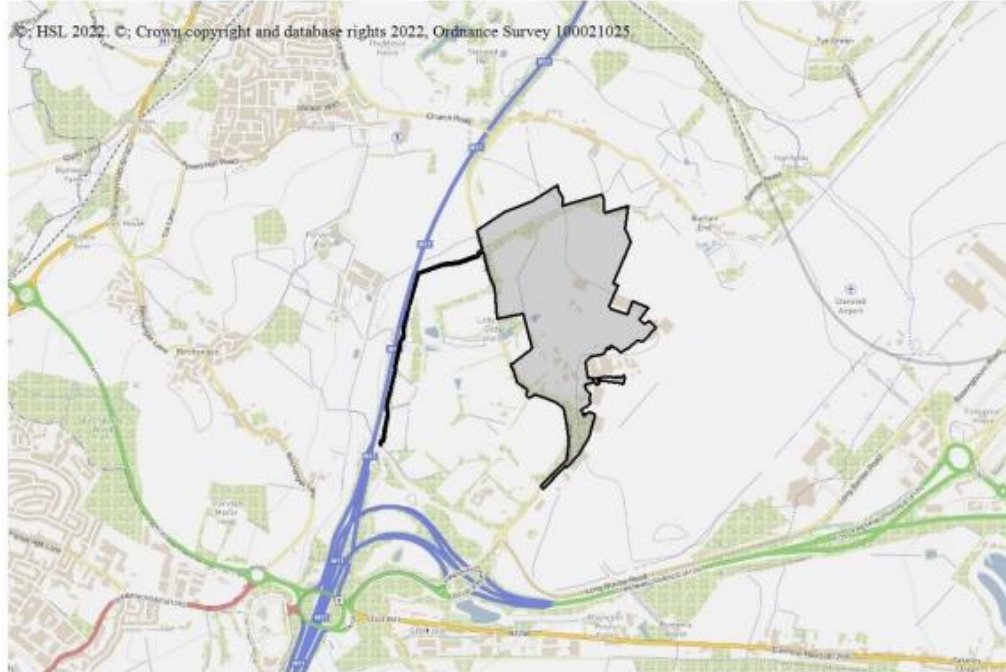


Workplaces : Do Not Advise Against

Is it a workplace specifically for people with disabilities, e.g. sheltered workshops? No

Are there 100 or more occupants in any individual workplace building (that lie partly or wholly within a consultation distance)? No

Are there 3 or more occupied storeys in any workplace building (that lie partly or wholly within a consultation distance)? No

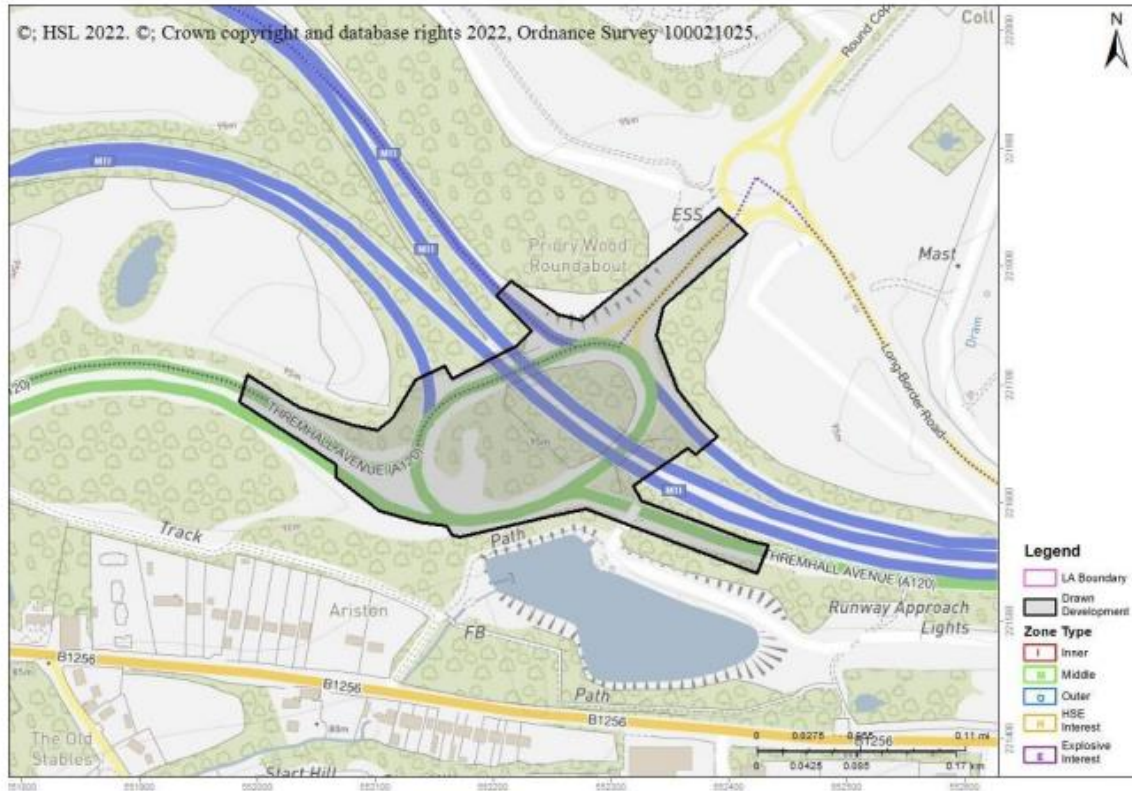


This advice report has been generated using information supplied by Lynn Rusling at Uttlesford District on 15 February 2022.

Note that any changes in the information concerning this development would require it to be re-submitted.

Advice : HSL-220215114730-45 Does Not Cross Any Consultation Zones

Your Ref: UTT/22/0434/OP
Development Name:
Comments: Access



The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

This advice report has been generated using information supplied by Lynn Rusling at Uttlesford District on 15 February 2022.

Health & Safety Executive (Explosions)

CEMHD7 VERSION

Dear Sir/Madam,

Thank you for your email and attached application.

I see from your website that you have a response from HSE with concern to any major hazard sites/pipelines – this has been dealt with as a separate issue.

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. If you believe that this development is within the vicinity of an HSE licensed explosives site, please let me know.

Could you please ensure that prior to sending an further applications for advice to HSE's Explosives Inspectorate, you check your records and/or the [HSE Planning Advice Web App](http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm) at <http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm> to confirm that development falls within the safeguarding zones for a HSE licensed explosives site.

Kind Regards,

Shirley

Shirley Rance

Chemicals, Explosives and Microbiological Hazards Division - Unit 5 (CEMHD5)

1.2 Redgrave Court

Merton Road

Bootle

L20 7HS



Development Management

Uttlesford District Council

Council Offices

London Road

Saffron Walden

Essex

CB11 4ER

By email only

Your ref: UTT/22/0434/OP

Our ref: D1701

For the attention of Maria Shoesmith

Dear Ms Shoesmith,

Chemical Explosives and Microbiological
Hazards Division 5
1.2 Redgrave Court
Bootle L20 7HS

Email: lupenquiries@hse.gov.uk

<http://www.hse.gov.uk/>

Stuart Reston – Team Leader

Date: 11 January 2023

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

PLANNING APPLICATION 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 WITH MATTERS OF LAYOUT, SCALE, APPEARANCE AND OTHER LANDSCAPING RESERVED- LAND NORTH OF STANSTED AIRPORT

1. Thank you for your letter of 22 December 2022 to the Health and Safety Executive (HSE) asking for a review of the Land Use Planning (LUP) advice provided for the outline planning application UTT/22/0434/OP for a commercial development, café and creche on land north of Stansted airport.

2. HSE is a statutory consultee for certain developments within the Consultation Distance of major hazard sites and pipelines by virtue of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

These types of development include:

- residential accommodation;
- more than 250m² of retail floor space;
- more than 500m² of office floor space;
- more than 750m² of floor space to be used for an industrial process;
- transport links;

- or developments which are otherwise likely to result in a material increase in the number of persons working within or visiting the notified area.

3. We note that Uttlesford District Council used the WebApp in February 2022 (ref HSL-220215110716-45) to obtain HSE's LUP advice for the outline planning application. The WebApp consultation identified that part of the development site lies within the consultation zones for a major hazard site, the fuel depot operated by S & J Robertson (North Air) Ltd at 11th Avenue, Stansted Airport. These consultation zones were established by HSE in March 2007 in response to hazardous substance consent applications for the fuel depot to Uttlesford District Council. Major hazard sites are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation.

4. The WebApp uses a decision matrix with the combination of the consultation zone and sensitivity level (<https://www.hse.gov.uk/landuseplanning/methodology.htm#matrix>) to determine HSE's response, which will be that HSE either "Advises Against" (AA) or "Does Not Advise Against (DAA) the granting of planning permission for the proposed development.

5. In the WebApp consultation by Uttlesford District Council in February 2022 the development area was assigned to workplaces each with less than 100 occupants per workplace building and each workplace building having less than 3 occupied storeys, but not specifically for people with disabilities. HSE's LUP methodology classes such workplaces as sensitivity level 1 developments. The WebApp gave a Does Not Advise Against recommendation for the development as HSE does not advise against sensitivity level 1 developments in the inner, middle or outer consultation zones of a major hazard site.

HSE review of LUP advice for outline application UTT/22/0434/OP

6. Thank you for providing the plan from the developer showing the proposed size and location of the café and creche on 5th January (drawing 31519-SK-Revised submitted to Montagu Evans LLP to Uttlesford District Council on 21 December 2022 – Appendix 1). We note from this plan and from drawing 31519-PL-104 that the café will be located in the outer consultation zone of the major hazard site (Appendix 2) and will have a total floor space of between 250 and 5000 sqm. As a development for indoor use by the public a café of this size will fall into sensitivity level 2. HSE does not advise against a sensitivity level 2 development in the outer consultation zone of a major hazard site.

We note that the creche will be located partly in the outer consultation zone of the major hazard site and will have a total site area of less than 0.25 hectares. As a development for institutional accommodation and education a creche of this size will fall into sensitivity level 3. HSE does not advise against a sensitivity level 3 development in the outer consultation zone of a major hazard site.

7. In summary, this review indicates that based on the information submitted for the planning application and the consultation zones for the S & J Robertson (North Air) Ltd major hazard site established in 2007, HSE's Land Use Planning advice team **does not advise against** outline planning application UTT/22/0434/OP on safety grounds.

8. In the case of Outline Planning applications where the proposed layout and the scale of the development may only be indicative, we would strongly suggest that should any changes be proposed after the outline permission has been granted, that HSE's LUP advice is obtained again before reserved matters are determined.

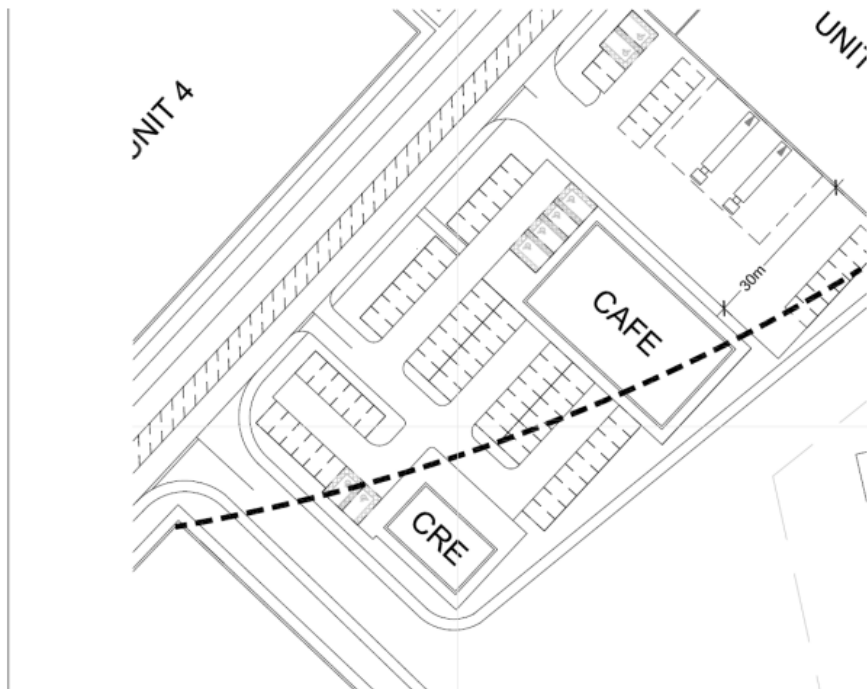
We hope this takes your assessment of the outline application forward.

Yours sincerely

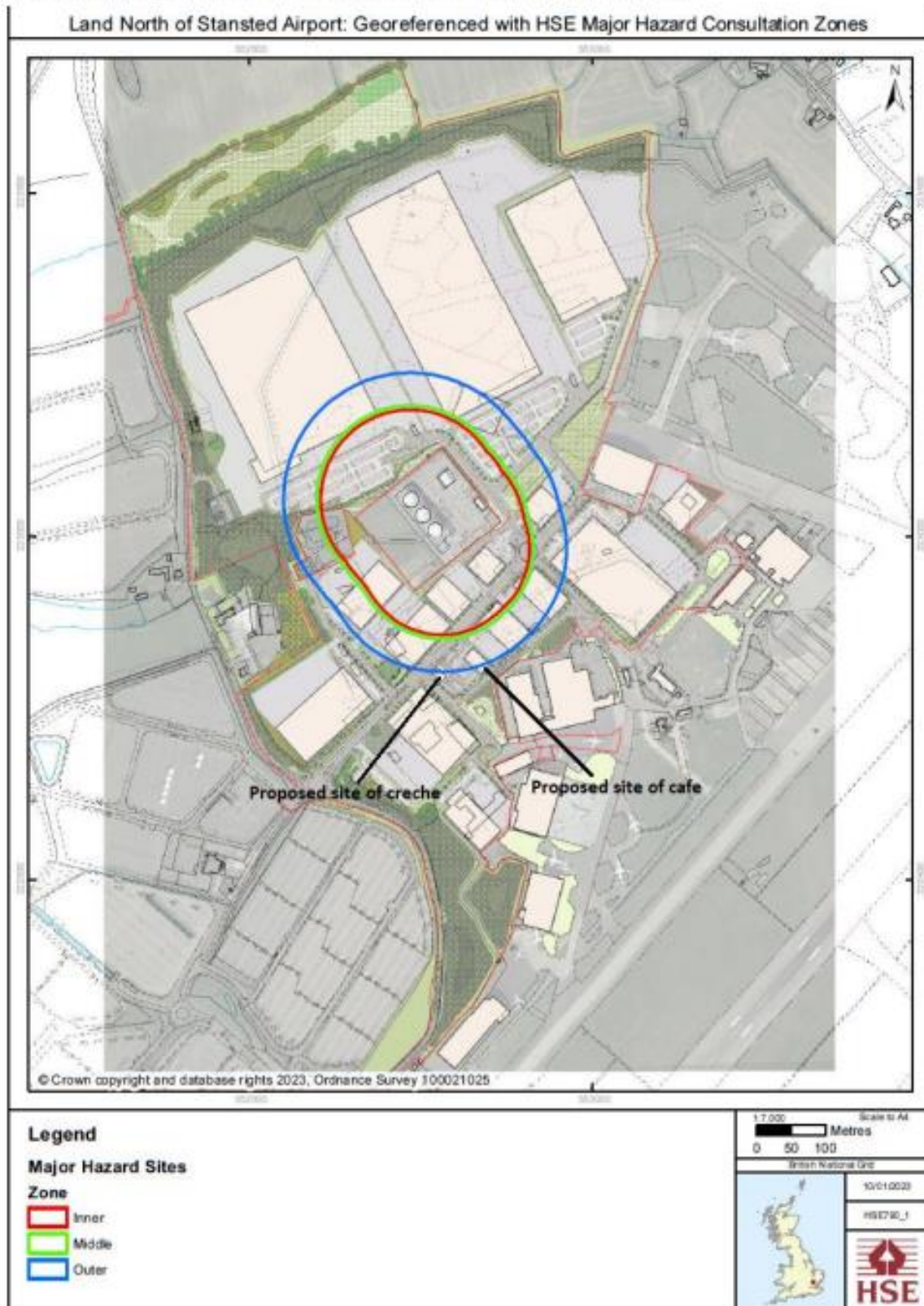
Richard Lomax

Richard Lomax
Statutory and Commercial Land Use Planning Advice

Appendix 1. Location of creche and café (from Drawing 31519-SK-revised submitted by Montagu Evans LLP on 21 December 2022 for outline planning application UTT/22/0434/OP)



Appendix 2. Masterplan 31519-PL-104 submitted with outline planning application UTT/22/0434/OP showing proposed location of creche and café, superimposed with HSE inner, middle and outer consultation zones for major hazard site



Health & Safety Executive (Hazardous installations)

From: [LUP enquiries](#)
To: [Planning](#)
Subject: [External] Re: Planning Application Consultation - N UTT/22/0434/OP
Date: 01 March 2022 16:58:03

Thank you for your email regarding planning application UTT/22/0434/OP.

I note that Uttlesford District Council used the HSE Planning Advice Web App on the 15 February 2022 to consult HSE regarding the above planning application - HSL-220215110716-45 HSE Does Not Advise Against. Therefore, HSE have no further comments to make regarding this planning application.

If any of the details regarding the planning application have changed then Uttlesford Dc must use the HSE Planning Advice Web App to re-consult with HSE.

Regards,
Kathryn Deakin

HSE's Land Use Planning Support Team
HSE Science and Research Centre
Harpur Hill, Buxton, Derbyshire, SK17 9JN

Fisher German OIL Pipes

Our Ref: SWS/ES/UT/0320/L.1/222133/AP/RT

Your Ref: UTT/22/0434/OP

Confirmed Location: 552,969 - 223,164

5th May 2022

For the attention of Maria Shoemith
UTTLESFORD DISTRICT COUNCIL
Council Offices
London Road
Saffron Walden
Essex CB11 4ER



FISHER GERMAN LLP
Exolum Pipeline System Ltd
PO Box 7273
Ashby de la Zouch
Leicestershire
LE65 2BY

Tel: 0845 0701245

Email:

Exolumpipelinesystem@fishergerman.co.uk
www.fishergerman.co.uk

Dear Sirs/Madam

Exolum Pipeline System Ltd – Affected Response – Planning Application **Location: Land North Of Stansted Airport**

Thank you for your consultation dated 26th April 2022. 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 intended 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 the true location of the pipeline you should contact Exolum to arrange a site visit. Their contact details are:

Central Services **Email: pipelinerow@exolum.com**
Ashdon Road **Tel: 01799 564101**
Saffron Walden
Essex, CB10 2NF

When contacting Exolum, please quote our unique reference **222133**, which is specific to this enquiry. Please note that you should contact Exolum within 28 days of the date of this letter in order to validate this enquiry, otherwise it will become void.

You should note that the interests of the Exolum are conserved by means of the Energy Act 2013, in particular Part IV of the Act, and other legislation such as the Pipeline Safety Regulations 1996. It is, however, the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from Exolum. Exolum's Easement Strips are 6 metres wide and can incorporate other associated Exolum facilities.

Exolum will be able to provide guidance on the required procedures for entering into a Works Consent and provide confirmation on permitted development and intrusive activities. The whole process of obtaining a Works Consent can take between four and six weeks depending on circumstances at the time of application.

To reiterate, you should not undertake any work or activity without first contacting Exolum for advice and, if required, a Works Consent. For a copy of Exolum's Standard Requirements for Crossing or Working in Close Proximity to Exolum Pipelines, please visit <https://sbud.co.uk/wp-content/uploads/2021/10/sbud-standard-requirement-uk-um.pdf>. This will provide you with practical information regarding the legislation that governs the Exolum.



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Regulated by RICS.



You should also be aware that landowners and third parties have a duty of care not to carry out any works that have the potential to damage Exolum apparatus. This duty of care applies even if the works themselves are situated more than 3 metres from the pipeline. Examples of such works are mineral extraction, mining, explosives, piling and windfarms.

Please note that implementation of any unapproved work that affects the Exolum Easement Strip may result in serious consequences in terms of health and safety, expense and other attendant liabilities. In such cases it is the perpetrator of the act, together with any other promoting organisation, that shall be held fully accountable for any resulting damage.

Should you require any further assistance regarding this letter please contact the undersigned or alternatively, you can contact Exolum using the details provided above.

Yours faithfully

For and on behalf of FISHER GERMAN LLP (Exolum's Authorised Agent)

Enc. Location Plan

cc. Exolum Central Services

