

Conditions

- 1** The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2** 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.

- 4** Prior to commencement of the development hereby approved, water efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority. Thereafter, all approved measures shall be implemented prior to the occupation of the development and thereafter retained unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV13 and GEN2, of the Uttlesford District Council Local Plan as Adopted (2005), the National Planning Policy Guidance, as well as Uttlesford District Council's Interim Climate Change Policy document (2021) and the Uttlesford Climate Change Strategy 2021-2030.

- 5** Prior to the erection of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

- 6 Prior to the commencement of the development hereby permitted, a written statement providing details of waste recycling measures for the development shall be submitted to and approved in writing by the local planning authority. Subsequently, the waste recycling measures shall be implemented as approved.

REASON: In the interests of the promotion of sustainable forms of development and construction in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

- 7 Prior to the commencement of the development hereby permitted a Bird Hazard Management Plan for the construction of the development shall be submitted to and approved in writing by the local planning authority, in consultation with the Safeguarding Authority for Stansted Airport. The submitted plan shall include, as a minimum, details of the monitoring of any standing water within the site, temporary or permanent.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in place during the construction phase of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the local planning authority, in consultation with the Safeguarding Authority for Stansted Airport.

REASON: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Stansted Airport.

- 8 Prior to the commencement of the development hereby permitted, a scheme for the prevention of light pollution and light spill from the terminal building shall be submitted to and approved in writing by the local planning authority. The scheme shall include measures to cut-off light spill above the horizontal plane. Subsequently, the development shall be implemented in accordance with the approved details.

REASON: A scheme to prevent light pollution is required in order to control light spillage, in accordance with Uttlesford Local Plan Policy GEN5 (adopted 2005).

9 **Plant noise**

For the development hereby approved, prior to the installation of any external 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 any 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).

- 10** 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 in 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).

- 11** **Odours**  
Prior to installation, details of any equipment required for the extraction of fumes and/or odours shall be submitted to and approved by the local planning authority in writing prior to installation. The details submitted shall include specifications of all fans, odour control and outlet height and location, acoustic performance, and a maintenance schedule. Thereafter

the equipment 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)

## **12 Construction impacts**

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 (wheel washing and dust suppression measures)
- 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.
- l) management of surface water during construction

The CEMP shall be consistent with the best practicable means as set out in the Uttlesford Environmental 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)

## **13 External Lighting**

Prior to any future installation of lighting details of the lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the lights. Only the details thereby approved shall be implemented.

The lighting scheme shall conform to The Institution of Lighting Engineers Guidance for the Reduction of Obtrusive Light – Table 1 criteria and any other suitable lighting standards.

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).

- 14** All mitigation measures and/or works shall be carried out in accordance with the details contained in paragraph 4.3 of the Preliminary Ecological Appraisal (Mott MacDonald, July 2023).

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).

- 15** No development shall commence unless and until a Biodiversity Net Gain Management and Monitoring Plan to ensure that there is a measurable biodiversity net gain within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the Government's Metric as applied in the area in which the site is situated at the relevant time.

The content of the Biodiversity Net Gain Management and Monitoring Plan should include the following:

- a) Proposals for the on-site biodiversity net gain;
- b) A management and monitoring plan for onsite biodiversity net gain including 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed;

The development shall be implemented in full accordance with the requirements of the approved Biodiversity Net Gain Management and Monitoring Plan.

Reason: To allow the development to demonstrate measurable biodiversity net gains and allow LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species).

- 16** Prior to commencement of any works a Biodiversity Enhancement Layout for bespoke biodiversity enhancement contained in paragraph 4.4 of the Preliminary Ecological Appraisal (Mott MacDonald, July 2023) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for bespoke biodiversity enhancements; and
- b) locations, orientations and heights for bespoke biodiversity enhancements by appropriate maps and plans.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

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### Remediation Strategy

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing, by the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - o all previous uses;
  - o potential contaminants associated with those uses;
  - o a conceptual model of the site indicating sources, pathways and receptors;
  - o potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to, and is not put at, Unacceptable risk from adversely affected unacceptable levels of water pollution in line with paragraphs 174, 183, and 184 of the National Planning Policy Framework and in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

The information provided within the Contamination Desk Study goes some way to satisfy (1) of the above condition, and we note provided recommendations with respect to further geo-environmental investigation and assessment are carried through as detailed within Section 6.2.2 of the report we feel (2) would be partly satisfied. However, it must be noted the intention of the above condition is to enable the applicant to develop a robust remediation strategy for pre-existing contamination should it be present, and the current recommendations do not include this.

**18** Investigative Boreholes

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of each phase of development.

REASON: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution in line with paragraph 174 of the National Planning Policy Framework and in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**19** Monitoring

The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

REASON: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 174 of the National Planning Policy Framework and in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**20** Verification Report

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of

sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework and in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**21** Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraphs 174, 183, and 184 of the National Planning Policy Framework in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**22** Piling

Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the proposed development does not harm groundwater resources in line with the Environment Agency's approach to groundwater protection. There is some uncertainty around land contamination and waste deposited at the site, so there is concern piling or other penetrative construction methods/installations could disturb underlying contamination resulting in the pollution of the underlying aquifers. A foundation works risk assessment will be required prepared with reference to the guidance presented in 'Piling into Contaminated Sites (Environment Agency, 2002)' available at the following website: [ARCHIVED CONTENT] ([nationalarchives.gov.uk](http://nationalarchives.gov.uk)). This is in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**23** No works shall take place until a detailed surface water drainage scheme for the development, demonstrating how it will relate to the existing airport wide drainage system, has been submitted to and approved in writing by the local planning authority. The scheme should be based on sustainable drainage principles and include but not be limited to:



- Agreement of the development's discharge rates in line with existing drainage infrastructure already in place for Stansted Airport
- Ensuring that the airports existing drainage system has sufficient available storage to ensure that the development does not lead to off airport flooding during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculations for the relevant areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the development site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of the relevant components of the drainage scheme.
- A final drainage plan for the development site which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the principles of the scheme and to the drainage of terminal building.

The scheme shall subsequently be implemented prior to occupation.

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, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

- 24** No works shall take place until a Maintenance Plan detailing the maintenance arrangements and activities/frequencies for the development, has been submitted to and agreed in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the Maintenance Plan.

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.