

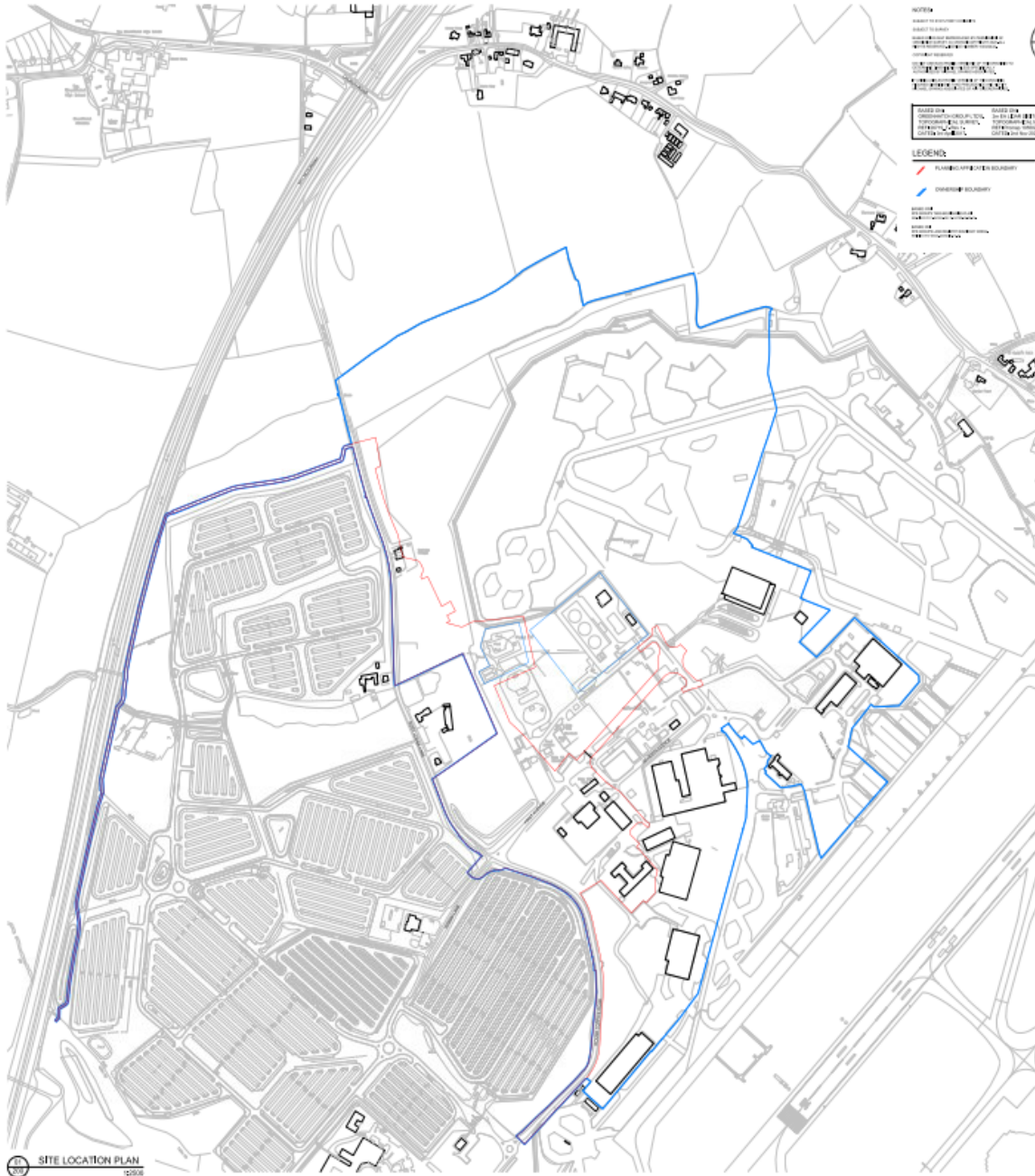
**ITEM NUMBER:** 7

**PLANNING COMMITTEE DATE:** 6th March 2024

**REFERENCE NUMBER:** UTT/23/2187/DFO

**LOCATION:** Land North of Stansted Airport

**SITE LOCATION PLAN:**



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

**APPLICANT:** Threadneedle Curtis Limited

**AGENT:** Montagu Evans LLP

**EXPIRY DATE:** 24 November 2023

**EOT Expiry Date:** 12<sup>th</sup> March 2024

**CASE OFFICER:** Maria Shoemith

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

**REASON THIS APPLICATION IS ON THE AGENDA:** Major Application

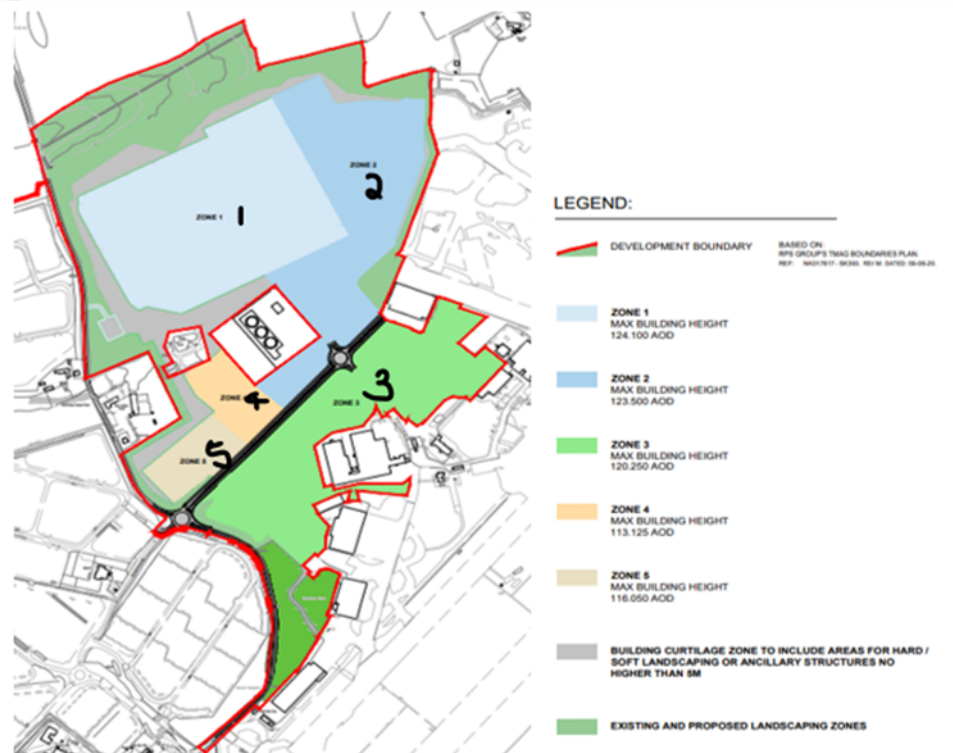
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**1. EXECUTIVE SUMMARY**

**1.1** The application is for reserved planning matters following outline planning permission being granted for *“the demolition of existing*

*structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route and other associated works with matters of layout, scale, appearance and other landscaping reserved".* Outline planning permission was granted in August 2023 subject to a schedule of conditions and a Section 106 Agreement.

- 1.2** The application site is located west/north-west of Stansted Airport. The site's access would be taken from First Avenue, which is located off Bury Lodge Lane and Round Coppice Road that lie in the ownership of MAG however the applicant has the right to undertake highway improvements in association with the proposed development. The outline planning application site covers an area of 66.11ha of airport land that includes the proposed access, highway works and cycle route. The developable area for employment is 61.86ha. There are areas within the wider redline which are not included within it which are retained by the airport that consist of fuel storage tanks and storage area that also forms part of the airport's drainage.
- 1.3** As part of the outline application parameters were approved. An approved total floorspace of up to 195,100 sqm of mixed employment uses to comprise the following:
- 95% storage and distribution use (Class B8)
  - 5% mixed business uses (Classes E(g)/B2/B8)
  - Ancillary retail / café / day nursery uses (Classes E (a, b, f))
- 1.4** The approved parameter plans at the outline stage limited and show the extent of the development proposed, the extent of the built development zone, defined heights and maximum height limits, vehicular access points, extent of landscaping/and green zones (existing & proposed) and maximum floor area. The subject reserved matters should accord and be within the parameters that have been approved under the outline consent. The proposed Phase 1 units fall within the identified parameter height zones 3 and 5, and the proposed heights accord with the approved parameters outlined within drawing 31519-PL-102 approved under the Outline application.



- 1.5** The principle of the development has already been approved, and therefore the quantum of use is not for discussion nor is the flexibility in the use.
- 1.6** The considerations for this reserved matters application is in terms of design layout, scale, appearance and other landscaping in relation to Phase 1, which covers Units 1, 2 and 3 to the front of the application site. The adopted allocation policy of the site has accepted the scale of such buildings in this location.
- 1.7** Several aerodromes protection measures have been proposed as part of the mitigation measures and secured as part of the outline planning conditions. All identified hazards and public safety issues such as the fuel storage tanks, bird hazard, glint and glare, wind impact, instrumental flight procedures, security and emergency access route have been mitigated within the outline application and conditions; also considered in further detail as part of this reserved matters. Concerns raised by the statutory consultees have been addressed.
- 1.8** The buildings in their fabric are proposed to be ultra-sustainable, especially the offices, meeting a high BREEAM rating. The scheme meets Local Plan Policies GEN1 and GEN2 Supplementary Planning Guidance Energy Efficiency and Renewable Energy SPG (October 2007) and the more recent Interim Climate Change Policy (2021), as well as the NPPF.

- 1.9 With regards to heritage impact whilst a degree of harm has been identified during the course of the outline planning application this has been mitigated through landscape buffer, an acoustic fence, separation distances and with the heights a lower scale. The layout is the same as that highlighted in the outline planning application on the illustrative master plan. It is maintained that the development of this site as proposed would not result in significant harm to the detriment of the heritage assets of which the public benefits outweigh the harm in accordance with Policy ENV2 of the Adopted Local Plan and the NPPF.
- 1.10 In terms of amenity, lighting, contamination, flooding, landscaping, and ecology no objections have been raised by the statutory consultee. Many of the required details have been conditioned at outline stage to follow prior to commencement or occupation. It has been concluded that the development is in accordance with Local Plan Policies GEN2, GEN3, GEN4, ENV13, ENV14, GEN7, ENV4 and Part 16 of the NPPF.
- 1.11 The details submitted for the proposed development is considered to be acceptable and in accordance with the outline planning permission.

2. **RECOMMENDATION**

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

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The wider application site covers an area of 66.11ha of airport land that covers the proposed access, highway works and cycle route. The developable area for employment is 61.86ha. The site itself is largely flat. The scheme has been separated into two phases of which this application falls under Phase 1. This part of Phase 1 occupies an area of approximately 11.9ha to the west of the wider site. Phase 1 has been described within the submission as *“the gateway into the Wider Site and forms the first development parcel when entering the Site from the vehicular access off Round Coppice Road to the west”*.
- 3.2 The site is located west/north-west of Stansted Airport. The site’s access would be taken from First Avenue, which is located off Bury Lodge Lane and Round Coppice Road that lie in the ownership of MAG however the applicant has the right to undertake highway improvements in association with the proposed development, which have already been agreed as part of the outline consent.
- 3.3 There are areas within the wider redline which are not included within it which are retained by the airport that consist of fuel storage tanks and storage area that also forms part of the airport’s drainage.

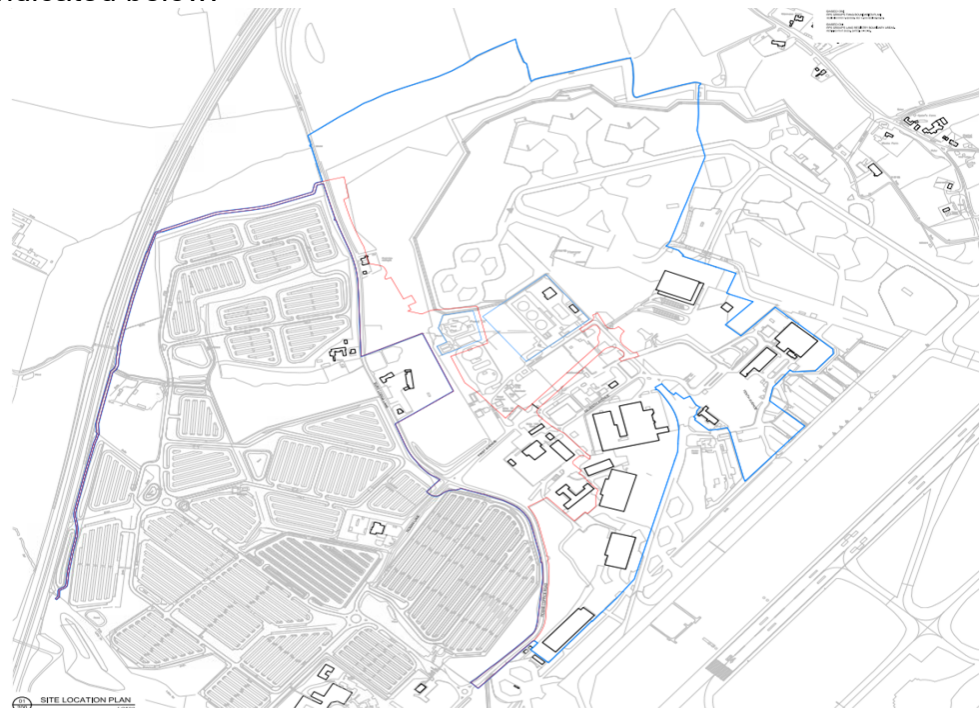
- 3.4** Stansted Mountfitchet Village is located approximately just over 1km to the northwest of the site, Burton End lies to the northeast of the airport Birchanger Village to the west and Takeley to the south.
- 3.5** Immediately opposite the application site is the airport's Long Stay car parks. The site is currently used for a mixture of services, storage and distribution warehouses, aeroplane hangars and stands.
- 3.6** The southern part of the site has low level buildings. There is an existing fuelling station and the two storey Stansted House. This first phase and reserved matters application covers this area and would see the demolition of those buildings, as approved within the outline planning permission.
- 3.7** There are three lots of residential properties that are located near the site. Within the application site are Bury Lodge Cottages which are in the applicant's ownership and are proposed to be demolished as part of the proposed wider approved development and replaced with soft landscaping which will form a continuation of the existing strategic landscaping, also the construction of a new substation to serve the development and cycle path route. Adjacent to the application site fronting Bury Lodge Lane to the north of the Elsenham Youth Football Club pitches is Bury Lodge Barn a wedding venue, events and boutique hotel. This is stated to be in the ownership of the applicant which has a long lease. This consists of barns that are Grade II Listed Buildings. Opposite the site, next to the long stay car parks is Little Bury Lodge Farm. This residential property west of Bury Lodge Lane is owned freehold by Stansted Airport Limited (STAL) and had been empty following fire in 2021. This property is already subjected to airport related activity already. The Elsenham Youth Football Club pitches is where Unit 2 is proposed to be located. The relocation of Elsenham Youth Football Club forms part of the signed S106 Obligations.
- 3.8** The site's roads are within easy reach of the M11 London to Cambridge corridor, A120 which links to the A131 and A12 beyond.
- 3.9** The application site is surrounded and protected by strategic landscape along the northern and western boundary which is protected by Local Plan Policy AIR6. This is stated to be within the submission circa 50m in depth. To the most southernly point is an ancient woodland known as Stocking Wood that forms a nature reserve, and Round Coppice Wood which is a continuation of this. The Reserved Matters application indicates that this strategic landscape will be retained and enhanced as part of the scheme.
- 3.10** The application site has been underused surplus land, considered to be brownfield which had been sold to the applicant August 2020. *"The Site comprises predominately developed land with areas of undeveloped curtilage. Parts of the Site were originally used as the terminal building*

at Stansted, from which several buildings remain, a number of which are vacant. The existing buildings are predominantly clustered in the southern area of the site, with hard standing and open space to the north,” (UTT/22/0434/OP Planning Statement)

#### 4. **PROPOSAL**

4.1 The subject of this reserved planning matters application relates to the external appearance, layout, scale and landscaping of Phase 1 of the site relating to Units 1, 2 and 3 following the granting of outline planning permission for the “*demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm GIA 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.*” The details of the main access, as well as works to the length of First Avenue has been approved as part of the outline and therefore the internal road layout off First Avenue also forms part of the Reserved Matters consideration.

4.2 Below indicates the redline for Phase 1 subject to this Reserved Matters application, regardless of a revised phasing plan has been submitted to indicate a larger area coming forward earlier in the development of the site. However, the reserved matters focus is on the smaller area as indicated below.



4.3 The reserved matters provide details of landscaping to the boundaries of the first phase in and around the proposed three units, including the improvement to the strategic landscaping along the boundaries of the



site with Round Coppice Road and Bury Lodge Lane. Details of the internal footpath/cycle path have been provided as well.

**4.4** As part of the outline nature of the scheme parameters were proposed to provide clarity, certainty, and limitations in terms of what is being proposed and the level of mitigation which is likely to be required. The proposed floorspace of up to 195,100 sqm of mixed employment uses to comprise approximately:

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

**4.5** The tables below breaks this down further;

**4.5.1**

**Table 4.1 – Likely Development Uses Schedule**

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

**4.5.2**

**Table 4.2: Proposed Height Parameters**

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

**4.6** This Reserved Matters application for Phase 1 seeks the following;

- 4.7**
- Construction of 21,977sqm (GIA)/22,637sqm (GEA) of commercial / employment floorspace falling within Class B8 Class E(g) and B2 uses, split between three new buildings;
  - Car parking provision comprising 177 spaces (Unit 1 = 76; Unit 2 = 66 and Unit 3 = 35);
  - Cycle parking provision comprising 66 spaces (Unit 1 = 28; Unit 2 = 28 and Unit 3 = 10);
  - Service yards; sprinkler tanks and bin storage for each unit;

- Associated landscaping;
- Cycle Path; and
- Other associated works.

**4.8** In terms of height, the parameters are stated to be reflective of what exists on site with the highest point being comparable to the existing Titan building. These reserved matters ensures that this is the case that the size, scale, appearance and layout are acceptable and compatible with the surrounding area. Following the approved parameter plan above, Units 1 and 2 are proposed to be 15.4m in height to the parapet of the units and, Unit 3 is 13m high to the parapet. These are within the approved height parameters of 20m in Zone 3 and 16m in Zone 5.

**4.9** Elsenham Youth Football Club is proposed to be relocated adjacent to Forrest Hall Park School on its playing fields which has now been granted planning permission separately from the Northside outline planning permission and these subject reserved matters.

**4.10** The 494 (Stansted Airport) Squadron RAF Air Corp Cadets which had a building on site has been relocated which makes way currently cycle/footpath link.

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

- Unit 1 – 8,487sqm;
- Unit 2 – 9,782sqm; and
- Unit 3 – 3,704sqm

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

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

## **5. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **6. RELEVANT SITE HISTORY**

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

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

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

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

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

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

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

- Opinion Given

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

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

- Allowed by the Secretary of State on 8 October 2008

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

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

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

- Approved subject to conditions and S106 Agreement 9.8.2023

**6.9** A number of local and wider major schemes have been granted planning permission of which have been highlighted and taken into account within the EIA which had been assessed as part of the assessment of the outline planning report at the time.

**6.10** A number of Discharge of Condition applications have been submitted following conditions at outline relating to materials, aerodrome safeguarding, lighting, air quality, landscaping and BNG.

**6.11** A Statement of Compliance has been submitted as part of this application.

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

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

**7.2** No further community involvement has been undertaken following an extensive pre-application process at outline stage.

## 8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### **Highway Authorities**

#### **8.1 National Highways – No objection**

**8.1.1** 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.

**8.1.2** Upon a review of the supporting documents, we believe the proposed development will not result in a significant impact on the SRN.

**8.1.3** We offer no objections to this planning application based on the information provided to date, the Transport Statement (August 2023) provides an overview of the level of development which falls within the quantum of development permitted by the Outline consent (ref: UTT/22/0434/OP), there are no material changes to the proposal and these are within the agreed development parameters.

**8.1.4** Our previous response related to the Outline consent (ref: UTT/22/0434/OP) dated December 2022 still stands and should be read in conjunction with the responses from ECC's Highway Authority and MAG Stansted Airport, in relation to Phase 2 of the works.

**8.1.5** Consequently, we offer no objection to this planning application.

#### **8.2 MAG – No comment**

**8.2.1** In respect of Stansted Airport's role at the highway authority, we have no comments to make on the above application.

#### **8.3 ECC Highways**

*Email dated 13.9.2023*

**8.3.1** Further information and clarification sought in terms of the following;

- It is unclear whether the shared pedestrian/cycle route from the site forms part of the Phase 1 or not. On the Phasing Plan, the entirety of the shared route (the new sections and the existing bridleway section, and the toucan crossing) is coloured as Phase 1, but the Statement of Compliance and Transport Statement note that Phase 1 will deliver only a section of the shared pedestrian/cycle route (through the Phase 1 part of the site to Bury Lodge Lane) and that the crossing will be delivered as part of future Reserved Matters applications – please clarify

- On drawing Cycle Route Rev 02 0439-SHRK-XX-XX-DR-L-1003, we note and welcome the provision of a 3.5m proposed cycle route from the units to Bury Lodge Lane, however the paragraph 4.32 of the Transport Statement notes “the proposed pedestrian / cycle link will be 3m wide” so we would welcome clarity on this matter
- Paragraph 3.4 of the Design and Access Statement notes that Round Coppice Road is public highway, however our mapping does not show Round Coppice Road as part of the public highway network, please could this be clarified. The applicant can contact highway.status@essexhighways.org to request this information
- Paragraph 4.3 notes that footpaths and cyclepaths have been incorporated to enable access to each unit - clarity on the cyclepaths specifically would be welcomed as beyond the new cycle route, it is not clear how cyclists would access each unit and specifically their cycle parking facilities
- Condition 26 of the outline permission provides that “Cycleways and footways within the development site designed to the standards in LTN1/20 linking to key employment areas and facilities” but plans at Appendix I of the Transport Statement note non-compliant features – please clarify
- On drawing Proposed External Materials 31785-PL-251A, the shared pedestrian/cycle route is coloured but not listed in the key - clarity on the surfacing material for the route would be welcomed

### **8.3.2** **Updated Comments 31.01.2024**

Further to additional information being submitted ECC Highways have said;

**8.3.3** The Highway Authority has assessed the information which has been submitted with the planning application, including the Transport Statement dated August 2023 and two responses from Vectos to our earlier comments – references 215864/N24 and 215864/N26. The assessment of the application was undertaken with reference to the National Planning Policy Framework 2023 and, in particular, paragraphs 114-116, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

**8.3.4** Bury Lodge Lane forms part of the public highway maintained by Essex County Council, but the other roads within the site and its immediate vicinity are private roads. There are no proposals to change this arrangement as part of this application.

- 8.3.5** Our response is based on the assumption that the section of shared footway/cycleway to the west of Bury Lodge Lane (connecting to bridleway 60\_45) and the works to bridleway 60\_45 are outside the scope of this reserved matters application.
- 8.3.6** It appears on the Revised Detailed Site Plan - 2 of 2 (drawing no. 31785-PL-203 Rev C) that the turning head for the sub-station access, approved under reference UTT/23/2160/NMA, is to be amended to accommodate the new cycle route. We remind the applicant that condition 25 on the outline planning decision requires that 'Turning and parking shall be provided at the substation to accommodate service vehicles and ensure they can leave the site in a forward gear' – we would encourage the applicant to ensure that the revised turning head is sufficient to meet that requirement.
- 8.3.7** There also appears to be discrepancies between drawings submitted drawn up by Michael Sparks Associates and those drawn up by Vectos. For example, Vectos drawing VD22808-VEC-HGH-CYC-SK-CH-0003 Rev C indicates that tactile paving will be provided at both sides of the vehicular access to Unit 2 whereas, Michael Sparks Associates drawing 31785-PL-202 Rev M shows landscaping/planting on the southern side of the access. Similarly, Vectos drawing VD22808-VEC-HGN-FA1-SK-CH-0014 Rev A indicates that the removal of one parking space at Unit 2 is required to facilitate the cycle route which isn't reflected on the Detailed Site Plans. We have referenced the Vectos drawings in our conditions below as these fit our requirements.
- 8.3.8** From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.
- 8.4** **Lead Local Flood Authority – No Objection subject to Conditions**
- 8.4.1** 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 subject to conditions.
- 8.5** **Historic England - No Comment**
- 8.5.1** Historic England provides advice when our engagement can add most value. In this case we do not wish to offer advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

**8.6 Environment Agency – No objection** subject to conditions

**8.6.1** Groundwater and Potential sources of contamination

We have reviewed the following submitted documents:

- Land to the North of Stansted Preliminary Risk Assessment (PRA) prepared by WSP, dated August 2017 (ref.: 70022583-V2.0);
- Land to the North of Stansted Environmental Statement Non-Technical Summary prepared by Trium, dated January 2022 (ref.: n/a).

**8.6.2** The proposed development site's current use as an ancillary airport site, comprising aircraft hangars and stands, storage and distribution facilities, and fuel/chemical storage, along with its historical use as a WWII military base and more recently as a commercial airport, means it could potentially contain sources of contamination.

**8.6.3** Potential contaminants could be mobilised and impact on controlled waters, specifically groundwater in the underlying Lowestoft Formation Secondary Undifferentiated aquifer, and the deeper Chalk Principal aquifer, as a result of the proposed redevelopment of the site.

**8.6.4** We note that a portion of the site is within Source Protection Zone 3, likely associated with the Stansted Mountfitchet pumping station owned by Affinity Water. We also note that the PRA indicated a "moderate to high" risk to controlled waters from on-site sources, and a review of an additional 2015 WSP intrusive investigation 100m south of the site reported elevated levels of hydrocarbons, PAHs, BTEX, and VOCs in groundwater samples, with some taken from the Lowestoft Formation describes as having a "hydrocarbon sheen".

**8.6.5** We understand that Uttlesford District Council (UDC) Environmental Health had already applied conditions pertinent to land contamination (Condition 57 in the Decision Notice) to the approved original outline planning application (ref.: UTT22/0434/OP) associated with this planning application. However, it is our understanding that these conditions have not yet been addressed nor included in the Statement of Compliance prepared by Montagu Evans LLP, dated August 2023. As a result, we will reiterate those conditions set by UDC Environmental Health below.

**8.6.6** Considering the information provided, we have no objection to the proposed development given the inclusion of the following conditions on any grant of decision notice. Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. We note that UDC have used similar conditions previously, however we would like to highlight an additional condition relating to piling methods.



## 8.7 **Aerodrome Safeguarding Authority - Holding objection Removed through DOC details**

8.7.1 Thank you for consulting with the aerodrome safeguarding authority for Stansted Airport; unfortunately, we must lodge a holding objection to these Reserved Matters until the following issues are addressed:

- We have previously advised that the fruit and berry bearing component of some of the planting types must be reduced, this has not been taken into account and the thicket (woodland edge) planting, mixed species native hedgerow, mixed species formal clipped hedgerow and air pollution mitigation hedgerow all still include more than 40% fruit and berry bearing.
- The numbers or proportions of the trees to be used have not been included, and although the species of concern (cherry, oak and Scots Pine among others) have been highlighted as to be used in limited quantities, this cannot be checked without the proportions or numbers being supplied.
- The proposed landscape planting plan includes a relatively high proportion of plants that have the potential to result in an exploitable and attractive food resource for hazardous birds close to Stansted airport, potentially resulting in increased local populations and movements of these birds close to or across the runways and approaches. In this critical location close to the airport and given the extent of the planting we reiterate our previous advice that the fruit and berry bearing component of the planting must be reduced to 20% or less in each planting type.
- The proposed roof profiles are pitched, but many have a parapet around and a double pitch with a gully between. This has the potential to support nesting large gulls, and as such a BHMP with a commitment to zero tolerance of the roof nesting gulls is required in this location. Herring and Lesser Black-backed Gulls are both priority species on the STN risk assessment.
- The above-mentioned changes must be implemented in order to ensure that this development does not risk resulting in an increase in local movements and populations of hazardous birds.

### 8.7.2 **Updated Comments**

The landscaping planting and a revised BHMP which confirms the zero tolerance of nesting birds details have been addressed through the discharge of condition submissions, whereby the Aerodrome Team have removed their objection in this respect.

## **8.8 Active Travel England**

- 8.8.1** This is Active Travel England's (ATE) third response to application UTT/23/2187/DFO. In its first response ATE raised a number of issues, many of which were addressed or clarified by technical note N23 'Response to Active Travel England Comments' that contains a walking and cycling network shown on plan VD22808 VEC-HGN-FA1-SK-CH-0014 Rev A in appendix A and outlines improved active travel connections within the site.
- 8.8.2** A second technical note, N27, was issued in response to ATE's second consultation response. This addressed a number of ATE's concerns in relation to the geometry of the proposed footway/cycleway; while the radii remain tight at the approach to the junctions at either end, ATE accepts the reason for this. Therefore, ATE accepts the design shown in principle on submitted drawing VD22808 VEC-HGN-CYC-SK-CH0003 REV C.
- 8.8.3** The note N27 provides some information concerning the cycle parking and facilities for cycle parking to be provided within the building. ATE is concerned that these facilities are not sufficient to support the ambitions with regard to sustainable travel within the DAS, travel plan or transport assessment submitted with the outline application and therefore recommends that the conditions below are applied to any recommendation of approval.
- 8.8.4** It has been confirmed by the LPA that application refers only to the area within the red line boundary to the east of Bury Lodge Lane and not the footway/cycleway within the red line boundary to the west of Bury Lodge Lane which is covered by a Grampian condition. Therefore, no comments have been made on this.
- 8.8.5** It is noted that there are discrepancies between drawing submitted by Vectos and others submitted by Micheal Sparks Associates. ATE assumes that the revised Vectos drawings are correct and requests they are submitted separately on the website and referenced in the approved drawings and conditions.
- 8.8.6** ATE supports the highway authority's recommendation dated 31/1/2024 and has not repeated the conditions therein.
- 8.8.7** ATE has no objection to the application in view of revised drawings VD22808 VEC-HGNCYC-SK-CH0003 REV C and VD22808 VEC-HGN-FA1-SK-CH-0014 Rev A, subject to the following recommendations being secured.

## **8.9 NATs – No Objection**

- 8.9.1** Further to our earlier representation and conditions imposed on the outline consent, NATS can confirm that it is engaged with

Manchester Airport Group around the mitigation measures required to address the impact of the scheme. NATS is currently liaising with MAG around the timescales required for the delivery of the works, which it anticipates to deliver over the coming weeks, in advance of the construction activity commencing in earnest.

In the interim, we understand that there is a pre-commencement condition and MAG requires to undertake the following groundwork:

1. widening Round Coppice Road
2. service diversions- sewers, IT, Openreach, water, electricity
3. installation of a sub station
4. demolition

As such, NATS En Route can confirm that none of the work above is anticipated to affect its operations and that it is satisfied that MAG can proceed to undertake this work. Once NATS has delivered the work necessary to remedy the anticipated impact of the construction of the hangars/warehouses on its S10 SSR radar, it will be happy to confirm this in writing to the LPA. Should there be any further queries in the meantime, do not hesitate to contact us.

**8.10 Civil Aviation Authority – No Response**

**8.11 Fisher German OIL Pipes – Neutral**

**8.11.1** 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..

**9. PARISH COUNCIL COMMENTS**

**9.1 STANSTED PARISH COUNCIL - Neutral**

**9.1.2** The Parish Council neither objects to or supports this application which is only for Phase 1. We expect that by the time the whole development is completed, all of the requirements will have been delivered including: Reprovision of the youth football pitches, Pedestrian and cycle links, Wellbeing facilities, Traffic management for vehicles leaving the site. All other provisions contained in the now published draft S106 agreement.

## **10. CONSULTEE RESPONSES**

### **10.1 UDC Environmental Health – No Objection**

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

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

**10.2.1** The submitted soft landscaping details are considered satisfactory, together with the landscape management plan. The fencing details, including the acoustic barrier are also considered satisfactory.

### **10.3 UDC Conservation Officer – No Objection subject to condition**

**10.3.1** A degree of harm to local heritage assets was identified during the review process associated with the Outline Planning application. It was considered that the development would not result in significant harm when balanced with public benefit.

**10.3.2** A 4m high acoustic fence is proposed to screen the development in part, from the Bury Lodge site (drawing 1006-Rev02). The principle is acceptable however further details about the finish/colour of the final product to be installed should be provided for LPA approval.

**10.3.3** The details submitted as part of the application appear appropriate for the proposed use. Should the application be consented, I suggest the following Condition is attached:

Before work begins, details about the finish (colour) of the acoustic fence that borders the Bury Lodge site shall be approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the Bury Lodge site, under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990

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

**10.4.1** Holding objection due to insufficient ecological information on designated sites (Local Wildlife Site), European Protected Species (Great Crested Newt and bats), protected species (Badger) and Priority habitats (Lowland Mixed Deciduous Woodland).

#### **10.4.2 Summary**

We have reviewed the documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority habitats and species and identification of proportionate

mitigation.

- 10.4.3** We are not satisfied that there is sufficient ecological information available for determination of this application.
- 10.4.4** It is noted that a Stage 1, 2 & 3 Arboricultural Impact Assessment & Method Statement Report Rev 1 (RSK Biocensus, August 2023) for the site has been submitted with application ref UTT/23/2150/DOC, to discharge Condition 15 (Tree Protection), attached to UTT/22/0434/OP.
- 10.4.5** It was recommended in Chapter 11: Ecology and Biodiversity of the Environmental Statement: Volume 1 submitted with the outline application UTT/22/0434/OP that works are to be undertaken in line with the Arboricultural Tree Protection Plan. The mitigation and enhancement recommendations within this report were secured by Condition 42 of the outline application UTT/22/0434/OP. A Stage 1 and 2 Arboricultural Impact Assessment Report Rev 3 (RSK Biocensus, January 2022) was also submitted under outline application UTT/22/0434/OP. The proposed impacts to trees shown in the Stage 1, 2 & 3 Arboricultural Impact Assessment & Method Statement Report Rev 1 (RSK Biocensus, August 2023) are different to those shown in the Stage 1 and 2 Arboricultural Impact Assessment Report Rev 3 (RSK Biocensus, January 2022) with a greater impact shown in the woodlands in the newer report. Further ecological information has not been submitted with the current application and therefore it is unknown if these additional impacts have been assessed in relation to ecology. As the impacts include the removal of Priority habitat woodland for the creation of a cycle path and additional impacts to Stocking Wood, a Local Wildlife Site (LoWS) and Priority habitat, there is potential for additional ecological impacts.
- 10.4.6** Additional information in relation to the ecological impacts of the latest proposals and any necessary additional mitigation and enhancement measures needed are required prior to determination. This is to include potential impacts to protected and Priority species including bat, Great Crested Newt and Badger as well as Priority habitat and Stocking Wood LoWS.
- 10.4.7** To fully assess the impacts of the proposal the LPA need ecological information for the site, particularly for bats and Great Crested Newts (GCN), both European Protected Species.
- 10.4.8** The results of these surveys are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

**10.4.9** This information is therefore required to provide the LPA with certainty of impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

**10.4.10** We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection. This is also necessary to support discharge of conditions applications UTT/23/2150/DOC and UTT/23/2151/DOC for Phase 1 only.

Updated Comments received 20.2.2024  
**10.4.11** No Ecology objection - We have reviewed the documents supplied by the applicant and are now satisfied that there is sufficient ecological information to support approval of this application and avoid any conflict with the LEMP and delivery of BNG.

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

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

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

**10.6.1** The 'Essex Police – Designing out Crime Office (DOCO) welcomes the opportunity to make further comment on the proposed development of "Land North of Stansted Airport".

**10.6.2** We acknowledge the continued "partnership working" with the developer and design team on this proposed development programme. We also acknowledge the part of Manchester Airports Group in this large infrastructure project and look forward to ongoing collaboration with all involved.

**10.6.3** Upon review of the various plans and documentation accompanying this application we have the following observations for consideration and discussion.

**10.6.4** Perimeter Fencing to Units 1,2 & 3  
The majority of fencing is described as 2.4 metre high pre galvanised steel powder-coated paladin fencing; can the developer confirm that this is close welded mesh fencing and to what security rating this fence conforms.

- 10.6.5** LPS 1175 Issue 8 welded mesh fencing is rated with a minimum attack resistance time, ranging from 1 minute up to 20 minutes, (depending on the thickness of the mesh and other constituent parts of each panel) and Essex Police recommend that the developer gives due consideration to threat and risk of criminality particularly in relation to perimeter penetration.
- 10.6.6** **Protecting and serving Essex**  
It is important that design and security specifications are risk commensurate and provide an effective and realistic level of physical security that is commensurate with the risk.
- 10.6.7** Furthermore, the Unit 2 pedestrian gate by the area described as “Future Sprinkler Tanks” do not appear to benefit from surveillance and we are interested in the interior perimeter treatment for this area and are concerned that this may pose a weakness in the protected boundary of this unit.
- 10.6.8** Can the applicant also confirm that the pedestrian gates will be 2.4 metres high or alternatively be enclosed above by a close welded mesh panel that equates to an overall continued 2.4 metre perimeter height.
- 10.6.9** **Car Parking and CCTV**  
Essex Police note that the car parking for both Units 1 & 2 will not benefit from surveillance from within the two units and (given the individual tenants requirement to install their own CCTV) we are interested in how the land/development owner will ensure that CCTV covers these areas and whether the provision of core cabling for CCTV will be included in the build. We are conscious of a missed opportunity for increased surveillance through quality CCTV provision as the developer is transferring the responsibility in this area to the future tenants.
- 10.6.10** **Electrical Vehicle Charging Points**  
There is detail within the plans for Electrical Vehicle Charging Points (EVCP's); Essex Police recommend that consideration is given to the security provision for the EVCP's. Early consideration will mitigate the opportunities associated with crime relating to this comparatively new vehicle fuel power provision. We would welcome consultation regarding the security and management of EV charging points.
- 10.6.11** It should be noted that there is emerging crime nationally in relation to this technology where cabling and elements of EVCP's are stolen.
- 10.6.12** **Cycle Route**  
We would like to understand the management and maintenance plan for this area and the type of lighting that is to be included given a perceived lack of surveillance. We would also like detail regarding the

cycle crossing facility which appears to be a “sub-way” which will require lighting.

**10.6.13** Cycle routes that are not managed or adequately illuminated can become crime generators and when giving consideration to the Home Office agenda for the reduction of “Violence against Women and Girls” (VAWG) it is important that a safe travel route is provided for the benefit of all.

**10.6.14** Cycle Storage  
There appears to be a contradiction between the BREEAM report (which was provided separately to this application) where secure cycle storage is indicated and the BO20 document/plan accompanying Protecting and serving Essex this application where open sided storage is shown. Clarity is therefore sought in relation to both the type of cycle storage facility and the fencing illustrated on the plan in the immediate area of the cycle stores for all three units which are outside the secure compounds; we would like to understand the nature of fencing and its’ purpose. As this is a reserved matters application, we are keen to understand the finer detail relating to security.

**10.6.15** Fencing adjacent to cycle stores shown in blue

**10.6.16** Lighting  
Essex Police are satisfied that sufficient information has been supplied during our discussions with the developer in relation to the lighting plan but would point out that these documents do not accompany this specific application (UTT/23/2187/DFO).Page 25 of the Design and Access statement states that “dark spaces will be well lit” however this information does not appear to be included in the supporting strategic documents within this part of the application.

**10.6.17** Landscaping  
Essex Police cannot over stress the importance of the future management and maintenance programme to ensure that the landscaping plans for this development are successful and achieve the desired outcome for security. Can the applicant confirm that there will be a landscaping management policy for the life cycle of the development.

**10.6.18** Substation  
We note that an electricity sub-station is to be constructed on the western fringe of the development site which will be accessed from Bury Lodge Lane. Can it be confirmed that this will serve the entire business park? Furthermore, we are interested in the level of security of the building; the plans appear to show a fence around a compound which encloses a smaller area housing the sub-station. This larger compound does not appear to be protected by gates and we would therefore be interested in the access arrangements for this important



part of the site's infrastructure. Details around access control, lighting, fencing and door security would be welcomed by the DOCO.

- 10.6.19** Protecting and serving Essex  
We look forward to ongoing liaison, to ensure that the scheme delivers on its ambition to create well designed places, buildings and communities that are both safe and secure whilst achieving "Secured by Design" accreditation. We are cognisant that some of these areas have been subject of discussion however Essex Police require written confirmation in order that the Planning condition is discharged in the interest of safety and security of the scheme and the wider area, in accordance with Local Plan Policy GEN2(adopted 2005)
- 10.8** **Affinity Water – No response**
- 10.9** **Thames Water – No response**
- 10.10** **National Grid Electricity – No affected assets**
- 10.11** **National Gas – No affected assets**
- 10.12** **ECC Minerals & Waste Team – No response**
- 10.13** **Cadent Gas – No Objection add informative**
- 10.13.1** We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.
- 10.14** **Gigacler Ltd – No objections**
- 10.14.1** Provided plans of approximate location of equipment. Strongly advised that you undertake hand dug trial holes prior to commencing any of your works.
- 10.15** **UK Power Network – Informative**
- 10.15.1** Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.
- 10.16** **Open Space Society – No Response**
- 10.17** **East Herts DC – No Response**
- 10.18** **Economic Development – No Response**
- 10.19** **Essex Wildlife Trust- No Response**

## **11. REPRESENTATIONS**

**11.1** The application was formally consulted to the public by displaying a site notice, sending letters to adjoining and adjacent occupiers and placing an advert in the local paper. A representation was received raising the following issues:

- There is inadequate footpath provision to connect up the site between Stansted Mountfitchet Village and Harlow College (Stansted Airport) / Long Stay Carpark to support such a huge employment site. Giving the fact you are trying to improve green travel options. Such as Train, Bus, Cycle or Walking.

## **12. MATERIAL CONSIDERATIONS**

**12.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

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

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

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

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

(c) any other material considerations.

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

### **12.4 The Development Plan**

**12.4.1** Essex Minerals Local Plan (adopted July 2014)

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

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

### **13. POLICY**

#### **13.1 National Policies**

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

#### **13.2 Uttlesford District Plan 2005**

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

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

ENV14 - Contaminated Land  
LC1 – Loss of Sports Fields and Recreational Facilities  
LC2 - Access to Leisure and Cultural Facilities  
LC3 – Community Facilities

### **13.3 Supplementary Planning Document or Guidance**

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

## **14. CONSIDERATIONS AND ASSESSMENT**

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

- A. Design**
- B. Heritage**
- C. Landscaping & Nature Conservation**
- D. Amenity**
- E. Highways**
- F. Environmental Statement**

### **14.2 A. Design**

**14.2.1** The Principle of the proposed development has already been addressed and approved as part of the outline planning permission UTT/22/0434/OP. This application purely focuses on the detailed design in relation to the external appearance, layout, scale and landscaping for proposed Units 1, 2 and 3 in Phase 1.

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

**14.3.3** Local Plan Policy GEN2 states;

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

- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;*
- b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;*
- c) It provides an environment, which meets the reasonable needs of all potential users.*
- d) It helps to reduce the potential for crime;*

- e) *It helps to minimise water and energy consumption;*
- f) *It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.*
- g) *It helps to reduce waste production and encourages recycling and reuse.*
- h) *It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.*
- i) *It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.”*

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

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

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

*(b) local market conditions and viability;*

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

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

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

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

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

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

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

- Provides buildings of varying sizes and plot configurations, to suit occupier requirements and market demands;
- A consistency in design and materials through the use of a shared design code;
- Creation of open and permeable frontage to the estate roads which serve the development;
- Creation of an attractive and spacious entrance to the development at the junction with Round Coppice Road;
- Maintaining strong landscape buffers to minimise visual impact

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

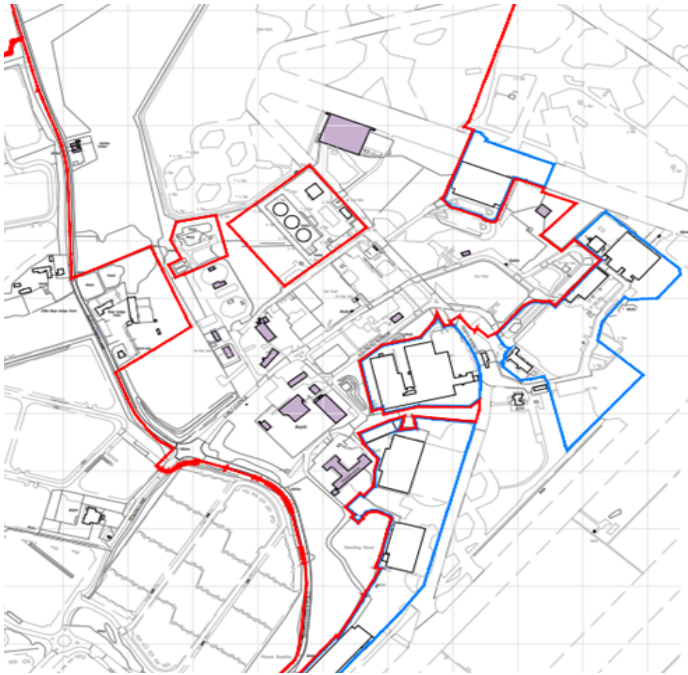
**Layout;**

**14.3.10** This part of Phase 1 of the scheme provides three units following the layout and the parameters plan zoning heights of the scheme. Detailed planning permission has been granted for access and an on-site substation. These are indicated as approved on the submitted plans. Also, as part of the submission the new cycle route that would run through the site is shown in detail. Unit 2 occupies the area where the Elsenham Youth Football Club was located. Their relocation is being dealt with through clauses in the S106 that has been secured as part of the outline consent.

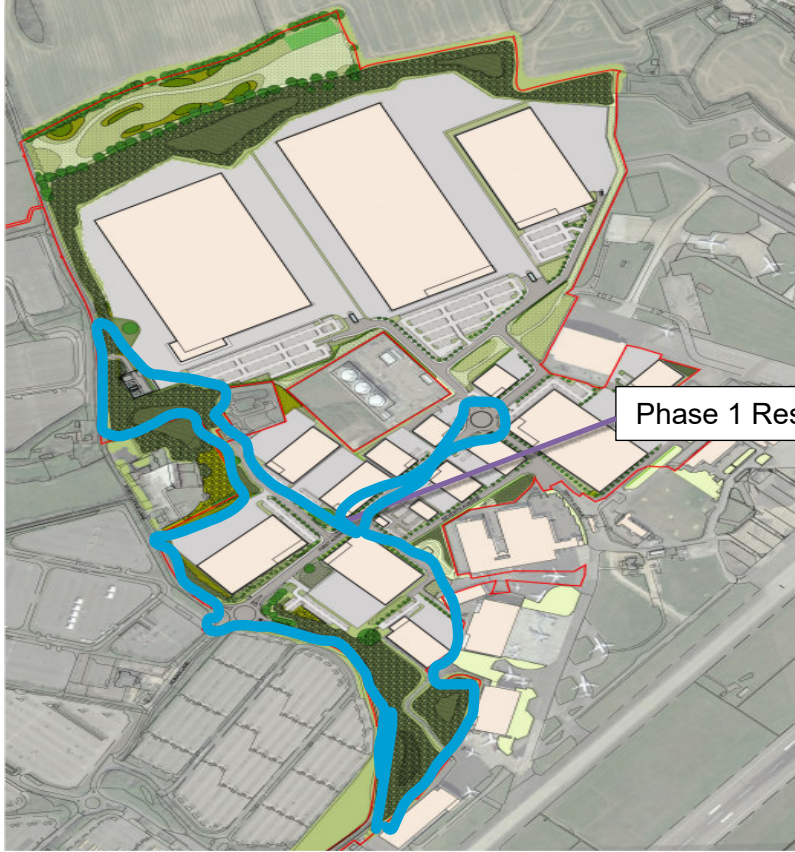
**14.3.11** As part of the redevelopment of the site a number of existing dated buildings are proposed to be demolished, which has also been approved as part of the outline application. Many of the buildings to be demolished are in Phase One.

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

14.3.12.1



14.3.12.2 Outline Illustrative Masterplan – Drawing 31519-PL-104



### 14.3.12.3 Proposed Layout;

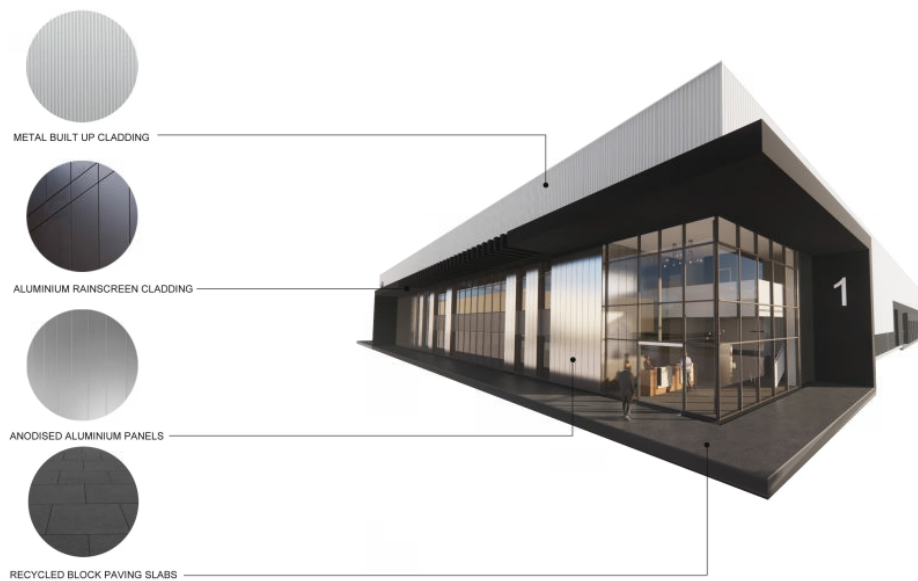


**14.3.13** First Avenue remains as the main spine road into the site which provides the main frame for the scheme, with development either side of this. The scheme still needs to be flexible; it would also need to be attractive to draw in future tenants and be responsive to accommodate future business needs. This is in accordance with the approved Design and Access Statement (DAS).

**14.3.14** Part of the Design Code assessment looked at offices fronting the main roads so there is an active frontage, separating vehicle movement from pedestrian movement and inward facing yards so that the main activity is hidden. Breaking up long elevations and using appropriate coloured materials as a design tool. The proposed scheme accords with the DAS as the main offices front the main roads so there is active street scene, the offices wrap around to carry on the active elevations, together with elongated windows on various elevations this provides for natural surveillance in accordance with Local Plan Policy GEN2 and the NPPF. This address concerns raised by the Crime Prevention Officer in paragraph 10.6.9 above.

**14.3.15** Materials are stated would be of metal cladding with a consistent and common palette of colours and cladding type. A limited range of surface materials using vertical and horizontal bands to facilitate in reducing massing. A neutral palette is proposed to provide a simple uncomplicated modern appearance. Offices would be treated distinctly from other functional elements. The reserved matter details accords with this in line with the Outline DAS. However, it should be noted that the materials for Units 1, 2 and 3 plus the substation have been discharged separately under UTT/23/2131/DOC and UTT/23/2134/DOC and are considered to be acceptable. For clarity the substation would be constructed of a black brick and dark grey slate to blend into the landscape and be almost like a barn style type appearance. The materials for the commercial units would be as below;





**14.3.16** The plans provide a reinforced landscaping scheme to the north-western part of the site's boundary. This detail is in terms of number, species type and its management has also been conditioned as part of the outline and has undergone intensive consultations with Ecology, Aerodrome and our Landscaping Officer. For the purposes of the reserved matters applications the layout of the landscaping has been assessed. The landscaping forms an important part of creating a desirable employment hub, providing defensible commercially 'private spaces', an attractive streetscene and an improvement in biodiversity. It should be noted that the strategic landscaping, that is policy protected under Policy AIR6 in the Local Plan, will remain protected, enhanced and better managed as part of the wider landscaping scheme.

**Appearance;**

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

**14.3.17.1** Outline application vision of site;



**14.3.17.2** Reserved Matters DAS Vision of Site with Proposed Design of Units 1-3



**Scale;**

**14.3.18** The scale of the scheme also forms part of the reserved matters. The applicant has indicated the upper limits of floorspace and building heights plus zonal areas of building heights as part of the outline application, of which this has been conditioned within the outline consent. Paragraph 4.5.2 of this report highlights the approved parameters of the proposed development.

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

**14.3.20** Following the approved parameter plan, Units 1 and 2 are proposed to be 15.4m in height to the parapet of the units (16m to pitch) and, Unit 3 is 13m high to the parapet. These are within the approved height parameters of 20m in Zone 3 and 16m in Zone 5. Again, the proposed unit heights accord with the set parameters approved.

**14.3.21** The parameter heights provided are maximums and have been determined by constraints on site including Safeguarding of Aerodromes protecting the take-off cones from the main runways. The applicant has undertaken an assessment exercise of this as part of the outline planning support information. The Airport bodies have been consulted of this planning application of which no objections in this respect.

**14.3.22** In terms of floorspace for the units will be;

- Unit 1 – 8,487sqm;
- Unit 2 – 9,782sqm; and
- Unit 3 – 3,704sqm.

**14.3.22.1** This will be of mixed commercial / employment floorspace predominantly within Class B8 Classes E(g) and Class B2, details are not provided of the end user as yet and remains flexible for marketing purposes. However, whilst the above specified floorspace equates to 21,973sqm the reserved matters seek for a total floorspace provision of 22,637sqm (GEA) which would cover for any mezzanine floorspace within the units subject to the end user. Nonetheless, the uses together with the floorspace falls within the permitted allowance granted under the outline planning consent as highlighted within paragraph 4.5.1 above.

**14.3.23** The design of the development is in accordance with Local Plan Policies GEN2, AIR3, AIR4 and AIR6 of the adopted Local Plan and in accordance with the NPPF.

**Sustainability:**

**14.3.24** The proposed buildings would be subject to the current Building Regulations in terms of accessibility in accordance with Local Plan Policies GEN1 and GEN2 in terms of meeting Part M of the Building Regulations. However, the scheme would also at the very least meet sustainability in terms of energy efficiency and low carbon/renewable energy in accordance with the current high bar which is set. UDC have Supplementary Planning Guidance Energy Efficiency and Renewable Energy SPG (October 2007) and the more recent Interim Climate Change Policy (2021). The applicant has expressed their commitment at outline stage to ensuring the development would be at the forefront of the latest technology to achieve a highly sustainable scheme. The applicant has developed a Net Zero Strategy and Pathway (August 2021) to investing and decarbonising their entire portfolio by 2050. The scheme is designed to accommodate this with using an all-electric strategy, solar panels, energy metres, low carbon renewable technologies, targeting EPC rating 'A' for the offices, provision for battery storage, air source heat pumps for the offices, air tightness and led lighting throughout. There is a commitment to at least meet a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'Very Good' and aiming for 'Excellent' with an ambition for 'outstanding' subject to the individual use of the buildings, of which this has been conditioned as part of the outline consent, Condition 10, which states;

*"The buildings shall be designed to meet at least BREEAM rating 'very good' and to aim for 'Excellent' wherever possible. The details shall be submitted to and approved in writing by the Local Planning Authority on*

*each building reserved matters stage. Thereafter the development shall be implemented in accordance with the approved details.”*

**14.3.25** It has been highlighted within the submitted Design and Access Statement that *“The orientation [of the roofs] also helps with the proposed provision for roof mounted PV’s as part of the sustainable design.”* However, development has been designed to facilitate the ‘Net Zero Ready’ through the achievement of net zero construction and then designing the building to facilitate net zero operation should a tenant choose to purchase renewable energy to power the building(s).

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

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

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

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

#### **Energy Strategies**

- EPC rating of A as a minimum;
- Achieving BREEAM ‘Excellent’ as a minimum rating (with ambition to Outstanding where possible) to help further lower the overall CO2 production of the building;
- Reduced Air Permeability, lower than standard Building Regulations;
- Improvement in fabric U-Values over what is currently a base requirement in Building Regulations;
- Building services shall be installed to include capability for automatic monitoring and targeting with alarms for out of range values;
- High efficiency LED lighting both internally and externally

- Renewable energy in form of a provision of solar photo voltaic (PV) panels and ASHP's;
- Use of building materials i.e. roof lights to provide natural task lighting, to help reduce energy usage;

#### **Material Selection**

- Incorporation of the principles of circularity, ensuring careful selection of materials to not only create a high quality built environment but to reduce embodied carbon, environmental impact, recyclability and ongoing maintenance;
- Where possible FSC certified timber will be sourced.

#### **Building Design**

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

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

#### **Accessibility:**

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

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

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

**14.3.31** Due to the nature of the application and its location consideration has been highly focused on and provide security and safety to the airport and the site's users. Detailed discussion have taken place during the course of assessing the application between Essex Police, Aerodrome Safety,

the LPA and the applicant. Many of the details would be are currently unknow due to the speculative nature of the development. However, the outline DAS specified the following points to tackle crime prevention in the following ways:

- **Access & Movement:** The development needs to be laid out to permit open access points which are clearly visible and open to surveillance from a distance. The development should be laid out to permit convenient movement without compromising security. Car parking is to be provided in the most prominent locations available,
- **Structure:** The development is to be designed to remove opportunities for crime. The building is either within the tenants' own management or that of the management of the estate,
- **Surveillance:** CCTV is expected within the site, with car parking also overlooked by the offices. CCTV ducting, poles and brackets will be provided in the development with the CCTV cameras and cabling to be installed by occupiers. Dark spaces will be well lit,
- **Ownership:** The application site and the wider estate are in single ownership enabling a consistent approach to safety and security. The units will be designed to ensure sense of ownership by the occupier through good design and where appropriate this will be further enforced by enclosing potentially vulnerable areas by fencing and legal demise,
- **Physical Protection:** The building will be designed in robust materials - metal sheet cladding on a steel frame. Where glazing is incorporated, toughened laminated sections will be included around the yard and car parking where necessary,
- **Activity:** The main activity in the future units will be that of the business itself (i.e. industrial/ warehousing) which will tend to take place both within the building and its service areas,
- **Management & Maintenance:** A dedicated team as the estate operates 24 hours, 7 days a week, specifically charged with maintenance, landscaping and security of the estate.

**14.3.32** The Crime Prevention Officer has raised a number of points which have been outlined in Paragraph 10.6 above.

**14.3.33** The Design Code specifies that security fencing for services yards would be 2.4m high paladin/weldmesh. Acoustic timber fencing would be utilised where necessary to limit appearance and noise from yards. In this instance 4m high acoustic timber fence has been proposed between Unit 2 and Bury Lodge, behind landscaping. The detailing to ensure that the fencing is continuous 2.4m high welded mesh fencing around the perimeter/service yards can be further conditioned should planning permission be granted.

- 14.3.341** The offices have been designed to provide natural surveillance along the main First Avenue entrance into the site. The offices wrap around to provide dual aspect of natural surveillance, together with the provision of curtain wall windows provides passive surveillance all the way around the building. Lighting would be a design factor especially offices overlooking public realm and car parking. Lighting would be provided for cycle and footpaths during the dark hours with dark spots being avoided. Signage will also form part of defining public and private areas. However, the lighting is also conditioned at outline and would require further consideration in terms of ecology, aerodrome and designing out crime, but also needs to remain flexible subject to future occupier needs. Defensible spaces have been provided to provide clear indication of public v private areas. For example, a public breakout area has been created to the front of Unit 1 and the service yards have been secured through the provision of gates and landscaped through the use of hedging and gabion walls to create a soft, integrated yet defensible boundary treatment.
- 14.3.35** The Strategic Crime Prevention Officer has provided comments regarding the scheme however these more relate to the operational function of the site which needs to be discussed further with the applicant and MAG through continued liaising outside of the application process.
- 14.3.36** The above designing out crime tools are acceptable and in accordance with Local Plan Policy GEN2 and the NPPF.
- 14.3.37** All identified hazards and public safety issues such as the fuel storage tanks, bird hazard, glint and glare, wind impact, instrumental flight procedures, security and emergency access route have been mitigated within the outline application and conditions. Bird Hazard Management Plan (BHMP) conditioned as part of the outline consent (conditions 46 & 47) of which details have been submitted and approved by Aerodrome Safeguarding and thereafter needs to be complied with at each stage of the development. Some of the issues such as the fuel storage and emergency access falls under the second part of the phasing plan. Details regarding landscaping plant species which directly affects aerodrome safety in terms of BHMP has been agreed.
- 14.3.38** In so far as the details submitted as part of this element of the reserved matters phase 1 the development is in accordance with Local Plan Policy GEN2 and the NPPF.

#### **14.4 B. Heritage**

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

**14.4.2** Immediately to the west of the site is Bury Lodge which is a Grade II Listed Building.

**14.4.3** The principle of development in Zone 5 has been approved at outline planning stage, whereby it was concluded that the proposed development would result in **less than substantial and at the low end of the scale** due to separation distances between the heritage assets and the site it was concluded that the resultant harm to these assets to be.

**14.4.4** It was noted by the Conservation Officer at the time that the proposed development, through its scale and massing, would detract from the wider rural setting and character of the heritage assets. But it was understood that the application is Outline with details of scale and appearance reserved, recommended that the heights should be minimised where possible and robust mitigation measures employed within any details following application. However, the outline planning permission has secured height parameters for the proposed development site wide and Unit 2 falls within the approved upper end of the height restriction in this zone as discussed above in paragraph 4.8 and 14.3.20. In consideration of the set off distance from the rear elevation of Unit 2 and the rear perimeter fence this ranges from 36-55m, the distance from the rear elevation of the Unit 2 to the Bury Lodge side of the bunding ranges 48-55m. The proposed landscape and noise mitigation to mitigate the development and to protect the amenities of the occupiers of Bury Lodge no objection was raised by the Conservation Officer on this application.

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

## **14.5 C. Landscape & Nature Conservation**

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

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

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



- 14.5.4** Paragraph 180 (d) of the NPPF goes onto state that “*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*”
- 14.5.5** A Landscape Maintenance and Management Plan was submitted as part of the outline application. It provided the basis for a landscape strategy that would be enhanced with the provision of meaningful open spaces on site that contribute to biodiversity enhancement. The Plan also outlined the Biodiversity Management Strategy for the management and maintenance of mitigation measures identified in the EIA process.
- 14.5.6** The DAS has highlighted that the landscaping would aim to achieve the following objectives which has fed into the parameters plan;
- to retain existing trees and landscape features as is practical and ensure that those that are retained are adequately protected and integrated within the design;
  - to deliver strategic landscape in order to screen the development from sensitive receptors;
  - to enhance the amenity value of the site and provide an attractive and welcoming environment sympathetic with the existing landscape character of the area;
  - to create a ‘feel safe’ environment for site users;
  - to use ecological design principles with emphasis on increasing the diversity of habitat creation within the context of airfield safeguarding;
  - to take account of the future maintenance requirements by careful selection of plant species and their relationship, with emphasis on achieving good establishment whilst minimising maintenance costs.
- 14.5.7** The submitted landscape layout and the Statement of Compliance reaffirms and meets the aims above.
- 14.5.8** As mentioned above in paragraph 3.9, the application site is surrounded and protected by strategic landscape along the northern and western boundary which is protected by Local Plan Policy AIR6. The strategic landscaping will be retained and enhanced as part of the development and form a critical part in the overall landscaping strategic and is proposed to be enhanced further as part of the development. This is in accordance with Local Plan Policy AIR6 in this respect.
- 14.5.9** The individual units will each have a different nature of landscaping around them as a setting. The carparking areas will all be softened through the use of planting. Veteran trees have been indicated to be retained and integrated into the development. A landscape bund has been proposed along the shared boundary between Unit 2 and Bury Lodge. This would serve a protective mitigation measure for the amenity of Bury Lodge and would have a depth of approximately 14m, it will be graduated slope to a maximum height of 4m together with a 4m high acoustic fencing proposed to be set behind it.

- 14.5.10** The nature of the landscaping in terms of species, types and locations etc has been agreed through the Discharge of Conditions whereby no objections have been raised by the aviation safeguarding authorities.
- 14.5.11** As part of the outline application a management plan was submitted which sets out a 15-year plan for the management of the new landscaping following completion of the works, which would also include the addressing of failed landscape works. It also highlights a selective thinning process every set number of years to allow the growth of other trees. This has been conditioned as part the outline planning consent to secure this (condition 5), which addresses a concern raised by the Crime Prevention Liaison Officer.
- 14.5.12** The Landscape Officer has been consulted of the application of which has raised no objection to the soft landscape details, the landscape management plan, the fencing or acoustic barrier. No objections have been raised by Aerodrome Safety or MAG in respect of landscaping.
- 14.5.13** Overall, the landscape details are acceptable and in accordance with Local Plan Policies AIR6, GEN7 and GEN2 and the NPPF in this respect.
- 14.5.14** **Ecology:** The application site itself is not subject of any statutory nature conservation designation being located on airport land.
- 14.5.15** There are ancient woodlands adjacent to the site as well as mature landscaping which forms a defensible boundary. The impact of the development upon the woodlands has been assessed at outline stage within the Environmental Impact Assessment, whereby mitigation measures have been proposed as part of the wider scheme. It was concluded any impact to the woodland is thought to be minimal as it is highly unlikely that there would be any loss or deterioration to the Ancient Woodland following delivery of the mitigation measures proposed. The public benefits also would far outweigh any resultant harm.
- 14.5.16** As stated elsewhere in the report due the proximity of the Airport and safeguarding requirements the nature of landscaping would need to be specific as to not create bird drawing habitats. Amongst this care is stated to be taken to ensure that there is not an over reliance on one specie selection.
- 14.5.17** A variety of ecological and landscape condition were imposed on the outline planning consent of which various Discharge of Condition applications have been submitted allowing the in-depth consultations with Place Services Ecology, Landscape Officer, Aerodrome Safety and MAG.
- 14.5.18** Place Services Ecologist have resolved to raise no objections with the reserved matters application following a series of additional information

being submitted as part of the parallel Discharge of Conditions relating to mitigation and enhancement measures during construction, Construction Environmental Management plan, Biodiversity Net Gain, and Landscape and Ecological Management Plan. Details regarding lighting are still in the process of being agreed.

**14.5.19** Therefore, in conclusion of the above the proposed development subject to the identified mitigation measures and agreed details is considered acceptable and in accordance with Local Plan Policies GEN7 and the NPPF.

#### **14.6 D. Amenity**

**14.6.1** The NPPF requires a good standard of amenity for existing and future occupiers of land and buildings. Policies GEN2 and GEN4 of the Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties. Local Plan Policy ENV11 states *“Noise generating development will not be permitted if it would be liable to affect adversely the reasonable occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated.”* Paragraph 185 of the NPPF highlights that; *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*(a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life 65 ;*

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

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

Paragraph 191 of the NPPF also seeks to protect the natural environment and discusses amongst other things protecting against noise pollution.

**14.6.2** Details relating to the noise, at the request of Environmental Health have also been conditioned as part of the outline planning consent under Condition 66-70, 72-74, which also includes details relating to the substation. Details solely relating to the acoustic fencing treatment in relation to Unit 2 and Bury Lodge are the only noise related elements that have been provided as part of this Reserved Matters in this part of

Phase 1. In respect of this application Environmental Health have been consulted of which have stated “*Suitable conditions were attached to the permission given to this site at outline stage (UTT/22/0434/OP.) The Environmental Protection team have no further comments to add at this stage.*”

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

## **14.7 E. Highways**

**14.7.1** NPPF Paragraph 114 states;

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

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

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

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

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

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

### **Access:**

**14.7.3** Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people

whose mobility is impaired and encourage movement by means other than a vehicle.

**14.7.4** The outline planning consent granted approval for the main access into the site, First Avenue with associated widening works, and a separate access sought for the sub-station to serve the scheme via Round Coppice Road and Bury Lodge Lane. This has been reflected on the layout plan as part of this Phase 1 submission.

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

**Parking:**

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

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

**14.7.8** The proposed units will have a floorspace of as follows:

- Unit 1 – 8,487sqm;
- Unit 2 – 9,782sqm; and
- Unit 3 – 3,704sqm.

**14.7.9** The submitted plans indicate that a total of 177 car parking spaces would be provided across Units 1-3, (Unit 1 = 76, 4 access spaces; Unit 2 = 66 with 3 spaces being accessible and Unit 3 = 35, with 2 accessible spaces).

**14.7.10** Also, cycle parking provision comprising 66 spaces (Unit 1 = 28; Unit 2 = 28 and Unit 3 = 10) is proposed.

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

14.7.11.1

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

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

**Standard:**

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

14.7.11.2

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

**Standard:**

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

**14.7.11.3 Parking Standards for Use Class B8: Storage and Distribution**

Including open air storage.

**Standard:**

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

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

Unit 1 – 57 (B8), 170 (B2), 283 (B1/E(g)) = providing 76 spaces  
 Unit 2 – 65 (B8), 196 (B2), 326 (B1/E(g)) = providing 66 spaces  
 Unit 3 – 25 (B8), 74 (B2), 124(B1/E(g)) = providing 35 spaces

**14.7.13** Due to the scale of the units, it is predicted that these are likely to be in Use Class B8 (storage distribution) with ancillary officing. Above maximum Use Class B8 car parking provision has been provided to cater for this with the extra for the office provision, however it is below the maximum for the alternative uses. Similarly, the cycle provision meets and exceeds the required provision for B8 staff parking but falls slightly short for visitors cycle provision, whereby the requirement is 26 cycle spaces for Unit 1 (-4), 30 cycle spaces (-2) for unit 2 and 11 for unit 3 (-11). There is sufficient room on site to cater for minimal shortfall.

**14.7.14** 5% disable parking spaces have been provided.

**14.7.15** The required parking provision for Use Class B2 and B1/E(g) is considered excessive this is particularly considering that the site is located in a very sustainable location, there is large scale airport parking opposite the site plus increased sustainable travel alternatives have been provided in terms of shared cycle/footpaths and enhanced bus services. Nonetheless, it should also be noted that the parking standards are maximum and therefore technically the scheme accords.

**14.7.16** 20% of all car parking spaces would have EV (electric charging) provision. The provision of EVC is in accordance with NPPF paragraphs 109 and 116, and Local Plan Policies GEN2, GEN1 and ENV13.

**14.7.17** No objection has been raised by ECC Highways, ATE, MAG or National Highways.

**Highways Impact:**

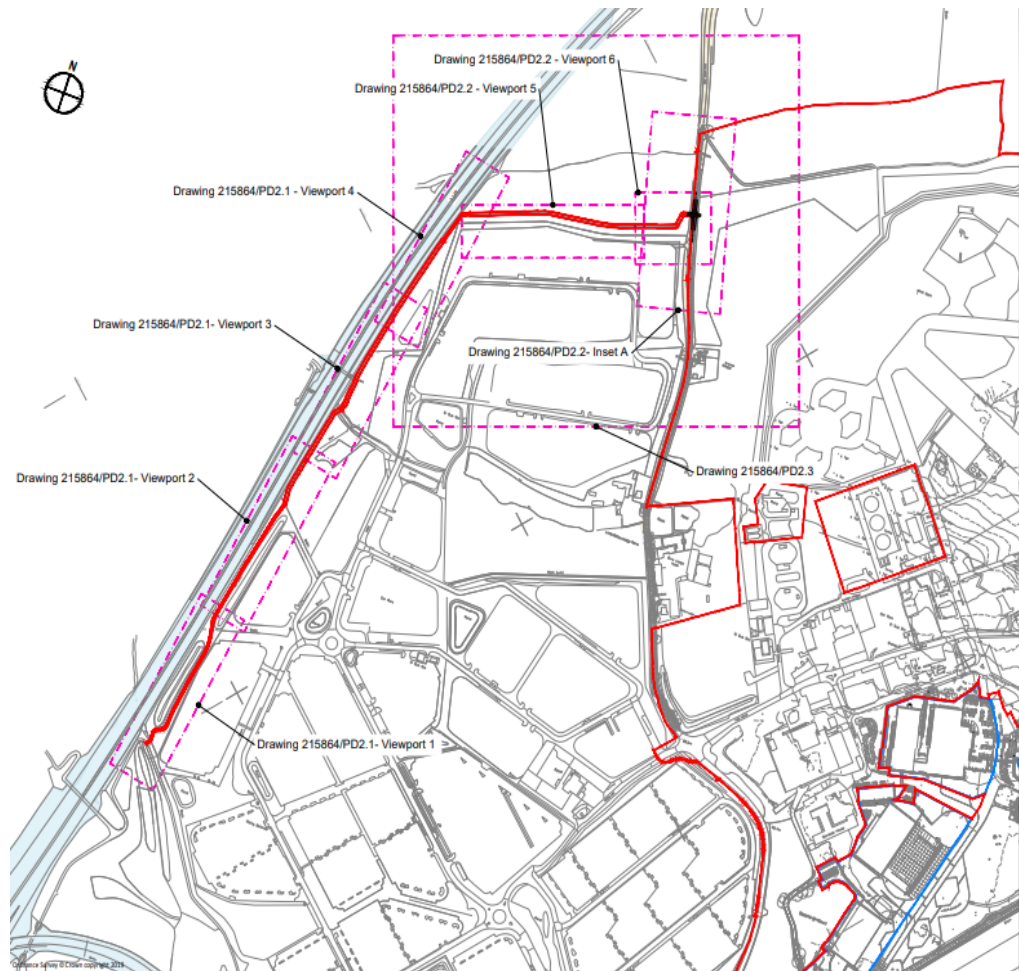
**14.7.18** A Transport Assessment has been undertaken by Vectos and submitted in support of the outline application. Vectos have been actively in discussions with the three Highway Authorities affected by the development, Manchester Airport Group (also known as STAL) and ECC Highways who are responsible for the local road network and National Highways who manage the M11 and A120, who have intern assessed the Transport Assessment and Travel Plan Framework.

**14.7.19** The following highway works were proposed to mitigate and improve access;

- Improvement and widening works to Bury Lodge Lane/Round Coppice Road;
- No right hand turn for HGVs out of the site towards Stansted Village together with CCTV monitoring;
- Enhanced bus service;
- Two Bus stops;
- **Improvements of First Avenue;**
- **Prohibition of cycling along Round Coppice Road between the roundabouts accessing the Long Stay Car Park and First Avenue for safety reasons;**
- **Provision of cycle link from the site to the junction with PROW 45/62 with provision of Toucan crossing on Bury Lodge Lane as shown in principle in drawing number 215864/PD05 rev B**
- Bridleway 45/60 to be surfaced;
- A commuted sum for maintenance to be provided for new surface of the bridleway and any part of the cycleway to be adopted by the highway authority;
- Provision of pedestrian/cycle signage;
- junction improvements shown in outline on M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 15864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Birchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 24 November 22

**14.7.20** The diagram below indicates the PROW connectivity proposed above, as indicated in Drawing 215864/PD02 Revision F of the outline planning consent;





- 14.7.21** The detailed plans submitted as part of this application includes a number of the highway works specified in paragraph 14.7.10 above, outlined in bold.
- 14.7.22** All three governing Highway Authorities National Highways, Essex County Council and STAL have been consulted of the planning application as well as the newly formed Active Travel England.
- 14.7.23** No objections have been raised by STAL or National Highways.
- 14.7.24** ECC Highways have made comments on the application and had sought further information during the course of the application's assessment. They had resolved to not object to the reserved matters application subject to conditions relating to the implementations of the cycle routes within the site to units 1-3 and the implementation of the shared footway/cycleway.
- 14.7.25** ATE supports the highway authority's recommendation dated 31/1/2024 and has not repeated the conditions therein. ATE has no objection to the application in view of revised drawings VD22808 VEC-HGNCYC-SK-CH0003 REV C and VD22808 VEC-HGN-FA1-SK-CH-0014 Rev A, subject to conditions being secured.

**14.7.26** Third party comments had raised lack of transport connectivity to Stansted Village and Stansted Airport College. Connectivity has been addressed as part of the outline application whereby the shared cycle/footpath, enhanced bus services and further cycleways have been agreed and secured as part of the S106 Agreement and conditions.

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

## **15. ADDITIONAL DUTIES**

### **15.1 Public Sector Equalities Duties**

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

**15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

### **15.2 Human Rights**

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

## **16. ENVIRONMENTAL STATEMENT**

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

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

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

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

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

*(a) examine the environmental information;*

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

*(c) integrate that conclusion into the decision as to whether planning permission or subsequent consent is to be granted; and*

*(d) if planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.*

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

**16.1.4 Co-ordination**

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

*(2) In this regulation, a “Habitats Regulation Assessment” means an assessment under [F1regulation 63 of the Conservation of Habitats and Species Regulations 2017] (assessment of implications for European sites and European offshore marine sites).*

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

**17. PLANNING BALANCE AND CONCLUSION**

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

**17.1.2** However, the submitted design of the development for Units 1-3 is compatible with its surroundings, providing suitable amenity spaces, being ultra-sustainable buildings meeting at least a very high BREEAM rating through its fabric, meeting Secure by Design, Part M of the Building Regulations. By having set parameters and a Design Code agreed as part of the outline consent this provided a framework certainty and limitations in terms of the impacts of the development of which the proposed units accord with the DAS and Design Code set out and agreed previously. Therefore, in accordance with Local Plan Policy GEN2.

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

**17.1.4** No objection has been raised by ECC Ecology, subject to according with the conditions and carrying the mitigation measures identified within the submitted ecological report that forms part of the outline consent. The scheme is therefore in accordance with Policy GEN7 of the adopted Local Plan. Moderate beneficial impact has been concluded from the development upon the ecological and biodiversity.

**17.1.5** The layout of the proposed landscaping is acceptable according with the Design Code and the DAS. No objections have been raised by the Landscape Officer. Therefore, the application is in accordance with Local Plan Policy GEN7 and S7 in terms of landscaping.

**17.1.6** Adequate parking provision is provided on site in accordance with adopted parking standards, Local Plan Policy GEN8, Essex Parking Standards (adopted 2009).

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

**18. CONDITIONS – TO FOLLOW**