

Mark Boulton  
The Planning Inspectorate  
The Square Temple Quay  
Bristol  
Avon  
BS1 6PN

**Our ref:** AC/2023/131681/01-L01  
**Your ref:** S62A/2023/0022  
**Date:** 31 August 2023

Dear Mark,

**PARTIAL DEMOLITION OF THE EXISTING TRACK TRANSIT SYSTEM AND FULL DEMOLITION OF 2 NO. SKYLINK WALKWAYS AND THE BUS-GATE BUILDING. CONSTRUCTION OF A 3-BAY EXTENSION TO THE EXISTING PASSENGER BUILDING, BAGGAGE HANDLING BUILDING, PLANT ENCLOSURE AND 3 NO. SKYLINK WALKWAYS AND ASSOCIATED HARDSTANDING.**

#### **LONDON STANSTED AIRPORT BASSINGBOURN ROAD STANSTED ESSEX**

Thank you for your consultation dated 08 August 2023 for the above application. We have reviewed the documents as submitted and we are raising a condition related to water pollution.

Without these conditions, the proposed developed would pose an unacceptable impact on the environment. We have also provided additional comments on ground contamination and flood risk below.

#### **Ground Contamination**

As part of the consultation, we have reviewed the following submitted documents:

- Contamination Desk Based Assessment prepared by Mott MacDonald Ltd., dated July 2023 (ref.: TBC)

In addition, we have also revisited information relating to ground conditions submitted under planning application UTT/18/0460/FUL for an alternative development on the same site.

The proposed development site's current use as an airport (with this area specifically used for two existing skylinks, and indicated to also comprise the airport's people mover and associated maintenance building, a passenger vehicle building, a network of underground storage facilities, various tarmac access roads, and areas of concrete hardstanding) could potentially contain sources of contamination that could be mobilised and impact on controlled waters, specifically groundwater in the

underlying Lowestoft Formation (Secondary Undifferentiated) and possible Kesgrave Catchment Subgroup (Secondary A) superficial aquifers, and the deeper Chalk Principal Aquifer, as a result of the proposed redevelopment of the site.

We also note that the above report refers to laboratory analysis of groundwater samples taken from an intrusive geo-environmental ground investigation to the east of the site within the airport where elevated concentrations of potential contaminants were noted.

However, considering the information provided we are comfortable that the proposed development can be completed without further deterioration of controlled water sources and therefore 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.

### **Condition 1 – Remediation Strategy**

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

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

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

## **Reason**

To ensure that the development does not contribute to, and is not put at, unacceptable risk from adversely affected unacceptable levels of water pollution in line with paragraphs 174, 183, and 184 of the National Planning Policy Framework. The information provided within the Contamination Desk Study goes some way to satisfy (1) of the above condition, and we note provided recommendations with respect to further geo-environmental investigation and assessment are carried through as detailed within Section 6.2.2 of the report we feel (2) would be partly satisfied. However, it must be noted the intention of the above condition is to enable the applicant to develop a robust remediation strategy for pre-existing contamination should it be present, and the current recommendations do not include this.

## **Condition 2 – Investigative Boreholes**

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

## **Reason**

To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution in line with paragraph 174 of the National Planning Policy Framework.

## **Condition 3 – Monitoring**

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

## **Reason**

To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 174 of the National Planning Policy Framework.

#### **Condition 4 – Verification Report**

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

#### **Reason**

To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

#### **Condition 5 – Unexpected Contamination**

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

#### **Reason**

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraphs 174, 183, and 184 of the National Planning Policy Framework.

#### **Condition 6 – Piling**

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

#### **Reason**

To ensure that the proposed development does not harm groundwater resources in line with the Environment Agency's approach to groundwater protection. There is some uncertainty around land contamination and waste deposited at the site, so there is concern piling or other penetrative construction methods/installations could disturb underlying contamination resulting in the pollution of the underlying aquifers. A foundation works risk assessment will be required prepared with reference to the guidance presented in 'Piling into Contaminated Sites (Environment

Agency, 2002)' available at the following website: [\[ARCHIVED CONTENT\]](#)  
([nationalarchives.gov.uk](http://nationalarchives.gov.uk)).

### **Flood Risk**

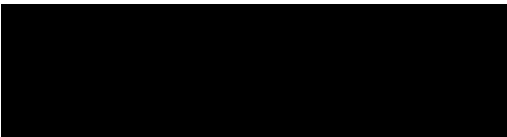
The enhanced biodiversity/ grassland site is located in proximity to Great Hallingbury Brook and Assets and natural high ground, however after reviewing the submitted documents it appears there will be no built development that could affect the assets, or within proximity to the river.

### **Advice for Applicant**

As Great Hallingbury Brook runs within the red line boundary, it is likely that you own a stretch of watercourse. This means you have riparian responsibilities. Responsibilities include (but are not limited to) the maintenance of the river at this location including the riverbank. Further information on this can be found here: <https://www.gov.uk/guidance/owning-a-watercourse>

We trust this advice is useful.

Yours sincerely,



**Ms Megan Turnpenney**  
**Sustainable Places - Planning Advisor**

Team e-mail: [Planning.Eastanglia@Environment-agency.gov.uk](mailto:Planning.Eastanglia@Environment-agency.gov.uk)

Team number: 