

Date: 25 October 2018  
Our ref: 260784  
Your ref: UTT/18/0460/FUL



[planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk)

cc: [REDACTED]

**BY EMAIL ONLY**

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

T 0300 060 3900

Dear Ms Denmark

**Planning consultation: 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  
Location: Stansted Airport, CM24 1QW**

Thank you for your consultation on the above dated 04 October 2018 which was received by Natural England on the same date.

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

Case law<sup>1</sup> and guidance<sup>2</sup> has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A of the letter dated 10 May 2018 provides Natural England's advice on the scope of the Habitats Regulations Assessment including Appropriate Assessment for this development.

In addition to the following advice, Natural England refers you to our letter dated 31 August 2018 (reference 253766), 9 July 2018 (Reference DAS 3592) and 10 May 2018 (reference DAS 3592), as well as all other relevant consultation letters about this proposed development with more detailed advice.

These comments refer to the Appropriate Assessment (AA) by Essex Place Services (version 1.4 Final dated 11 October 2018) on behalf of Uttlesford District Council.

### **Stansted 35+ Appropriate Assessment**

Natural England **broadly accepts** that the Stansted 35+ development can avoid an adverse effect on the integrity of the Epping Forest Special Area of Conservation (SAC), either alone or in-

---

<sup>1</sup> Harrison, J in R. v. Cornwall County Council ex parte Hardy (2001)

<sup>2</sup> Note on Environmental Impact Assessment Directive for Local Planning Authorities Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

combination with other relevant plans or projects. Our conclusions are based on the available and submitted information at the time of consultation, set within the context of our letter dated 31 August 2018.

There are however a number of points of detail within the AA (as referenced above), that Natural England do not agree with; these are mostly matters advised about within our previous letters of August and July 2018. These are included within Annex 1 for all parties reference.

Furthermore, we would draw your attention to the final paragraph of section 'Likely Effect of Stansted Airport 35+ on SAC features 'in-combination'' of the letter dated August 2018 which refers to the impacts in relation to unit 105 of the Epping Forest Site of Special Scientific Interest (SSSI) and the other outstanding matter SSSI matters.

Having noted the proposed new heads of terms of the S106, Natural England welcomes the inclusion of monitoring for both East End Wood (Elsenham Woods SSSI) and Hatfield Forest. We would however request further clarification on the extent of this monitoring, in particular the period of which this will be undertaken, frequency etc. For clarity, Natural England would anticipate that this would be conducted for the lifetime of the application.

We also note that within the Officer's committee report, the conclusion that further monitoring will not be undertaken for Epping Forest in association with this application. Natural England has no further comment to make on this matter, but we anticipate that such monitoring will still be undertaken as part of the Local Plan process. For clarity, please be aware that the impacts in relation to the M25 should refer to junctions 26-27 as opposed to junctions 25-26

This concludes Natural England's advice at this stage which we hope you will find helpful.

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

For any queries relating to the specific advice in this letter only, please contact Heather Read on [REDACTED]. Or to provide further information on this consultation, please send your correspondences to [consultations@naturlaengland.org.uk](mailto:consultations@naturlaengland.org.uk).

Yours sincerely

Heather Read  
Essex Area Delivery Team  
[REDACTED]

## Annex 1

Natural England's advice about points of detail in the Habitats Regulations Assessment – Appropriate Assessment version 1.4 Final:

0.5 – The Habitats Regulations Assessment (HRA) has a detailed appropriate assessment of Air Quality effects, not disturbance effects.

4.2 – Natural England concludes AEOI (adverse effect on integrity) can be avoided, accounting for context of our letter dated 31 August 2018.

Table Evidence supporting conclusions (d) – The Stansted 35+ Development is predicted to increase M25 Junctions 26-27 > 1000 AADT and therefore is not regarded as insignificant in HRA terms (please letter dated 9<sup>th</sup> July 2018).

4.9 – Natural England notes the constraints of the assessment, as set out in section 2 of our letter dated 31 August 2018

4.11 – Natural England's position is set out in section 'Redistribution Traffic Modelling' of our letter dated 9<sup>th</sup> July 2018

4.14 – Natural England regards the additional 1,493 AADT movements per day on the M25 as significant in HRA terms consistent with DMRB guidelines

4.27 and 4.28 – Our detailed comments are provided within section 2 of our letters dated 9 July 2018 and 31<sup>st</sup> August 2018

4.30 – Natural England advises that the proportional area affected may be relatively low to the overall area of the SAC but this does not necessarily mean it should be regarded as *de minimis*.

4.31 – Bullet point 3 - Natural England advised throughout the consultation that this context is out of date and the unit 105 is very likely to be unfavourable for features. See section 2 of our letter dated 31 August 2018.

4.31 – Bullet point 4 – The low proportion of veteran trees is not necessarily insignificant (see section 2.2 of our letter dated 9<sup>th</sup> July 2018)

5.3 – Bullet point 3 – It is understood that this is ECCs position, but please note that Natural England advises there is not likely to be an adverse effect on the integrity of the SAC population of the Annex II species Stag beetle 'Lucanus Cervus'

5.3 – Bullet Point 4 – Natural England disagrees with this statement recognising that prolonged exceedance of critical levels and loads may cause changes to the composition of the SAC habitats over time, but at this stage it is difficult to definitively predict how significant these changes may be. Based on the context set out in our letter of 31 August 2018, Natural England advises that there is not likely to be an adverse effect on the integrity of the Annex I habitats for which the SAC was classified.

5.3 – Bullet point 5 – Natural England disagrees with this statement recognising that prolonged exceedance of critical levels and loads may effect chemical and biological processes, but at this stage, it is difficult to definitively confirm how significantly these processes will be interrupted or degraded. Based on the context set out in our letter of 31 August 2018 with reference to details in our letter of 9<sup>th</sup> July 2018, Natural England advise that there is not likely to be an adverse effect on the integrity of the physical, chemical or biological processes that support the Annex I habitats and Annex II species for which the SAC is classified.

5.7 – Natural England does not wholly agree with the statement in the first sentence. Our position is that the plan can avoid an AEOI of Epping Forest SAC either alone or in-combination