



UTTLESFORD DISTRICT COUNCIL

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Dated: 7 April 2017

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Application Number: UTT/16/3566/FUL
Applicant: London Stansted Airport Limited

Uttlesford District Council **Grants Permission** for:

A dedicated terminal facility for arriving passengers (34,384sqm); an associated forecourt; and altered access and service roads. at Proposed Terminal At Gorefield Road Stansted Airport

The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
006 L10 DR GA 001-001 03 S2	Floor Plan (proposed)	13/02/2017
006 L00 DR GA 001-001 03 S2	Floor Plan (proposed)	13/02/2017
006 LA0 DR GA 001-001 03 S2	Floor Plan (proposed)	13/02/2017
006 XXX DR SH 001-001 00 S2	Other	13/02/2017
000 XXX DR PL 001-001 03 S2	Location Plan	22/12/2016
000 XXX DR PL 001-003 03 S2	Block Plan	22/12/2016
000 XXX DR EL 001-003 03 S2	Elevations (proposed)	22/12/2016
000 XXX DR EL 001-004 03 S2	Elevations (proposed)	22/12/2016
000 XXX DR PL 001-004 03 S2	Block Plan	22/12/2016
006 L00 DR GA 001-001 02 S2	Floor Plan (proposed)	22/12/2016
006 L10 DR GA 001-001 02 S2	Floor Plan (proposed)	22/12/2016
006 LA0 DR GA 001-001 02 S2	Floor Plan (proposed)	22/12/2016
006 R10 DR GA 001-001 02 S2	Roof Plans	22/12/2016
006 XXX DR EL 001-001 03 S2	Elevations (proposed)	22/12/2016
006 XXX DR EL 001-002 03 S2	Elevations (proposed)	22/12/2016

Permission is granted with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

JUSTIFICATION: This pre-commencement condition is required to ensure the development can be carried out using materials which are appropriate for this location, thus enabling them to be sourced in good time.

- 3 No works shall take place until a detailed surface water drainage scheme for the development, demonstrating how it will relate to the existing airport wide drainage system, has been submitted to and approved in writing by the local planning authority. The scheme should be based on sustainable drainage principles and include but not be limited to:
- o Agreement of the development's discharge rates in line with existing drainage infrastructure already in place for Stansted Airport
 - o Ensuring that the airports existing drainage system has sufficient available storage to ensure that the development does not lead to off airport flooding during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - o Final modelling and calculations for the relevant areas of the drainage system.
 - o The appropriate level of treatment for all runoff leaving the development site, in line with the CIRIA SuDS Manual C753.
 - o Detailed engineering drawings of the relevant components of the drainage scheme.
 - o A final drainage plan for the development site which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - o A written report summarising the principles of the scheme and to the drainage of terminal building.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to ensure the effective operation of SuDS features over the lifetime of the development; to provide mitigation of any environmental harm which may be caused to the local water environment, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

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

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

5 Prior to the commencement of the development hereby permitted,

a) A detailed investigation of that site shall be carried out, the method and extent of which shall previously have been agreed in writing with the local planning authority, to establish the degree and nature of any contamination present and to determine its potential for pollution of the water environment, and

b) Details of appropriate measures to prevent pollution of groundwater and surface water of and from that site have been submitted to and approved in writing by the local planning authority. The approved measures shall subsequently be carried out as approved.

REASON: To ensure the development of the site does not result in the contamination of local watercourses and provide mitigation of any environmental harm which may be caused to the local water environment, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in the installation of a system that may increase flood risk or pollution hazard from the site.

6 Prior to the commencement of the development hereby permitted, a written statement providing details of water efficiency measures, including metering, that will be incorporated into the development shall be submitted to and approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved details.

REASON: In the interests of the promotion of sustainable forms of development and construction and to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007, and in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a building design which may have to be reconfigured in order to accommodate the necessary measures, resulting in delay to the development.

7 Prior to the commencement of the development hereby permitted, a construction management plan shall be submitted to and approved in writing by the local planning authority. The plan as submitted shall include a) routes to be used by contractors' vehicles moving to and from the site (and the appropriate signing thereof), b) temporary noise protection measures relating to the development, c) management of surface water during construction, and d) construction management proposals (eg hours of working, wheel washing and dust suppression measures). The plan shall subsequently be implemented as approved for the duration of the development being carried out.

REASON: In the interests of neighbours' amenity in accordance with Uttlesford Local Plan Policies GEN2 and GEN4 (adopted 2005).

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in development commencing and resulting in harm to neighbours' amenity.

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

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

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a building design which may have to be reconfigured in order to accommodate the necessary measures, resulting in delay to the development.

- 9 Prior to the commencement of the development hereby permitted, a written statement providing details of energy efficiency measures that will be incorporated into the development shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out in accordance with the approved details and retained.

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

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in a building design which may have to be reconfigured in order to accommodate the necessary measures, resulting in delay to the development.

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

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

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

JUSTIFICATION: Failure to provide the above required information before commencement of works may result in development endangering the safe movement of aircraft and the operation of Stansted Airport.

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

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

- 12 The development hereby permitted shall be carried out strictly in accordance with the recommendations set out in the Phase 1 Ecology Survey.

REASON: In the interests of protecting biodiversity, protected species and habitats, in accordance with Uttlesford Local Plan Policy GEN7 (adopted 2005).

- 13 ATM1: Subject to ATM2 below, from the date that the terminal hereby permitted opens for public use, there shall be at Stansted Airport a limit on the number of occasions on which aircraft may take-off or land at Stansted Airport of 264,000 ATMs (Air Transport Movements) during any 12 calendar month period, of which no more than 243,500 shall be PATMs (Passenger Air Transport Movements) and no more than 20,500 shall be CATMs (Cargo Air Transport Movements).

ATM2: The limit in condition ATM1 shall not apply to aircraft taking-off or landing at Stansted Airport in any of the following circumstances, namely

- (a) The aircraft is not carrying, for hire or reward, any passengers or cargo,
- (b) The aircraft is engaged on non-scheduled air transport services where the passenger seating capacity of the aircraft does not exceed ten,
- (c) The aircraft is required to land at the airport because of an emergency or any other circumstances beyond the control of the operator and commander of the aircraft, and
- (d) The aircraft is engaged on the Queen's flight, or on a flight operated primarily for the purposes of the transport of government Ministers or visiting Heads of State or dignitaries from abroad.

The total number of take-offs and landings by aircraft in categories (a) and (b) above combined shall not exceed 10,000 in any 12 calendar month period.

ATM3: For the purposes of condition ATM2(a) an aircraft is not to be taken as carrying, for hire or reward, any passengers or cargo by reason only that it is carrying employees of the operator of the aircraft or of an associated company of the operator. And for the purposes of condition ATM2(b) an aircraft is engaged in non-scheduled air transport services if the flight on which it is engaged is not part of a series of journeys between the same two places amounting to a systematic service.

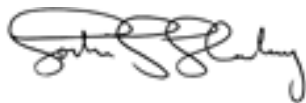
ATM4: For the purposes of condition ATM3, a company shall be treated as an associated company of the operator of the aircraft if either that company or the operator of the aircraft is a body corporate of which the other is a subsidiary or if both of them are subsidiaries of one and the same body corporate.

REASON: The Environmental Assessment submitted with application UTT/0717/06/FUL only assessed the environmental impacts of 264,000 ATMs, therefore it is necessary to limit the ATMs to this level to ensure the effects of the development are no more than those assessed.

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy	Local Plan	Local Plan Phase
NPPF - National Planning Policy Framework		

S4 - Stansted Airport Boundary	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
AIR1 - Development In The Terminal Support Area	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN5 - Light Pollution	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
E3 - Access to Workplaces	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
LC2 - Access to Leisure and Cultural Facilities	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005



Gordon Glenday
Assistant Director Planning

Notes:

- 1 The local planning authority has worked with the applicant in a positive and proactive manner in determining this application.

- 2
 - * This permission does not incorporate Listed Building Consent unless specifically stated.
 - * The alterations permitted by this consent are restricted to those specified and detailed in the application. Any alteration, demolition or re-building not so specified, even if this should become necessary during the course of the work, must be subject of a further application. It is an offence to carry out unauthorised work to the interior or exterior of a Listed Building in any way, which would affect its character.
 - * The proposal has been considered against Development Plan policies shown in the schedule of policies. Material planning considerations do not justify a decision contrary to the Development Plan.
 - * The Development Plan comprises the saved policies of the Uttlesford Local Plan (2005).
 - * It is the responsibility of the owner to ensure that any conditions attached to an approval are complied with. Failure to do so can result in enforcement action being taken. Where conditions require the submission of matters to and approval by the local planning authority these must be submitted on form "Application for approval of details reserved by condition" available from the Council's web site www.uttlesford.gov.uk and accompanied by the correct fee.
 - * Your attention is drawn to the need to check with the Council's Building Surveying Section regarding fire-fighting access and the requirements of Section 13 of the Essex Act 1987.

* Your attention is drawn to the Equality Act 2010. The Act makes it unlawful for service providers (those providing goods, facilities or services to the public), landlords and other persons to discriminate against certain groups of people.

* If you intend to pipe, bridge or fill in a watercourse, as part of this development or otherwise, you need to contact the County Highways Authority.

* Under the terms of the Water Resources Act 1991 and Environment Agency Byelaws, the prior written consent of the agency is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of any main river.

* If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

* Working in close proximity to live overhead lines:

The law requires that work may be carried out in close proximity to electricity overhead lines (usually recognised by a yellow and black "Danger of Death" label on the pole or pylon although this may be missing or have been vandalised) only when there is no alternative and only when the risks are acceptable and can be properly controlled. Further information can be viewed at <http://www.ukpowernetworks.co.uk/internet/en/help-and-advice/help-sheets/> then click on "Keeping Safe" then "Working safely near power lines" UK Power Networks will also visit sites and provide safety advice with regard to work near electricity overhead lines and a statement of clearances to the overhead lines. A call to UK Power Networks general enquiries line on 0845 601 4516 will be required to request a visit. Lines open Monday to Friday 9.00am to 5.00pm.

Appeals to the Secretary of State

o If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

o As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

o If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

o As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

o As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

o As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

o If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

o Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

- o The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
 - o The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- 3
- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
 - Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
 - Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
 - It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- 4
- (i) Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.
 - (ii) For information or consultation on Travel Plans please contact the ECC Sustainable Travel Plan Team by email at travel.planteam@essex.gov.uk
 - (iii) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
 - (iv) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
 - (v) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, traffic regulation orders, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- 5
- The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
- Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

- 6 Cranes, whilst they are temporary, can be a hazard to air safety. Should any cranes or tall construction equipment be required during the construction process, a separate assessment of crane operations will be required. The developer or crane operator must therefore notify Stansted Airport Airfield Operations at least one month in advance of intending to erect a crane or tall construction equipment in order to obtain a Tall Equipment Permit. The proposed crane operations will be assessed to determine whether any regulatory procedures or operating restrictions would need to be agreed in advance of issuing the permit.