

From: Andrew Thompson [REDACTED]
Sent: 27 September 2023 16:04
To: Section 62A Applications <section62a@planninginspectorate.gov.uk>
Cc: [REDACTED]
Subject: RE: S62A/2023/0022 - London Stansted Airport Bassingbourn Road Stansted Essex

Mark

Thanks for the email and attachments below. We consider the next steps in determining the application to be as follows:

Historic England and The Twentieth Century Society

We wish to prepare a rebuttal to the points raised in these submissions. At this stage however, we would highlight that HE's position is one of 'concerns' and that they have not objected to the application. In respect of the Twentieth Century Society, we note their intention to submit an application requesting that the building is added to the National Heritage List. At the current time, we are unaware that any such application has been made.

The applicant (STAL) will not be submitting its own application to Historic England to consider whether the terminal building should be added to the National Heritage List.

We propose to submit a response to HE and TCS by a week on Friday, 6 October and would be grateful for confirmation that this is acceptable.

Natural England

NE state in their letter dated 22 September 2023 that *'the application could have potential significant effects on designated sites. Natural England required further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required: A Habitat Regulation Assessment to determine impacts of designated habitat sites. Without this information, Natural England may need to object to the proposal.'* The letter then states that it has previously been consulted on *'this development'* and refers to letters from 2018.

However, the appended 2018 letters were related to STAL's application to increase passenger numbers to 43 mppa (application UTT/18/0460/FUL). For that application, the impact of the 'proposed development' upon designated habitat sites was justified, given the alteration in passenger numbers, with consequent changes in vehicular traffic and with the number and type of aircraft movements and subsequent changes in air quality. The Section 106 Agreement for that application duly included mitigation of local air quality monitoring.

In contrast, the current planning application (the *'this development'* referenced in NE's letter) is for physical infrastructure. It will not of itself increase passenger

numbers or the number and type of aircraft movements and will have no impact upon the air quality of designated habitat sites, including those sites (SPA/SAC/Ramsar) which the Habitat Regulations cover. Instead, as the Planning Statement sets out the impacts arising from the terminal extension will be limited to the immediate environs of the site and will have no impact upon designated habitat sites. The nearest designated sites subject of the Habitat Regulations are the Lee Valley Ramsar Site (17.5km to the southwest), Lee Valley SPA (the same distance away), Wormley Hoddesdonpark Woods SAC (21.7km to the southwest) and Epping Forest SAC (23.1km to the south southwest).

Rather than conflate the issues arising with the current application with the previous one raising passenger numbers, the most comparable application for NE to consider their approach is the 2017 application (ref: UTT/16/3566/FUL) for an Arrivals Building immediately adjacent to the existing terminal (see paragraphs 3.9-3.11 of the Planning Statement). That application also proposed physical infrastructure to accommodate approved passenger capacity. Natural England were consulted on that application (their letter dated 18 January 2017 attached), raising no objections and them stating that the development would not damage or destroy the interest features for which Elesenham Woods SSSI, Hatfield Forest SSSI and High Wood Dunmow SSSI had been notified. No reference to the identified designated sites (SPA/SAC/Ramsar) or the need for a Habitat Regulation Assessment was made.

A Habitat Regulation Assessment was not submitted for that 2016 planning application (see attached Phase 1 Ecology Report dated October 2016) – NE incorrectly state in their 22 September 2023 letter '*previous iterations of this application have included a HRA, assessing impacts on internationally important designated habitat sites*'. A HRA was submitted with the application to increase passenger numbers (UTT/18/1460/FUL) – one was not submitted for the '*previous iteration of this application*' which was instead the Arrivals Building application in 2017 (UTT/16/3566). The current application is not an iteration of the 2018 application Natural England refer to in their appendices.

Adopting the same approach to the current application (a terminal extension) to the one taken for Arrivals Building, for physical infrastructure to accommodate consented passenger numbers, a Habitat Regulations Assessment was not prepared for the current application as no impacts upon designated sites (SAC/SPA/Ramsar) over 17km away will arise. We maintain this position.

Procedure

In light of the issues raised by Historic England, The Twentieth Century Society and Natural England, and notwithstanding the support for the proposals by Uttlesford District Council and other statutory consultees, we recommend that the decision is made by the Inspector following a hearing rather than solely on written representations. In accordance with paragraph 5.1.2 of the s62A guidance, a hearing would allow oral representations on these issues and provide the opportunity for the Inspector to ask questions.

In summary, the next steps for the determination of the application in our view should be for the Inspector to agree to the timescales for the HE/TTCS response proposed above and for a decision to be made on whether a hearing is held.

I trust this provides suitable next steps and look forward to hearing from you.

Regards

Andy

Andy Thompson

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From: Section 62A Applications <section62a@planninginspectorate.gov.uk>

Sent: Monday, September 25, 2023 12:27 PM

To: Andrew Thompson [REDACTED]

Cc: Section 62A Applications <section62a@planninginspectorate.gov.uk>; [REDACTED]

Subject: S62A/2023/0022 - London Stansted Airport Bassingbourn Road Stansted Essex

Importance: High

Andy

The following representations have been received and will be published on GOV.UK shortly.

In light of the representations made by Historic England, The Twentieth Century Society and Natural England the applicant may feel there is a need to submit further information.

It would be helpful if the applicant could indicate, by **27 September**, what they consider should be the next steps in determining this application.

We would point out that the target date for determining the application is **6 November 2023**.

Kind Regards

Mark Boulton