# EXTRAORDINARY DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 2.30 pm on 4 JULY 2006

Present:- Councillor C A Cant – Chairman.

Councillors E C Abrahams, C M Dean' C D Down, R F

Freeman, E J Godwin, R T Harris, S C Jones, J I Loughlin, J E

Menell, M Miller and A R Thawley.

Officers in attendance:- M Cox, R Harborough, J Mitchell, C Oliva, and J G

Pine.

## DC48 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Boland and J F Cheetham.

### DC49 **DECLARATIONS OF INTEREST**

Members declared the following interests

Councillor Down a personal interest as a member of the CPRE.

Councillor C Dean a personal interest as a member of the National Trust. Councillor Menell a personal interest as a non executive director of the Uttlesford PCT.

Councillor Loughlin a personal interest as a member of Stansted Parish

Councillor Cant a personal interest as the Council's representative on the Uttlesford PCT

### DC50 REPRESENTATIONS FROM STAKEHOLDERS

i) Philip Greswell – Hertfordshire and North Middlesex Area Ramblers' Association.

Philip Greswell presented the comments of the Hertfordshire and North Middlesex Ramblers' Association which represented 4600 members and the Essex Area representing 6200 members. He objected to the planning application because it was not in accordance with the objectives of the Ramblers' Association which were to

- Protect and preserve the beauty of the countryside
- Protect footpaths
- Encourage walking to benefit peoples health.

He said the beauty of the countryside would be affected by more roads and car parks, air and noise pollution. Hatfield Forest was under threat from proposed train routes. Footpaths would need to be relocated and the quality of walking would deteriorate with the proximity to new roads and the noise

from planes. The proposal would lead to further pressure for a second runway which would destroy more historic villages and footpaths. The countryside was also under threat from changes to planning legislation and the houses proposed by the East of England Regional Plan.

He then referred to climate change and outlined the noticeable effects on the countryside. He questioned why at a time when the Government was trying to cut back on carbon emissions it was encouraging the increase in the number of flights. Instead he said that businesses should develop more sophisticated IT that reduced the need for face to face contact. Also, thought should be giving to the sense of flying in food from around the world. He also referred to the effects of global warming and the consequence of a reduction in water supply to the airport and houses.

He concluded that the application was unsustainable, unhealthy and would have an effect on the long term future of the countryside.

Councillor Godwin asked whether noise was an issue for ramblers when they walked in the district and Councillor Thawley questioned whether there was likely to be a reduction in the use of the countryside. Mr Greswell said that this was difficult to predict but logic would suggest that if amenity was lost and noise became too intrusive this might well be the case.

Councillor Menell asked if there was any evidence of damage to Hatfield Forest with the current level of activity at the airport. Mr Greswell would see if any information was available.

Councillor Loughlin asked if many rights of way had been lost as a consequence of the airport. Mr Greswell was unable to answer this as he was not based in the Essex area and did not have access to this information.

Councillor Jones asked if Mr Greswell had noticed any damage to trees and shrubbery in the vicinity of the airport. Mr Greswell replied that evidence of climate change was real and he had noticed a change in vegetation growth and light intensity.

## ii) Paul Garland –Local Agenda 21

Paul Garland said that Local Agenda 21 opposed the application and drew attention to 3 specific points.

The expansion was against the principle of sustainable development. He commented that the final published sustainability appraisal claimed that the development would avoid exploiting the global environment, minimise greenhouse gas emissions, reduce reliance on road traffic and minimise detrimental effects of noise and air pollution. However, the final draft of the report, which was presented to the members of the sustainability workshop had judged all these areas negatively and put the increase in global warming CO2 emissions at 29%. He claimed this change from draft to final report had been made either by altering the questions or the criteria which distorted an

appraisal which should have made an objective judgement of the effect on policies and plans

The second point was the likely huge growth in private car journeys. Some of the more minor roads were already above capacity as confirmed by ECC's Local Transport Plan. The M11 was already congested at peak times. The increase in the Stansted Express service would lead to deterioration in the commuter service to London.

The third point was that the application did not demonstrate conclusively the economic basis for the development of the airport. He said the airport did not fulfil employment needs in the district, nor help the peripheral area of the region identified in the East of England Plan as requiring development. Low fare tourist flights would create a growing outward deficit.

He concluded that the expansion was promoted following the flawed Government White Paper on Air Transport which was against every Government policy on climate change.

Members asked if they could see a copy of the draft sustainability Statement referred to by Mr Garland. Councillor Godwin asked where the figure for 724,000 extra cars had come from.

Mr Garland questioned the methodology used in the Environmental Assessment reports that compared a theoretical figure of 25mppa with an arbitrary figure of 35mppa. This was not the maximum amount that could be accommodated on the existing runway. He said 45mppa was feasible and the effects of this should have been tested

Councillor Jones said he understood that the airport was the largest single employer in the district. Mr Garland agreed but said that the benefits did not extend to encouraging indirect induced employment.

# iii) David O' Brien - Stansted Airline Consultative Committee

David O'Brien spoke on behalf of the Stansted Airlines Consultative Committee (ACC) which represented airline users at Stansted Airport and was the body through which BAA consulted the industry on its development proposals. He started by stressing that the ACC supported the expansion of the airport to meet reasonably anticipated demand. However it was concerned that the proposals were not proportional and cost effective to meet user needs.

The ACC was critical of BAA's prediction for growth at Stansted particularly in relation to air traffic mix to 2015. At the last application BAA had predicted spill from long haul traffic and full service traffic from Heathrow to Stansted, but this had not materialised and there was no reason to believe that this assessment was correct. The impacts of the development to 35mppa were based on the projected busy day profile of demand being correct. The ACC

did not think it was safe to rely on this data as it was dependent upon high levels of peak spreading being achieved throughout the day.

He commented that the assertion that the peak road traffic flow would not be affected relied upon achieving an increased public transport mode share. The ACC said this forecast should not be relied upon and there were uncertainties as to the scale of infrastructure improvements that would be required and how they would be funded.

The ACC was concerned that BAA had over specified development requirements, whilst in practice such developments were not required and use could be made of existing facilities already holding planning approval. Also BAA had suggested that schemes might need to come forward to support a 35mppa airport. The ACC would like the planning status of all schemes required for a 35mppa airport to be clarified so that all the stakeholders had a clear idea of what the development comprised

The ACC considered that the existing ATM cap could allow the airport to handle around 30mppa by 2010, by using existing approved facilities. It was concerned that the proposed development would compromise the ultimate layout of a two – runway airport, be more land hungry and prevent a more efficient close spaced parallel airport. Unrestricted growth under this application would prejudice an efficient long term layout and the ACC said it should be considered in conjunction with G2.

He summed up that there appeared to be uncertainty as to the medium to longer term development of the airport and it would be more appropriate to retain the existing movement cap, allowing for continuing growth for the next 5 years and to raise the passenger cap to 30mppa, pending clarification of future developments elsewhere in the London system and the review of the Air Transport White paper and the view of BAA's new owners.

Councillor Godwin was surprised to hear concerns voiced about the economic need for development at the airport. She questioned Mr O'Brien's comments about the close spaced parallel runway. He replied that a wide spaced runway was only required for mixed mode operations and not until the airport was operating at 76mppa. He was against any excessive land take at this stage which might lead to a failing airport. He considered BAA's forecast to be excessive, flawed and regulatory process driven. He would like to see a copy of the central business plan for the airport as the facilities provided were more than needed at the present time

Councillor Jones asked if Members could see a copy of the BAA forecast for growth. He questioned how the increase in new and existing regional airports would effect operations at Stansted. Mr O'Brien replied that the first effect would be a drop off in transfer traffic. In answer to a question from Councillor Freeman, Mr O'Brien said that if tax on aircraft fuel increased, prices would rise and margins would be cut to a difficult level that could effect the airlines' operations. The Policy and Conservation Manager said that he had asked the Council's consultants to meet with the ACC to discuss the issues raised.

# iv) Paul Garland - Friends of the Earth

Paul Garland spoke on behalf of the Friends of the Earth. It considered the expansion of the airport to be environmentally unsustainable. The economic benefits of a limited increase in Jobs could not justify the adverse effects on climate change, noise pollution, airport related traffic and air pollution. The Government had two conflicting policies on climate change – the policy for 20% reduction in CO2 by 2010 and 60% in 2050 and the Aviation White Paper which said that reduction was not necessary in all industries. Further expansion at the airport would put an intolerable reduction burden on other industries. This was the first time that the contradictions had been tested in a planning application and it was hoped that Uttlesford would choose the sustainable option.

The Friends of the Earth said that the basic assumptions made about the airport at 25 and 35mppa in 2014 made the probability of errors of judgement high. This was because the 2 cases were not strictly comparable. These errors of assumption could lead to predicted levels of NOX in relation to vegetation in Hatfield Forest breaching both the Directive and UK Regs.

Mr Garland said that it was predicted that the EU Directive on Air Quality 199/30/EC and its daughter directive would be breached around the airport by 2010 at both the 25 and 35mppa with regard to levels of PM10. This should be noted as part of the long term planning for the area.

Mr Garland questioned the assumptions about the changes in passenger origins and destinations which affected the airport related traffic statistics. He expected that the M11 would be regularly congested and secondary roads would be affected. The commuter rail line would also be adversely affected.

The East of England public examination had highlighted the severe risk of water shortages and foul water disposal works and the inadequacy of plans to deal with the situation. It was likely the airport would contribute to the breach in the EU water framework directive at the expense of supplies and services to local people.

He argued against the economic benefits based on attracting more business custom and providing long haul flights as well as short haul to European business centres rather than holiday resorts. He said that the overall tourist financial deficit was not a stimulant to the UK economy and the low cost airlines at Stansted contributed to this.

Councillor Godwin asked for more information about the likely breach of the air quality objective for Hatfield Forest. Councillor Thawley questioned the reference to CO2 emissions and the effect on other industries. Paul Garland said that if the Government allowed aviation emissions, other industries would be required to off set them. Councillor Menell agreed with the comments about future water supply and asked where it would come from and at what cost.

Steve Cox, Director General, Development, said that the purpose of the Agency was to encourage economic growth and regeneration. The Agency supported the application as the airport provided vital economic growth, and the further development complied with the Regional Economic Strategy and the Eastern of England Plan. However, the Agency's support was not unconditional. The necessary transportation and infrastructure to support the development and environmentally friendly practise were needed to ensure sustainable growth.

He said that that the availability of a wide range of routes made the airport a significant employment location. There was strong support from the region's businesses with 13k business trips made every day. The access to low cost fares was important for start up businesses. The airport was a catalyst for job growth, an extra 6,000 jobs were expected over the next 10 years and it was hoped that this would enable regeneration in the Harlow and Lea Valley corridor. The airport attracted inward investment to Cambridge, Essex and Hertfordshire and this would be enhanced by services to the USA. Stansted was also an important freight hub in particular for the high tech manufacturing sector.

Councillor Menell asked Mr Cox what he considered to be the maximum use of the existing runway. He had based his conclusions on 35-40mppa. Councillor Godwin commented that nobody took the responsibility for the infrastructure improvements and asked who he felt should pay for this. He replied it would be a combination of BAA and the Government but in answer to a question from the chairman he could not comment on the timescale for such investment.

Councillor Loughlin understood that many workers at the airport came from North London and other areas outside the District. Mr Cox agreed that more work was needed to attract workers from the local area. Councillor Dean asked if the numbers of immigrant workers at the airport had been looked at.

Councillor Thawley questioned the comments regarding the regeneration of Harlow and Lea Valley and asked if there was a particular problem with unemployment as he thought there was more of a need for housing in the area and low paid work was not what was required. He said that regeneration was needed in areas of Norfolk and the East Coast. He also argued that the growth in knowledge growth industries would mean more electronic communications and less need for business flights. Mr Cox replied that Harlow currently had 5% unemployment. The agency had put in place initiatives for job development in more remote areas. He argued that electronic communications tended to generate a greater number of flights often over longer distances.

Councillor Cant said she had doubts about BAA's figures for economic growth. Mr Cox said that the forecast for employment might be conservative but it was a realistic level through which the Agency could plan growth and regeneration for the area. The Chairman asked if the model had taken account of the possible effect of future increases of tax on fuel or on travellers. Mr Cox replied that the forecasts did not cover that level of detail.

# vi) Gillian Williamson - CPRE

Gillian Wiliamson spoke on behalf of the Uttlesford branch of the Campaign for the Protection of Rural England. She said that to date the airport had already had some adverse effects on the local area and also some benefits. However this new application was a step change in the level of activities on a scale that could not be mitigated. The changes would be permanent and irreversible.

Negative effects included the increase in pollution, noise from aircraft and ground noise, loss of the wider landscape, creep of infrastructure, inward investment on green field sites and loss of bio diversity. There was also concern about the degree of concentration of use of natural resources such as water and fossil fuels on one site. There would be a loss of the rural character of the area and lead to a more semi industrialised appearance. There would also be the effect of global warming and climate change. The increase in the number of planes would affect the quality of life for residents and visitors to the area.

She argued that the development was not sustainable either environmentally or in terms of the quality of life. She said that the existing permission still had room for growth. The proposed application would lead to unacceptable harm and loss of amenity and she would like to see a cap on the level of development at the airport.

Councillor Menell asked about the CPRE's views on the increase in lighting and was advised that this had been addressed in the full submission by CPR Essex.

# vii) Peter Greenway – 3 Valleys Water

Peter Greenway was the Forecasting Planning Manager for 3 Valleys Water, which supplied drinking water to the airport. He said that Authority planned the water resources for active growth over a 25 year period. It aimed to maintain security of supply and to plan for future water availability and demand. It had a statutory duty to supply water and had to take account of future risks and uncertainties including proposed large scale development. To ensure future supply it was trying to optimise the use of existing recourses, which included demand management, metering and minimising leakage. Uttlesford had higher than average water consumption. After 2020 the authority would need to look at reducing leakage even further, variable tariffs, water meters and encouraging water efficiency measures.

He said that in 1990 the water consumption limit for the airport was 3 million litres (ml) per day. In 2005 the water used was still below that limit. The forecast for use under the 35mmpa scenario at 2014 was still within the design capacity. With a capacity of 45mppa the use per day would be around 3.23ml but this might change with the introduction of further demand reduction

technologies. He confirmed that the airport used about 3% of the regional supply.

He concluded that the Water Authority was comfortable with the proposed development at the airport and considered that it would have a minimal effect on the regional supply balance.

Councillor Godwin understood that as abstraction from all the local rivers was over licensed any additional water would have to come from savings or be imported from elsewhere. Peter Greenway replied that the Water Authority had always depended to some extent on the transfer of water from outside the region. He added that the greatest future demand for water was likely to come from the proposed increase in the number of houses. In answer to a question from Councillor Menell it was confirmed that the airport's consumption was measured by a number of different water meters. Councillor Jones asked when all properties in the District would have water meters. This was anticipated to be 80% by around 2030 as at the present time meters could only be put in new properties or when requested.

In answer to questions about sustainability Mr Greenway said the authority was working with the Environment Agency to ensure a balance between the use of river resources and the requirements of the environment. Most rivers were near to equilibrium but there were schemes in place for those that were unbalanced. He confirmed that the airport did not receive water at the expense of other users. If steps were required to limit supply, these measures would be spread equally. The level of service would not change regardless of development at the airport.

Councillor Thawley said he was surprised that the water company was content that BAA was doing a good job just because it was not using all of the available pipe capacity. He thought that 3% was a large amount and asked if the company had thought of putting a constraint on the amount of water that the airport used. Mr Greenway replied that he expected BAA to continue to find savings.

Councillor Freeman questioned the current levels of leakage. This was in the region of 10-20%. He was also advised that the comparative cost of water per m3 was 50p for business customers and 90p for domestic. This reflected discount for bulk purchases.

Councillor Cant asked whether the domestic customer subsidised the airport. Mr Greenway said that this was not the case and that infrastructure required by new developments was paid for by the developer. The extra demand at the airport would be paid for by the increased cost of supply.

Councillor Loughlin asked about problems with water pressure in the Takeley area and asked whether the development would make this worse. He replied that the airport was supplied by a dedicated main so would not affect other areas. She was then asked whether the hosepipe ban applied to the airport. She was advised that a ban could not legally be imposed on commercial customers.

## viii) Nick Barton and Rob Mathews BAA Stansted

Nick Barton, The Business Development and Planning Director at Stansted Airport made a statement supporting the application. Rob Mathews, Head of Planning, attended the meeting to answer Members' questions.

Mr Barton started by commending the process for determining the application. It was a very complex application and to consider it in such detail was time consuming for Councillors. The aim of the application was to make the most of the economic development of the airport whilst managing the environmental impacts. BAA was aware of the impact of the development and the issues affecting the local area.

He said the airport was a vibrant part of the local community. It employed 2500 local people, 8% of the District's working population. Uttlesford residents made 115,000 trips through the airport a year, 14% for business related purposes. He then spoke of the need for expansion. It was now the 3<sup>rd</sup> largest airport in the UK and was the fastest growing international airport. The current throughput was 23mppa and the 25mppa limit was expected to be reached in 2008. BAA considered the operational efficiency of the existing runway meant a useable capacity of 35mppa. It was difficult to be specific because of the number of variables. BAA could, however, be more precise about the number of air transport movements needed. It had asked the Council for its views on the scope of the Environmental Impact study but BAA had taken the final judgement on what it contained.

He said that the proposal was consistent with national policy, the Government's Aviation Transport White Paper. The East of England Plan acknowledged this policy and the District Council's Local Plan provided for more development at the airport.

He then referred to the economic benefits of the airport. He said it made a £400m per annum injection into the East of England. The airport was the biggest concentration of employment in the East of England and it was estimated that 3,800 extra jobs would be created by this application. The numbers of business trips per annum were likely to increase to 5.5m and the development was supported by the Institute of Directors. The airport was the third largest freight port in the UK by value. It was a significant cargo hub for freight operators serving about 2000 destinations. The airport was the second highest point of entry into the UK for foreign leisure. Inbound tourists to the East of England were very high spenders compared to UK visitors to the region. The numbers were already 2m per annum and an extra 750,000 were expected by 2010.

He emphasised that BAA was aware of the impact of the airport and concerns about the environment. He referred to the Airport's record on a number of issues including biodiversity and water consumption. In terms of public transport, 40% of passengers were now arriving or departing by public transport which was a high level compared to other airports in the world. Only Schipol and Geneva had higher mode shares and they were both connected

with inter city rail stations. The numbers now using the coach facilities were greater than expected.

He said that some assumptions had been made in the 25mppa application that had not been right. For example, the low cost airlines used the most modern aircraft such as the B737-800 and A139 airbus which meant that they were well within the noise limits for the 25mppa and would remain within them. Although there would be a slight increase in emissions from increased road traffic, the levels of emission would not exceed statutory objectives and air quality was within UK and EU standards.

He said BAA would continue to ensure that employees made the best use of public transport with enhanced travel plan measures. New bus and coach services would be provided and it was possible that there would be a need to strengthen the Stansted Express. BAA planned to grow air passenger numbers across troughs during the day. The airport was already at capacity in the peak hours, so there was no further capacity for growth at these times.

He concluded that the airport was a very popular facility for business and leisure travellers. He said there was a business case for growing the airport to 35mppa and the application achieved a balance between development and impact.

Councillor Dean questioned the economic case put forward by BAA. She referred to table 20 in volume 1 of the Environmental Statement that the increase in business travel from 25mppa and 35mppa was only from 5.2m to 5.5m which was not very significant. She also commented that there was actually a net deficit to this country in terms of tourists. Mr Barton replied that the decision to compare 25mppa and 35mmpa at 2015 had been based on legal advice. He agreed that there had for some years been a tourism deficit in the UK but the airport could help to mitigate this by encouraging people into the region

She asked whether BAA would pay for the additional road and rail required by this application and whether 12 carriage trains would be provided and the platforms lengthened if required. Mr Barton said that BAA had spent a considerable amount of money on developing transport models to show the effect on road and rail transport. The greatest growth was expected in the current troughs of air traffic throughout the day and this was the key to the infrastructure that would be required. BAA would make appropriate safeguarding at the airport to facilitate the provision of 12 car trains if this became necessary. He suggested that rail investment could normally be covered from charging rail passengers.

Councillor Freeman expressed concern about public transport from north of the airport. He said that the train to Stansted came all the way from Liverpool Lime Street and was frequently subject to delays. He said it was essential for the development at the airport that there was reliable transport from the north and asked what BAA could do practically to achieve this. Rob Mathews replied that the route was run by a franchise operator and concerns could be expressed when this came up for renewal. Nick Barton added that the service

was demand led and if the airport continued to develop there should be more competition for the franchise.

Councillor Godwin asked about policing at the airport and the ability of BAA to pay when the airport expanded. Nick Barton said that there was a comprehensive police force required at the airport. There was currently a dispute over the amount that the airport should pay for this service, and the Chief Constable had invoked determination by the Secretary of State for Transport. In answering her next question he explained how BAA proposed to fill the troughs in air traffic movements. He explained that the low fare model depended on the rotation of aircraft as many times as possible in one day. This meant aircraft leaving very early in the morning, leaving a gap in aircraft movements mid morning before the planes returned. This was repeated throughout the day. There was little scope for increasing the number of low cost flights so new initiatives were required fill the gaps. One option was to encourage inbound carriers from Europe with a flying time from their bases of around 2 – 2 ½ hours. The other market was long haul flights and BAA was looking to develop the markets from America, China and the Indian sub continent.

He then answered question in relation to dealing with fly parking. He was aware of the issues of illegal parking and said it gave the airport a bad name and led to a loss of revenue. The airport had made earmarked £50,000 via the previous Section 106 Agreement to assist in dealing with the problem. The airport was taking action to tackle illegal operators and would assist the local authority with enforcement action. He appreciated the problem of individual fly parking, although this was more difficult to deal with.

Councillor Godwin then asked about water saving measures at the airport. Rob Mathews said that the Airport monitored the amount of leakage, had automatic taps and were looking at new projects like rain and grey water harvesting. She then asked about the concentration of noxious gases and whether hourly mean air quality objectives would be met. Mr Mathews replied that the air quality measurements were in line with national and European guidelines and the air quality standards were not close to being breached. She then questioned the provision of infrastructure to support the expansion of the airport. He replied that a significant change in road capacity in the peak hours was not expected but in the future the various bodies could work in partnership to improve the existing network.

Councillor Godwin then went on to mention the night shoulder periods and said these resulted in the real night period being only 6 ½ hours. She said that the figures for the flights belied what people actually experienced that there was significant noise before 6.30am. Mr Barton confirmed that this application was proposing only an additional 11 ATMs in the shoulder period. The night quota period movements would not change.

Councillor Loughlin commented that Uttlesford was more of a transient location than a holiday destination. Mr Barton agreed but said it was a staging post to the East of England and London, and the local area would benefit from the increased number of visitors even if they were only short term. He added

that there was great potential from the growing China market being attracted to London and Cambridge.

Councillor Menell said that despite assurances from BAA local people were very distressed at developments at the airport and the damage was already seen to be done. Mr Barton accepted that the expansion would be cause for concern locally but disagreed with some of the comments made. He hoped that the decision would be based on true information and facts. He added that the Chief Executive of BAA was extremely aware of the impact of the development. She then questioned the level of car parking charges at the airport and how they compared with Heathrow and Gatwick. She was informed that the charges were comparable with those airports. There was a fine balancing act between the charges being high enough to encourage public transport and to retain lower landing charges and being too high so that people would not use them and resort to fly parking.

Councillor Jones thought that the ambitions to develop long haul flights would lead to more arrivals early in the morning. He was advised that the night flying regime would not change; BAA only intended to fill the current available slots during the trough periods. In answer to a question from Councillor Freeman it was confirmed that Stansted Airport was still the designated airport to deal with a hi-jacking incident.

Councillor Thawley commented that today's presentations had highlighted a difference of opinion between BAA and the airline operators as to the business case for the airport's further development. He asked officers to investigate this more vigorously and obtain the definitive figures. Mr Mathews said there was some confusion in the Environmental Statement that could be clarified. Councillor Thawley said that although it was not proposed that traffic would increase during peak periods, filling in the troughs would lead to more traffic throughout the day and congestion over a longer period of time. He was advised that STAL hoped to enhance the public transport model to avoid this. He asked whether an additional car park had been included in this application and was informed that it was only to increase the number of ATM's but the Environmental Statement had identified facilities that might come forward in due course. In relation to noise quotas he considered that the levels granted had been over generous given that aircraft were now considerably guieter. He acknowledged that these levels could be revisited as part of the consideration of the current application.

The Chairman thanked all the stakeholders for attending the meeting and for providing a great deal of useful information

The meeting ended at 6.45pm