

**Planning application UTT/0717/06/FUL – Position Statement
Development Control Committee 27 September 2006, item 2**

Committee:	Development Control	Agenda Item
Date:	27 September 2006	2
Title:	Planning application UTT/0717/06/FUL Stansted Airport Position Statement	
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Summary

This report is a position statement on the planning application. It reviews:

- the representations received,
- how the proposals relate to the relevant provisions of the development plan; and
- identifies other material considerations.

It sets out the further information requested from the applicant.

It is essential that the recommendation as to how the application should be determined is based on a comprehensive assessment of the relevant factors.

Once officers have established a clear timetable for receipt of outstanding consultees' responses and the further information requested from the applicant, further extraordinary meetings of the Development Control Committee will be arranged.

Recommendations

Members note the report

Background Papers

Planning application file UTT/0717/06/FUL

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

INTRODUCTION: THE PLANNING PROCESS

BAA plc and Stansted Airport Limited have submitted this application for planning permission to Uttlesford District Council for determination as the local planning authority. Under planning legislation, the statutory period for determination of this application was 16 weeks (16th August 2006), but the applicants have formally agreed in writing to an extension until 27th September 2006.

In determining the application, the Council will take into account the development plan, Government advice in Circulars, Planning Policy Guidance (PPG) and Planning Policy Statements (PPS), any other national or regional guidance or policy, the views of statutory or other consultees, interested groups and organisations and public opinion. Ultimately, the Council as the local planning authority must judge the weight that can reasonably be given to the development plan and each of these material considerations in deciding whether to grant or refuse planning permission. To assist in this respect, a final report containing a recommendation to the Development Control Committee will be prepared by officers. It must be borne in mind that the Council has no control over aviation taxes or aircraft in flight, including matters such as Noise Preferential Routes (NPRs) for departing aircraft, landing approaches, vectoring or the location of stacking bays.

There is provision under planning law for the Secretary of State to call-in the application for determination rather than for it to remain with the local planning authority. In that case, a public inquiry would be held in the presence of a Planning Inspector, who would report his or her findings, along with a recommendation, to the Secretary of State. Usually, applications are only called-in if the proposals are judged to be of national or regional importance, or would be seriously prejudicial to the implementation of a development plan. The Secretary of State has not so far indicated that the application will be called-in.

Separately, the applicants have the right to appeal to the Planning Inspectorate against a refusal of planning permission, non determination within the statutory period or the imposition of a condition or conditions that they consider are unreasonable should planning permission be granted.

DEVELOPMENT PLAN NOTATION: At this time, the development plan comprises the Regional Spatial Strategy (a composite of regional planning guidance published under the old system and sub regional strategies), the Essex and Southend on Sea Replacement Structure Plan (ERSP), Minerals Local Plan, Waste Local Plan and the Uttlesford Local Plan (ULP). The ERSP was adopted in April 2001 and the ULP in January 2005. The policies within these documents retain their development plan status until the adoption of the East of England Plan and relevant Development Plan documents as set out in the Local Development Scheme (replacing the ULP). They are saved until 2008, and can be extended for a longer period if necessary.

The application site is subject to Policies BIW7 (London Stansted Airport) and BIW9 (Airport Development) of the ERSP. Policy BIW7 provides for all airport-related development to be within the airport site itself, and for all unrelated development to

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

be directed to appropriate sites elsewhere. Policy S4 of the ULP has a similar provision. ERSP Policy BIW9 provides for airport development to be considered having regard to the need for an appropriate hierarchy of aerodrome and aviation sites and determined in relation to a number of criteria, which are set out below:

- General planning policies for the area
- Air travel needs of residents, business and air sports users
- Economic benefits to local and regional businesses
- Impact upon public health and safety, noise pollution levels, environmental conditions, visual amenity, and residential and urban areas affected by the proposal
- Requirement for new housing, commercial development and associated community facilities arising from the proposal
- Demand for the establishment of airport-related facilities outside the airport site itself, to serve both it and its users
- Adequacy of the arrangements for surface access to the site by all means of transport.

The ULP identifies an Airport Development Boundary within which Policies AIR1-6 allocate land for airport related uses in accordance with a general layout plan that has evolved since 1986, originally as part of the planning permission for expansion to about 15 million passengers per annum (mppa). Policy AIR7 relates to the control of development within the Public Safety Zones (PSZs) located at both ends of the runway.

Other development plan policies, both those that are land use or environmentally based will also be relevant.

DESCRIPTION OF SITE: The application site consists of land within the existing boundary of Stansted Airport, which is located in North West Essex approximately 4-5km east of the centre of Bishops Cleeve and 8-9 km west of Great Dunmow. The airport lies immediately to the north east of the M11/A120 junction (Junction 8), from which a dedicated spur from the roundabout leads to the airport road network, including the terminal. Slip roads also give direct access to the airport road network from the M11 northbound and to the M11 southbound at Junction 8 via an overbridge at Priory Wood roundabout. Further to the east, airport access is gained via east facing on and off slips along the new A120 at South Gate / Mid Stay Car Park. Local access via Parsonage Road at the Coopers End roundabout is also available, although BAA has the option to close this access to all but PSVs and local staff should circumstances dictate. Access to the airport's northside facilities is via First Avenue along Bury Lodge Lane opposite the Long Stay Car Park.

The airport has a single runway, which has a south west – north east alignment, with parallel taxiways on its SE side leading to the terminal and cargo apron areas and the aircraft maintenance facilities. The terminal is located on the south eastern side of the runway and is also served by a rail spur which travels west/north west via an airside single bore tunnel to join the London – Cambridge line just north east of

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

Stansted Mountfitchet. General aviation facilities are located to the north west of the runway.

DESCRIPTION OF PROPOSAL: This is an application for planning permission under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition ATM1 and to remove Condition MPPA1 from the planning permission for expansion to 25mppa granted in 2003. In determining the application, Section 73(2) states that:

*“the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and –
if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*

Condition ATM1 (as imposed) states:

“Subject to ATM2 below, from the date that the terminal extension hereby permitted within Site A 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 241,000 ATMs during any period of one year of which no more than 22,500 shall be CATMs (Cargo Air Transport Movements)”.

Reason: *To protect the amenity of residents who live near the airport and who are affected by, or may be affected by aircraft noise.*

Condition MPPA1 (as imposed) states:

“The passenger through put at Stansted Airport shall not exceed 25 million passengers in any twelve month calendar period”.

Reason: *To ensure that the predicted effects of the development are not exceeded.*

The application seeks to vary ATM1 to a new level of 264,000 ATMs, including a limit on Passenger Air Transport Movements (PATMs) of 243,500 and a CATM limit of 20,500. The application does not seek a replacement MPPA cap, but it is the applicants' case that removal of the cap would allow growth to about 35mppa in 2014. (Currently, the airport serves about 23mppa, with about 201,400 ATMs overall, of which about 173,450 are PATMs and 11,600 are CATMs).

The application does not seek planning permission for any additional physical developments/ facilities that do not currently have planning permission, although it is possible that further additional facilities may be brought forward in due course as the airport continues to grow. The applicants state that any additional facilities would be brought forward either through separate applications for planning permission or by an exercise of permitted development rights as airport operator.

As part of their supporting Environmental Statement, the applicants have submitted a composite airport layout plan (1078 K 004 P1) showing existing principal buildings

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

and those developments that they assume would be required to serve 25mppa in 2014 (i.e. if planning permission is refused) and 35mppa in 2014 if it is granted. Some of these developments (e.g. the terminal arrivals bay 8) are unimplemented from the original 15mppa permission, whereas others originate from 25mppa. A summary of the planning status of all the proposals shown on the composite layout plan is as follows, drawing on Appendix A1 of ES Volume 15:

25mppa case in 2014

Echo Stands North

Detailed planning permission (pp) granted as part of 15mppa Phase 2. (*Works underway*).

Terminal Arrivals extension (Bay 8)

Detailed pp granted as part of 15mppa Phase 2. (*Works due to commence in 2007*).

Terminal forecourt improvements

(*Works commenced on 22 May 2006*).

Enterprise House 2

Outline pp granted as part of 25mppa. Details still to be submitted. (*Works due to commence in 2009 if approved*).

Zulu stands South

Detailed pp granted as part of 15mppa Phase 2. (*Phase 1 due to commence in 2008, Phase 2 in 2010*).

Endeavour House 2

Outline PP granted as part of 25mppa. Details still to be submitted. (*Works due to commence in 2013 if approved*).

Taylors End ancillary development

Phase 2 approved as part of 15mppa Phase 2. (*Works due to commence soon*).

Outline pp for western end granted as part of 25mppa. Details still to be submitted. (*Works due to commence in 2009 if approved*).

Maintenance hangar

Outline pp granted as part of 25mppa. Details still to be submitted. (*Works due to commence in 2013 if approved*).

M11 Junction 8 slip road

To be open for use by 31/12/06 as required in the S106/S278 Agreement.

Priory Wood roundabout slip road

To be open for use by 31/12/06 as required in the S106/S278 Agreement.

Fuel tanks 4,5 and 6

Outline pp for one tank granted as part of 25mppa. Details still to be submitted. (*BAA intends to construct the other 2 as permitted development under its GPDO powers in association with the second fuel pipeline. Planning permission for the off-airport section of that pipeline still has not been granted – the on airport section would be permitted development*).

Northside long stay car parking Phase 4

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

Outline pp granted as part of 25mppa. Details still to be submitted. (Approx 12,200 extra spaces with Phase 5 North). (*Works due to commence in 2007 if approved*).

Yankee stands North

Detailed pp granted as part of expansion to 25mppa. (*Works due to commence in 2010*).

Cargo shed 3

Outline pp granted as part of 25mppa. Details still to be submitted. (*Works due to commence in 2011 if approved*).

Runway 05 Runway Exit Taxiway (R05 RET)

Runway 23 Runway Access Taxiway 5 (R23 RAT5)

BAA intends to construct these as permitted development under its GPDO powers in 2007.

35mppa case in 2014

Satellite 4

Detailed pp granted as part of 15mppa Phase 2. Subsequent revised scheme approved in 2005. (*Works due to commence in 2008*).

Echo Stands South

Detailed pp granted as part of 15mppa Phase 2. (*Works underway*).

Zone G car park

Temp pp refused in 2004. Not otherwise approved as part of expansion to either 15 or 25mppa. (*Partly on land identified for ground handling facilities and ancillary development in 25mppa, but which the applicants say are not now likely to be required. Works due to commence in 2009 if approved*).

Satellite 4 pier link

Part of revised scheme approved in 2005. (*Works due to commence in 2008*).

Station extension

Land safeguarded under S106/S278 Agreement. (*Works due to commence in 2010*).

Terminal Departures extension (Bays 9 and 10)

Detailed pp granted as part of 25mppa. (*Works due to commence in 2010*).

Layered short stay car park

Detailed pp granted as part of 15mppa Phase 2. (*The plan indicates that BAA only intends to build one of the two decked structures for which pp was granted. There is no indication that BAA is currently intending to proceed with plans to deck the remaining areas to the north as proposed under the 2003 25mppa permission. Works due to commence in 2014*).

Enterprise House staff car park extension

Not approved as part of expansion to either 15 or 25mppa. (*Works due to commence in 2008 if approved*).

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

Basingbourn Road dual carriageway

Outline PP granted as part of 25mppa. Details still to be submitted. (Originally suggested as being required for 15mppa Phase 2). (*Works due to commence in 2010 if approved*).

Car rental sites 5 and 6

Not approved as part of either 15 or 25 mppa. (*Works due to commence in 2008 if approved*).

Thremhall Avenue dual carriageway

Outline pp granted as part of 25mppa. Details still to be submitted. (Originally suggested as being required for 15mppa Phase 2). (*Works due to commence in 2010 if approved*).

Basingbourn roundabout grade separation

Outline pp granted as part of 25mppa. Details still to be submitted. (*Works due to commence in 2010 if approved*).

Southgate site restaurant

Not approved as part of either 15 or 25mppa. (*Works due to commence in 2008 if approved*).

Southgate Hotel Phase 2

Approved as part of original hotel permission.

Southgate Hotel East

Not approved as part of either 15 or 25mppa. (*Works due to commence in 2011 if approved*).

Southgate Hotel West

Not approved as part of either 15 or 25mppa. (*Works due to commence in 2008 if approved*).

South west taxiway extension

Detailed pp granted as part of 15mppa Phase 2. (*Works due to commence in 2012*).

Northside Long Stay car park infill

Not approved as part of either 15 or 25mppa. (*Works due to commence in 2008 if approved*).

Northside long stay car parking Phase 5 (North)

Outline pp granted as part of 25mppa. Details still to be submitted. (Approx 12,200 extra spaces with Phase 4). (*Works due to commence in 2013 if approved*).

Northside long stay car parking Phase 5 (South)

Not approved as part of either 15 or 25mppa. (*Works due to commence in 2015 if approved*).

Northside staff car parking

Outline pp granted as part of 25mppa. Details still to be submitted. (*Works due to commence in 2011 if approved*).

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

Yankee stands South

Detailed pp granted as part of expansion to 25mppa. (*Works due to commence in 2014*).

Runway 23 Runway Access Taxiway 3 (R23 RAT3)

Runway 23 Runway Access Taxiway 4 (R23 RAT4)

Detailed pp granted as part of 15mppa Phase 2. (*Works due to commence in 2012 and 2010 respectively*).

The impact assessment contained in the Environmental Statement takes into account the collective effect of all of the assumed 25 and 35mppa proposals.

APPLICANTS' CASE

The application is explained in a letter from Stansted Airport Limited dated 26 April 2006, which accompanies the application. The letter contains four pages of explanatory text and 2 annexes. Annex 1 lists those documents formally submitted for approval as part of the planning application. Annex 2 is a schedule of documents that support the application but do not form part of the application, including all 16 volumes of the Environmental Statement. Since the letter was written and formally submitted, the applicants have also published a Sustainability Appraisal, an Interim Master Plan and a Health Impact Assessment as further supporting documents.

RELEVANT HISTORY: Outline planning permission was granted, subject to conditions, in 1985 by the Secretaries of State for the Environment and Transport for the expansion of Stansted Airport to a capacity of about 15 mppa following a lengthy public inquiry. The permission included a new passenger terminal, cargo handling and general aviation facilities, hotel accommodation, taxiways (including the proposed widening of a taxiway to form an emergency runway), associated facilities and related road access.

A number of applications for the approval of reserved matters subsequent to the granting of outline planning permission were submitted over the subsequent 20-year period allowed by the Secretaries of State, the majority of which were approved and implemented. The first (in 1986) was a general layout plan, upon which the allocations of land within the airport boundary in both the former Uttlesford District Plan and the current ULP have evolved.

Planning permission for a standby runway was granted in December 2001 subject to a number of conditions, including use only when the main runway is closed. The standby runway was the subject of a separate application for planning permission, not approval of reserved matters, because the Council took the view that the manner in which it was to be provided was beyond the scope of the outline planning

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

permission granted in 1985. That permission has not been implemented and is due to expire on 17th December 2006.

In 2003, Uttlesford District Council granted outline planning permission for expansion from about 15-25mppa (UTT/1000/01/OP). The permission was subject to a number of conditions and obligations, and BAA confirmed that a statutory commencement of development via terminal forecourt improvement works took place on 22 May 2006. There is an 8 year time limit for the submission of reserved matters pursuant to the outline planning permission. Officers have prepared summary documents relating to progress with conditions and obligations, the latter having been reported regularly to the Stansted Airport Consultative Committee. The latest versions of both are attached.

In 2003, Stansted Airport Limited also submitted an application for planning permission for an aviation fuel pipeline and associated operational building running from Tilty, westwards to the airport boundary at Molehill Green. That application is still undetermined pending the result of negotiations with the applicant about the proposed overground section of the pipeline and the operational building at Tilty. The section of the pipeline running underground within the airport boundary would be constructed as airport permitted development. The pipeline would supplement the existing established one that serves the airport.

PUBLICITY AND CONSULTATIONS: The application has been given statutory publicity via an advertisement in the free press as an application likely to be of wider concern and one for which an Environmental Statement has been submitted. Similar site notices were posted in Takeley, Molehill Green, Gaunts End, Elsenham, Tye Green, Burton End, Stansted Mountfitchet, Birchanger and Takeley Street. Further copies were left with Stansted Airport Limited for on-airport display at Enterprise House, in the terminal and North Side. Copies of the application and supporting documents have been made available at the District Council's own offices and Community Information Centres, as well as in local libraries. The application has also been published on-line, with appropriate links to BAA's website. The Council has also set up its own interactive website www.stanstedexplained.com to keep the public informed of progress.

The Council liaised with Stansted Airport Limited over the dispatch of documents and CDs to a wide variety of statutory consultees and other interest groups, using as a template the list of bodies and organisations that commented on the 25mppa application. Stansted Airport Limited supplemented that list with its own stakeholders and airport related business groups.

To ensure openness and transparency of decision making, a number of extraordinary meetings of the Development Control Committee have been held to

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

discuss the application. The dates of these meetings were 24th May, 13th-15th June, 20th June, 3rd-7th July, 18th July, 16th August and 13th September. Notably, the meetings on 3rd-7th July constituted a week of public engagement to hear oral representations from statutory consultees, other interest groups and stakeholders and the general public. In total, there were over 80 different representations heard that week, both for and against expansion. Most of these extraordinary meetings were web-cast, and are archived on the stanstedexplained website. Minutes of the meetings are available on the Council's usual website www.uttlesford.gov.uk

A separate consolidated summary of all responses received is attached. This is an amalgamation of the earlier summary and addenda that were prepared periodically by officers. Copies of all the representations are available for inspection at the Council's Saffron Walden offices.

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

PLANNING CONSIDERATIONS

Planning Policy

Current development plan – Adopted and saved under transitional arrangements

Essex and Southend on Sea Replacement Structure Plan adopted 2001

Structure Plan Policy BIW9 Airport development sets out a strategic framework for determining the application (although this is proposed to be replaced by the Regional Spatial Strategy for the East of England RSS14 policy E14 on the region's airports, and only the part providing LDD guidance on general aviation is proposed to be saved once the Secretary of State has approved the RSS).

Uttlesford Local Plan adopted 2005

The proposals for increased use of the existing runway do not breach the spatial strategy objectives of setting limits to the physical extent of the airport. Any development that may be required as a result of lifting the limits on passenger throughput within the runway capacity can be accommodated within the airport boundary in accordance with the more detailed land use policies within the airport site. Development will only be permitted if it meets all the criteria of the relevant general planning policies which apply to all proposals such as policy GEN1 Access, GEN2 – Design and so on.

In the context of the current application, the issue to be determined is whether the proposals as applied for in 2001 are in accordance with development plan, and whether there are other material considerations to which greater weight should be attached.

Whilst application UTT/0717/06/FUL does not include any application for planning permission for additional facilities infrastructure or engineering works, application UTT/1001/01/OP did. Hence the relevance of general planning policies on design, light pollution, flood protection as well as those such as access and good neighbourliness which relate to the increased levels of activity sought.

Potential additional development as considered in the Environmental Impact Assessment supporting UTT/0717/06/FUL, which is listed in the Description of Proposal section of this report, would be subject of future planning applications so the specific impacts of that additional development could be addressed at that stage. However, in weighing the need for that additional development against the specific

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

impacts, any consent to vary the conditions enabling 35 mppa and up to 264,000 ATMs would be material.

Other material considerations of a policy nature

These comprise national government policy as expressed in white papers, ministerial statements, planning policy statements, regional spatial strategies, planning policy guidance notes, and circulars. The Future of Transport – a network for 2030, The Future of Air Transport white papers and the Sustainable Communities in the East of England- building for the future are particularly pertinent, but all government policy including the UK Sustainable Development Strategy and Climate Change Programme carries the same weight. Reports of parliamentary committees, whilst they may have some relevance, are not government policy.

Government policy can be summarised as explicitly supporting maximum use of Stansted's runway in principle notwithstanding the climate change implications of global aviation growth and the local environmental impacts such as noise and air quality, urbanisation pressures and surface access implications. The Government says that a balanced and measured approach to the future of air transport is needed, which:

- *“recognises the importance of air travel to our national and regional economic prosperity, and that not providing additional capacity would significantly damage the economy and national prosperity;*
- *Reflects people's desire to travel further and more often by air, and to take advantage of the affordability of air travel and the opportunities this brings;*
- *Seeks to reduce and minimise the impacts on those who live nearby, and on the natural environment;*
- *Ensures that, over time, aviation pays the external costs its activities impose on society at large – in other words, that the price of air travel reflects its environmental and social impacts;*
- *Minimises the need for airport development in new locations by making best use of existing airports where possible;*
- *Respects the rights and interests of those affected by airport development;*
- *Provides greater certainty for all concerned in the planning of future airport capacity, but at the same time is sufficiently flexible to recognise and adapt to the uncertainties inherent in long term planning.”*

The UK's climate change programme says that it takes into account the implications of the Air Transport White Paper policies.

Government airports policy says that:

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

“(its) first priority is to make the best possible use of the existing runways at the major south east airports.”

This *“will provide some much needed additional capacity.”*

The preceding text on key issues refers to the disproportionately high demand arising in the south east, which in this context means London, the South East and East England Regions:

“Demand is high principally because of the nature and strength of the economy within the South East and in London in particular.”

“The pressures on existing capacity in the South East are already more severe (in 2003) than those in the rest of the country and that only at Luton, and, to a lesser extent, at London City is there significant capacity available in peak hours.”

The Air Transport White Paper maintains that its conclusions, including its support for making the best possible use of the existing runways at the major south east airports, seek to reflect the principles set out above and identify case by case and region by region an appropriate and fair balance between them.

The Draft East of England Plan submitted to the Secretary of State by the Regional Assembly contained a policy on airports providing for maximum use of Stansted’s runway and setting out a framework for determination of development proposals. Following the Public Examination, the Panel appointed by the Secretary of State has recommended changes to the policy. The Secretary of State’s Proposed Changes in response to the report of the panel are anticipated by the end of the year. The recommended changes to Policy E14 The Region’s Airports would result in it stating that:

“The roles of Stansted and Luton are outlined in the Air Transport White Paper. Future development...will be planned in detail through airport master plans. These will need to be consistent with the sustainable development principles set out in (the Panel’s recommended) Policy SS1 and other policies in the RSS. Individual phases of development will, where relevant, be subject to the process of Environmental Impacts Assessment”

The Public Examination Panel’s report stated at the end of Paragraph 8.26 *“From the outset it has been clear to us that there is no role for the RSS in determining the rate of air traffic growth or runway provision at the region’s airports. Decisions on that, and resolving any policy conflicts attendant on those decisions, remain for Government”*. The Government’s response is awaited.

The draft Plan also identifies Stansted Airport (and Luton) as Regional Interchange Centres, stating as Paragraph 8.31:

“Their role in this regard extends beyond that of a gateway to the rest of the world, often providing a useful interchange for movement within the region as well. The location and design of rail and bus stations must be an integrated part of the

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

development of the airports to enable easy travel for both workers and passengers. The objectives of the airports' surface access strategies to increase the proportion of passengers and workers travelling by public transport are supported".

Essex Structure Plan Policy BIW9 Airport development also requires a balancing of economic, environmental and social factors. This report follows the structure of BIW9 in considering the provisions of the development plan and other material considerations.

General planning policies for the area

The most up to date strategic planning policies are the emerging Regional Spatial Strategy which takes forward the Government's Sustainable Communities in the East of England action plan. The public examination panel's recommended changes to the draft East of England Plan are based on the need for the RSS to take on board the growth agenda alongside that of environmental limits and climate change. The draft Plan proposed a growth strategy for the Stansted/ M11 sub region. The panel is recommending changes but its substitute approach of identifying Harlow as a Key Regional Centre for Development and Change (Policy SS3), its provision for development in other towns and rural areas (Policy SS4), its district level housing provision (Policy H1) and its provision for economic development, retail and tourism including jobs growth (Policy E2) and the Region's Airports (Policy E14) are consistent with the Government's Air Transport White Paper proposals. The panel noted the current "worker surplus" in the Stansted M11 sub region, identified that the main agenda for the sub region included: to secure a major addition of housing as part of the Stansted Cambridge Peterborough growth agenda; to accommodate the development needs associated with Stansted airport; and to provide employment growth to match the housing increase, exploiting the growth of Stansted Airport. The panel concluded that the draft East of England Plan's provision for housing and jobs

"appears adequate to absorb the effects of the airport's growth over the Plan period, whether with one runway or two".

"Like the Government Office for the East of England and BAA, we doubt whether there would be any additional airport related job growth over and above the level assumed in the forecasts that underlie the draft Plan, especially in the period to 2021."

The Panel went on to comment that

"Issues for the longer term in connection with Stansted will need to be addressed in considering the broader need for development options to meet the regional housing requirements and economic growth for his part of the region."

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

It is recommending a Policy IMP3 Review of the RSS, requiring a review of the RSS to investigate and make provision for the development needs of the East of England for the period 2011 to 2031. In this context, the Panel comments on the potential role a major new settlement for which

“the most obvious locations are in the vicinity of Stansted or more broadly in the London Stansted Cambridge Peterborough Growth Area.”

London Plan

The London Plan seeks to improve and expand London’s international transport links for passengers and freight, to support London’s development and achieve the Plan’s spatial priorities. It specifically supports “the development of a sustainable and balanced London area airport system.” Further alterations to the Plan state:

“Adequate airport capacity serving a wide range of destinations is critical to the competitive position of London in the global economy”.

“The Mayor believes that the aviation industry should meet its full environmental and external costs but accepts there will still be a need for extra capacity to meet London’s economic needs.” “The proposed expansion at Stansted...is therefore supported, provided that the environmental effects are satisfactorily mitigated and that sufficient additional transport capacity, particularly by public transport is provided.”

It is difficult to come to any conclusion other than that the current application is consistent with the emerging spatial strategies for London and the East of England. Members may feel that it is significant that the issues identified for the longer term demonstrate that Stansted expansion will require review of RSS14, but this would relate to the implications of air traffic growth beyond 2014 as demand grew within the capacity of any second runway, in combination with a number of other factors including demographic pressure, housing need and affordability and broader economic considerations as identified in the panel report.

Air travel needs

The Environmental Statement forecasts demand rising to 35 mppa in 2014 and the Council’s expert consultants concur that this forecast is reasonable. SSE considers that the level of unconstrained demand will be higher at 39.8 mppa in 2014. The Airlines Consultative Committee on the other hand put demand in the range 22 to 28 mppa in its “more realistic” projections assuming a range of elasticities of demand to changes in airport charges. Whichever view of demand is taken apart from at the

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

low end of the ACC range, demand will exceed the 25 mppa cap. The ACC are not suggesting that the cap should be retained.

Demand does not necessarily equate to need. Leisure passengers would comprise 23.7 mppa of the 29.2 mppa terminating passengers in the 35 mppa case. Business passengers would comprise 5.5 mppa in the 35 mppa case, slightly up from 5.2 mppa in the 25 mppa case and 3.4 mppa in 2004. Cargo tonnage would total 600,000 in both the 25 and 35 mppa cases. The desire for people to go on short breaks, in some cases several times a year, has been challenged in representations as not amounting to need. However, in the context of the Air Transport White Paper's objectives, which as indicated above, include reflecting people's desire to travel further and more often by air, and to take advantage of the affordability of air travel and the opportunities this brings, the Government's view is likely to be that outbound and return leisure air trips by UK residents should be recognised as need, as indeed should inbound and return leisure trips by foreign residents.

Economic benefits

It seems to be common ground between parties that at 35 mppa in 2014, there would be a net tourism deficit to the UK, both in terms of numbers of tourists and expenditure, with spending per head by UK tourists abroad also being higher than spending by foreign residents when visiting the UK. There would be modest growth in business travel. Business interest support the application citing the increased route networks from Stansted, including the recent establishment of some long haul scheduled routes, avoiding the need to travel to Heathrow, and the potential benefits of low fares to East of England businesses particularly in their start up phases. What is less clear from the representations of business groups is the significance of improved benefits at 35 mppa compared to 25 mppa, because of their focus on the current position at about 23 mppa.

The Government is likely to take a more strategic system view, however, and see additional capacity within the London airports as a whole enabling more efficient use of capacity at Heathrow, supporting maintenance its hub role in the threat of competition from other EU airports. The air transport white paper stresses the increasing dependence generally of Britain's economy on air travel, for visible exports, export of services, as an attractor for investment, as well as the mode used by two thirds of the 25 million foreign visitors a year to come to the UK. It is unlikely to see a net tourism deficit through Stansted as the over riding factor. As the white paper says

“in an increasingly competitive global marketplace, Britain's continuing success as a place in which to invest and do business depends crucially on the strength of our international transport links.”

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

The Economic Effects volume of the Environmental Statement attempts to quantify “the contribution of Generation 1 development at Stansted” in influencing business development decisions, attraction of foreign direct investment, international trade and international tourism, and securing productivity improvement, but other than quantifying passenger and cargo throughput has little specific information on Stansted’s contribution. The representations by East of England International, the regional inward investment agency, point to some local investments in which Stansted was one attractor, but these are very modest examples. The most significant inward investment in Uttlesford and the East of England is actually ADI’s acquisition of BAA and its assets at Stansted.

Representations raise the issue of displacement of other economic activity by growth of the air transport sector, as did the Scoping Opinion. This is a theoretical concern, the scale of which is impossible to prove conclusively. It does not follow that a net outflow of tourism through Stansted will result in loss of jobs and expenditure to the UK tourism industry because such expenditure is not ring fenced to any particular sector. Consumers’ choice is not limited to a short break in the UK or abroad. If capacity constraints mean they cannot travel through Stansted when convenient, they may decide to spend their available disposable income on some different goods, which may well have been imported. Also, by 2014 there is forecast to be either a theoretical surplus of labour over jobs in the Stansted M11 area or a broad balance between labour supply and demand.

The Environmental Statement’s assessment of employment effects puts the total Stansted related employment at 2014 in the 35 mppa case as 23,200 jobs with income totalling £482.8million compared to 19,400 jobs and £404.7million in the 25 mppa case. The additional employment would therefore be 3,800 with an extra £77.1million income. In the context of labour supply and demand forecasts these additional jobs could be seen as a positive benefit rather than a problem in the current tight labour market conditions.

Impact on public health and safety

The Health Impact Assessment has evaluated the impacts, both adverse and beneficial, of the proposal, by identifying the relevant features that are potential influences on the determinants of health. These it summarised in the project profile as

Feature	Health pathway	Health determinant	Potential implications
Construction	Dust. PM10 emissions	Environment	Adverse
	Noise	Environment	Adverse
	Workforce	Environment	Beneficial

Planning application UTT/0717/06/FUL – Position Statement
Development Control Committee 27 September 2006, item 2

	Workforce Road traffic, accident risk	Income Transport	Beneficial Adverse
Increased ATMs	Air noise Emissions to atmosphere Ground Noise Aircraft accident risk Community disruption (road transport, transport congestion and fly parking)	Environment Environment Environment Transport Social capital/ well being	Adverse Adverse Adverse Adverse Adverse
Increase road traffic	Emissions to atmosphere Noise Accident risk Effects on existing transport network Community disruption	Environment Environment Transport Well being Social capital/ well being	Adverse Adverse Adverse Unclear Adverse
Increased passenger numbers	Additional job opportunities Increased workforce size Community disruption Change in social dynamic (inward and outward migration of communities) Enhancement of service provision	Employment, income Housing Access and accessibility Social capital/ environment Social capital	Beneficial Unclear Adverse Unclear Beneficial

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

As the section on approach and methods stated,

“The methods adopted derive mostly from the review of the available literature, which defines the current state of knowledge applicable to the determinants. The evidence provides boundaries on what can reasonably be achieved”.

“The other principal source of the material is the ES, which provides a quantified description of the environmental and socio economic effects of the proposed development to 2014. In many cases the ES provided a direct input to the evaluation of health effects.”

“Where the proposed development has implications for changes to the physical environment, eg noise and air quality, the EIA provides a quantitative description of the exposure of people to the changes. The HIA, on the other hand, takes this estimate a stage further by considering the effects on human health.”

“The approach is divided between those pathways for which a sound scientific basis exists for quantification and the remainder, for which it is not possible to apply methods that can quantify health outcomes.”

Four minor health pathways: ground noise, road and rail noise, construction and odour were not taken forward for evaluation having been judged not to have sufficient influence on determinants of health to result in health outcomes of consequence.

“At worst, they play some role in contributing to the perception of the airport as a factor in adversely affecting health.”

“Levels of ground noise are insufficient for the people exposed to display any health effects, on the basis of current understanding of noise and health.”

“Changes in rail and road noise are insufficient to produce any quantifiable health effects. In addition, the numbers of people exposed to road and rail noise of sufficient magnitude to have potential health effects is very small”

“Odour does not of itself produce physiological health effects, although it can have psychological effects”.

The health pathways identified as being capable of quantification for health outcomes are as follows: air quality, aircraft noise and transport accidents (for road traffic and aircraft)

Following evaluation, the HIA summarises the health impacts as follows:

“Some of the impacts are quantifiable, in terms of health outcomes, although many are not. Quantification has been undertaken wherever the evidence base permits. The quantifiable adverse health effects are negligible, taken in the context of the existing event rates for the various outcomes identified. Non quantifiable beneficial health effects may be experienced by larger numbers of people, but the extent of these effects in terms of health outcomes cannot easily be identified”

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

On air quality and aircraft noise, *“the effects are sufficiently small that the effects are effectively zero, in the context for example of demands on the health care system”.*

“For air quality, the effect on health outcomes related to morbidity is so slight that it can be described as negligible. With regard to mortality, determined by exposure to PM2.5, the loss of life expectancy is very small, in comparison with the loss currently experienced through exposure to air pollution and other lifestyle factors that influence life expectancy”.

“The health effects of aircraft noise will be experienced by a small group of people. We have identified approximately 240 additional people who might be categorised as “highly annoyed”. The potential for sleep disturbance arising from the small additional number of flights in the shoulder hours of 06:00 to 07:00 am and 23:00 to 23:30 is minimal and ERM does not envisage the incidence of this being influenced by the proposed Generation 1 development in a quantifiable manner.”

“On the basis of results obtained from the RANCH study, there are four schools at which the reading age of children in the latter years of primary school education could have the point at which they reach optimum reading potential delayed by up to approximately 2 weeks. All schools perform well by national standards and if this effect is real, it will have no discernable adverse effect on the educational achievement of individual children”.

“Perhaps the largest single impact will be through an increase in serious injury or death arising from increased traffic flows on the road network that the development proposals will influence. The calculations show that an additional 1 to 10 serious injuries or deaths might occur annually over the model network. These deaths or injuries could occur over a wide area and their precise locations cannot be identified or predicted, but most will occur for roads outside of communities near the airport and are not likely to involve pedestrians.” The casualties are then put in the context of deaths and injuries on the national network.

The East of England Strategic Health Authority broadly agrees with conclusion of the HIA that the overall health impacts, positive and negative, of the expansion in use of the existing runway are relatively minor, but has some concerns about the impact of noise, particularly on children. These lead it to recommend action on three fronts: appropriate mitigation should be considered for Spellbrook, Little Hallingbury and Thaxted primary schools and Howe Green House School at Great Hallingbury; further modelling work explicitly to consider the impact of all airport noise (ie the impact of development up to 25 mppa rather than just focusing on the incremental impact of 25 mppa to 35 mppa) on children beyond as well as within the 54 dB Leq contour; and noise monitoring work at schools above 40 dB Leq.

It is important to appreciate that the SHA's concern is mainly to secure mitigation to address effects associated with the current permitted level of growth, these effects not having been quantified in determining the 2001 application.

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

There would appear from the ES to be no significant public safety implications of the proposal.

Noise pollution levels

Noise pollution, particularly air noise but also ground and surface access traffic noise, is one of the key areas of concern in representations on the current planning application.

Air Noise

The low cost carriers at Stansted use modern small to medium sized aircraft which are quieter (less noisy) than the aircraft types they replaced and the ones commonly used by long haul and freight operators. However for most locations, it is the increased number of flights which is likely to be noticed by residents beneath the flight paths rather than the slight reduction in the average noise level of each movement.

The area of the 57 Leq day contour is forecast to increase by 13% (to 33.9 sq km). This area is less than the maximum limit of 43.6 sq. km imposed by condition on the existing planning permission. The present area of the 57 Leq day contour is about 30 sq. km. If the airport passenger throughput remained capped at 25 mppa, however, the contour area would fall, to 27.5 sq. km., rather than increase. Application of dose response data from national social surveys to the modelled Leq contours enables the change in the numbers of people highly annoyed by aircraft noise to be assessed. The local authorities' consultant Bureau Veritas calculates that 250 additional people will be highly annoyed at 35 mppa compared to the 25 mppa case (800 compared to 550). The total population within the 57 Leq contour increases from 2300 to 3550 (5200 to 7350 in the 54 Leq contour). Bureau Veritas' advice on the interpretation of World Health Organisation community noise guidelines is that the 16 hour daytime and evening LAeq guideline value of 55dB for outdoor living areas is broadly consistent with the Aircraft Noise Index Study (ANIS) data that 6% of the population living between 54 and 57 Leq contours would be seriously annoyed.

The total number of movements a year (atms and non atms) for 35 mppa at 2014 (274,200) is forecast to be 27% more than for 25 mppa compared to the 13% increase in the 57 Leq contour area. People are clearly affected by the increase in numbers of aircraft overhead as well as how noisy those aircraft are and for some individuals their subjective response to air noise is moderate or even serious levels of annoyance well beyond the 57 Leq contour area. Total movements are set to increase by over 40% between now and 2014 in the 35 mppa case.

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

Hourly movements in the 16 hour day (07.00 – 23.00) on a busy summer day are forecast to increase from an average of 32 in 2004 to an average of 46 (50 in the busiest periods). The extent to which particular communities are affected will depend on their location in relation to a Noise Preferential Route or Routes and glide path and the balance between easterly and westerly operations.

Most of the increases will be in the present off peak periods in the day and mid evening but there are forecast to be (busy summer day) an additional 7 arrivals in the early morning between 06.00 and 07.00. Between 22.00 and 23.00 there will be an additional 9 departures in 2014 with 35 mppa compared to 2004.

A significant proportion of the representations received have come from Hertfordshire residents. Take offs westwards across Hertfordshire occur about 70% of the time and landings 30%. These landings also fly over Ware and Hoddesdon at heights of around 2,000 feet well below those that would be expected so far from the runway. This is due to aircraft from other airports flying in the area and is causing increasing disturbance to residents. Potential changes to air traffic control procedures (not part of this application but being considered by National Air Traffic Services to increase air space capacity) may improve the situation but not before 2009.

Night noise is of particular concern to local residents. Night flights in the 8 hour night (23.00 – 07.00) are not forecast to grow at the same rate as the day flights. The increase will be within 20% of current level. This increase is concentrated in the early morning 06.00 to 07.00 when Summer busy day flights are expected to increase from 33 to 45, mainly as arrivals. Between 23.00 and 06.00 no increase is forecast with the majority of movements scheduled before 23.30.

However the Stansted based low cost carriers have a rotation system to maximise aircraft flying hours and keep costs down. This is based on aircraft departing early in the morning and arriving from their final rotation late at night. While the final arrivals may be scheduled before 23.00 any delay through the day means they understandably arrive later at night. Added to this, the freight aircraft which commonly arrive and depart at night tend to be the larger noisier aircraft using the airport.

At Stansted night flights are subject to limits and controls imposed by central government. The limits 23.30 – 06.00 for the period to 2012 have recently been announced following a long consultation process. BAA's forecast night flights fit within the government's limits, partly because the movement limit is not presently fully used (about 8,500 of 12,000 per annum) and partly because forecast growth will be 06.00 to 07.00 rather than within the night quota period.

Ground Noise

The ES assessed that there would be moderate adverse ground noise impact on Tye Green in the day time with westerly operations; on Gaunts End in the daytime and evening with westerly operations and at night time with easterly operations; and at Molehill Green during the night time with both easterly and westerly operations. Additionally there would be minor adverse impacts on Molehill Green during the daytime and evening with easterly operations.

Bureau Veritas has appraised the ES and concluded that the basis of the impact assessment is sound, although the analysis it has carried out suggests the impacts may be understated. BS 4142 requires that a 5 dB penalty is added to the noise to account for tonality. If 10 dB is added at receptor sites for downwind propagation, instead of the impact not exceeding “moderate” it could reach “major” for several locations in the vicinity of the airport. Bureau Veritas has accordingly advised that BAA carry out further sensitivity testing.

Road and Rail Noise

The ES concludes that the differences in morning peak hour road traffic noise levels would be small (<1dB) even on Thremhall Avenue where the additional traffic would be 100% airport related. On the A120 east and west of Bassingbourn roundabout the differences in overall road traffic levels would be smaller still (A120 west: 0.1dB westbound and 0.4dB eastbound and A120 east: no change) because airport related traffic is only a proportion of its overall road traffic. The ES asserts that:

“because the differences in overall road traffic sound levels between the 25 and 35 mppa cases become even smaller at increasing distances from the airport where the proportionate increase in overall flow is diluted by non airport related traffic flows, there could be no receiver sites outside the airport where small differences in airport related traffic flows cause any material differences in overall road traffic sound levels.”

The ES does not consider the difference in road traffic noise levels outside the AM and PM peak hours. The total airport related road traffic demand in 2014 in the average inter peak hour would, according to the ES, increase by 18% in the 35 mppa enhanced case over the 25 mppa case. There is data for specific strategic roads and local roads in the vicinity of the airport in the inter peak period. For the A120 (M11 to Dunmow) the totalled modelled flow vehicles per hour would increase from 1800 to 1820 comparing the 2014 core case with the 35 mppa enhanced of which airport only vehicles would increase from 310 to 350. On Parsonage Road Takeley the two way flow would increase from 130 to 160 vehicles per hour. North of Coopers End towards Molehill Green the flows would increase from 270 to 290, and

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

on Bury Lodge Lane from 330 to 340. More information has been requested on traffic flows on local roads around the airport

The ES does not consider the issue of rail noise, although Volume 11 Surface Access concludes that, with an 8 car service, demands at or around 2014 could become close to capacity in the busiest periods with or without airport growth to 35 mppa or 40 mppa, and it considers the effects on demand of DfT providing some limited lengthening of trains to 12 cars. Lengthening trains would, as Bureau Veritas observe, have noise implications.

Environmental conditions

Air quality

The ES concludes that

“Air quality is predicted to be similar in the 35 mppa case to that which would arise in the 25 mppa case, although as would be expected, concentrations of 11 pollutants are marginally higher in the 35 mppa case, due primarily to the increase in ATMs and road traffic.

In both cases the Government’s annual mean NO₂, particulate matter, benzene and 1-3 butadiene objectives would not be exceeded beyond the airfield and apron areas. Shorter time period concentrations for NO₂, particulate matter and SO₂ are also predicted to be below their relevant objectives away from the airfield and apron areas. There is no air quality objective for PM_{2.5} in the UK, however predicted concentrations of this pollutant fall well below the concentration cap in a proposed EU directive beyond the airfield and apron areas. Although the annual mean EU limit values for vegetation protection (NO_x) and protection of ecosystems (SO₂) do not strictly apply within areas five kilometres from a motorway, these concentrations are not exceeded within Hatfield Forest or east End Wood.”

Bureau Veritas’ advice is that the ES Volume 3 Air Quality report is thorough overall, however further clarification should be sought on some issues. It advises further information on the verification of the emissions dispersion modelling should be provided, noting that verification has not been addressed at roadside sites, and there is some indication that the model is under-predicting NO₂. As a sensitivity test, increased assumptions for primary NO₂ are justified. This would lead to an increase in NO₂ concentrations. In relation to road traffic data assumptions, clarification of road traffic data used in the model test report and ES should be provided. It also notes that if 35 mppa is reached in advance of 2014 the impacts could be higher. Variation in future fleet assumptions and engine performance would also affect the impact assessment. In reviewing the EIA against latest information from the Project

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

of the Sustainable Development of Heathrow, Bureau Veritas advises that some issues have not been accounted for. Taking these issues on board would be likely to affect predictions close to the airport, but would not be significant at a greater distance. Importantly however, in terms of affecting the assessment against the air quality objectives, these points are unlikely to alter conclusion that the NO₂ air quality objectives are not expected to be exceeded in 2014. NO₂ is the pollutant for which the increment between the 25 mppa case and the hybrid sensitivity test as a percentage of the air quality objective is greatest. There is a need though to further determine the impact on Hatfield Forest in terms of NO_x. BAA has been asked to take into consideration the recent review of the Air Quality Strategy that sets out Government's aspiration to achieve the NO_x objective for the protection of vegetation at all SSSI sites, both inside and outside of exclusion zones.

Nature conservation

The impacts can be put into direct and indirect categories. Increased use would result in the implementation of development that already has planning permission under the 2003 permission, such as the Echo stand and additional fuel tank facilities. These impact on protected and Biodiversity Action Plan species, and veteran trees, which are amongst the highest in value for invertebrates. Most of the rest of the sites assumed for the 25 mppa case are temporary or airside grasslands, with the key nature conservation interests being skylarks and brown hare. BAA is committed to provide replacement grassland habitats under the 2003 obligation.

The direct effects of the 35 mppa case would be similar in nature to the 25 mppa direct effects if all the assumed developments were implemented. The same types of airside and temporary grassland habitats and BAP species of birds and brown hares would be affected. The ES maintains that "these habitats are largely re-creatable and with suitable mitigation and compensation, the significance of the potential effects would generally be minor adverse or negligible".

The indirect effects of relevance to nature conservation are air quality, noise and water quality and volume of flows in watercourses taking surface water away from the airport. The air quality issue is considered in the preceding section. The ES concludes that there could be a minor adverse affect on high value bird species from noise, but notes that the airside grasslands already support unusually high densities of skylarks, and these do not seem to be affected by noise. Increase in surface water discharges into streams would be "small" and the balancing ponds would be adequate to cope with increased pollutant loads. It is noted however that BAA Stansted's Corporate Responsibility 2005/6 reports that it failed to meet its discharge consent terms set by the Environment Agency. One of the 53 samples taken during the year exceeded the 20 mg/l limit for suspended solids by 10mg/l. The Environment Agency does not object in principle to the proposed development, subject to conditions, ensuring for example that a plan for desilting and general maintenance of the attenuation ponds is submitted, approved and implemented.

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

The National Trust in its representations has registered strong objection to the proposals on the grounds that insufficient information has been provided on the effects. It states that increased use of the runway would result in a 40% increase in carbon dioxide emissions from 2.478 millions tons a year to 3.645 million tones in 2014. To this, it says, needs to be added water vapour emitted at high altitude, which often triggers the formation of condensation trails. These tend to warm the earth's surface. The National Trust also suggests that emissions from road traffic generated by the development have not been fully taken into account. It highlights nitrogen deposition in the area as approximately twice the 17 kg per hectare per year "which is the level at which it is considered there is damage to woodland habitats" citing studies by the European Commission Committee on Long Range Atmospheric Pollution.

The ES draws on monitoring studies that BAA has conducted as required by its 2003 obligation. These reveal a consistent pattern of high total N deposition levels in East End Woods, Hatfield Forest and Hales Wood, a National Nature Reserve near Ashdon, which it has used as a control site. The studies show high N levels in moss tissues, consistent with significant eutrophication of all the woodlands reflecting the high overall N deposition in the area.

Officers have sought a copy of BAA's studies as relevant further information. The ES recommends that the monitoring that has recently been conducted by BAA of the fen site hydrology and botany, the breeding bird counts in Hatfield Forest, East End Wood and Hales Wood, the nitrogen content of mosses in the same woods, and the lichen flora surveys should be continued on a regular basis. This programme, it suggests, should be repeated every five years.

English Nature does not wish to challenge the assessment of impacts on nature conservation and the evaluation of their significance and considers the arrangements for mitigation, compensation and monitoring appropriate. However, it is seeking an agreed delivery plan and a commitment to ongoing review of the management and mitigation measures in the light of monitoring.

Visual amenity

The ES considers the impact of the additional facilities that BAA has assumed at 35 mppa, and concludes that their respective landscape and visual impacts would either result in no change or slight change. From a range of viewpoints beyond the airport boundary, there would an increase in the night time glow in the sky as a result of additional areas being lit. The ES proposes revisiting some of the existing areas of ground shaping and planting as a result of a review of its effectiveness. New planting in accordance with the approved Landscape Masterplan will also be implemented as facilities are developed.

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

Members have decided that the Committee should carry out a site visit at night to look at existing light pollution and consider the potential additional effects of the assumed development in the 35 mppa case in addition to the facilities permitted in 2003 but still not provided.

Residential and urban areas affected by the proposals

The effect on residential and urban areas will mainly be air noise, which is considered above, and any significant additional traffic in these areas generated by the development, and potential traffic noise and air quality issues as a consequence.

Representations suggest that the growth of the airport is already causing changes in the local housing market, stimulating buy to let and changes of tenure within the existing housing stock, from owner occupation to private rented and multiple single person households per house. This, it is suggested in material received, is undermining social cohesion and eroding the community in areas like Takeley, Broxted, and parts of Great Easton. From the statements of local residents, however, it would seem that these effects, although depressing, mainly relate to the operation of BAA's HOSS and HVGS schemes. There are no reports of such changes in Thaxted, Great Hallingbury, Little Hallingbury and Burton End.

The requirement for new housing, commercial development, and associated community facilities, and demand for the establishment of airport related facilities outside the airport site itself, to serve both it and its users

As explained above, the proposal to increase use of the runway in the period up to 2021 will not require any increase in housing, related community facilities or commercial development over and above the provision in the Draft East of England Plan.

Adequacy of the arrangements for surface access to the site by all means of transport.

This is a significant area of ongoing work. The respective positions of the Highways Agency, Essex and Hertfordshire County Councils, DfT Rail, and Network Rail have not been determined, although BAA has submitted a series of schemes for works to the strategic road network designed to meet the Agency's concerns. Reports being considered through the County Councils' internal Member consultation and decision making processes seek agreement on a range of mitigation measures that would be necessary for the surface access arrangements to be considered adequate. The

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

report to the Essex County Council Cabinet on 19 September is appended for information.

This ongoing work will also inform a decision as to whether the proposals meet all of the criteria set out in Uttlesford District Plan Policy GEN1 – Access adopted 2005.

Energy Efficiency

Uttlesford District Plan Policy GEN2 – Design adopted 2005 requires that the design of development will only be permitted if its design helps to minimise water and energy consumption. The design of some facilities is already committed because details following outline permission have already been approved. However, as the ES predicts that there would be increased energy consumption on airport of 19,995 MW/hours and consequent increased carbon gas emissions of 7,581 tonnes as a result of the development, it is relevant to consider opportunities to maximise energy efficiency. The ES suggests that these will be considered at detail design stage, and that the existing Sustainable Energy Management Strategy agreed with the Council is adequate mitigation. This sets targets for 2008 by which BAA will increase its score from its 2004 level in terms of organisation arrangements, motivation, information systems and investment. It has a system of regularly produced key performance indicators. The 2005/6 Corporate Responsibility Report indicates that it met its KPI target that CO₂ derived from energy use be less than 42,859 tonnes, representing a further reduction of 393,000 kilogrammes against the business as usual or do nothing forecasts. Its target for 2006/7 is less than 45,649 tonnes. Projects contributing to improved efficiency in 2005/6 included refurbishment of the terminal chilled water circuit cooling towers and a new boiler control system. In 2006/7 new inverter controls on the units that supply treated air to the terminal are planned.

Waste

Planning Policy Statement PPS 10 Planning for Sustainable Waste Management stresses the need to seek opportunities to reduce the amount of waste produced, then re-use, recycling and composting and energy recovery. Disposal should be the last option. Policy WM1 of the Structure Plan and ENV 10 and 11 of the Essex Waste Local Plan support waste management and minimising waste disposal. The ES says that the proposal would result in an additional 2,189 tonnes of waste. BAA has group targets of aiming to recycle and/ or compost 40% of airport waste contract arisings by 2010, and 80% by 2020. In 2014, it would expect to be recycling or composting 56% of waste arisings, so the additional waste being disposed to landfill as a result of the proposal would be 963 tonnes

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

Conclusion

The proposals as applied for in 2001, as limited by the conditions imposed in the planning permission dated in 2003, subject to the revised conditions for which application is now made, and taking into account the obligations agreed in May 2003, need to be re assessed against the current development plan and any other material considerations. They should be determined in accordance with the development plan unless these other considerations indicate otherwise.

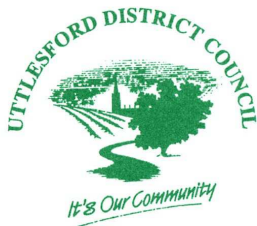
Planning permission was granted in 2003, so effectively the scope of the decision to be made is whether to:

- Refuse to vary the conditions as sought
- Approve the development permitted under decision reference UTT/1000/01/OP without complying with condition MPPA1 (i.e. passenger throughput not limited to 25 mppa) and varying condition ATM1 to lift the cap on air transport movements from 241,000 to 264,000 a year whilst retaining the limit of cargo air transport movements of 20,500 a year.
- As 2 above, but with any necessary adjustments to other conditions and obligations and any necessary additional conditions and obligations.

It is essential that the recommendation as to how the application should be determined is based on a comprehensive assessment of the relevant factors. Further information has been requested from the applicant. Additional information on surface access issues may need to be requested in due course in the light of responses from consultees that are still awaited.

Once officers have established a clear timetable for receipt of consultees' responses and the further information requested from the applicant, further extraordinary meetings of the Development Control Committee will be arranged. This will need to take into account the statutory requirements for publicity to be given to further information supplementing the Environmental Statement and further consultation.

**Planning application UTT/0717/06/FUL – Position Statement
Development Control Committee 27 September 2006, item 2**



UTTLESFORD DISTRICT COUNCIL

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15 September 2006

Your ref:

Please ask for Roger Harborough on 01799 510457
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Dear

PLANNING APPLICATION UTT/0717/06/FUL STANSTED AIRPORT – REQUEST FOR FURTHER INFORMATION

Following careful consideration of the adequacy of the Environmental Statement forming part of this application and taking into account representations received about environmental matters, the Council considers that the provision of further information as set out in the attached Schedule A is required. This is a formal request under Regulation 19 of the Town and Country Planning (Environmental impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No 293)

In addition to the matters set out in Schedule A, the Council requests that BAA reconsider its response to the Scoping Opinion in relation to those other matters that BAA did not agree to include in the Environmental Statement. The substantive matters that fall into this category are set out in the attached Schedule B.

There are also various matters where clarification or less substantial information is

Planning application UTT/0717/06/FUL – Position Statement

Development Control Committee 27 September 2006, item 2

requested. These are set out in Schedule C. Most of these have been raised with you previously, but there are some additional points. I would appreciate a consolidated response.

I am mindful that the need to publicise and consult on the Further Information requested under Regulation 19 and the desirability of also including other substantive material in this consultation means that this will not be completed within the agreed extension of time for determination of this application only until 27 September. I acknowledge that a consequence may be that BAA decides that it has to appeal against non determination, however now that the Council has concluded that the information in the submitted statement does not contain all the relevant material set out in Part 1 of Schedule 4 to the regulations that the developer can be reasonably expected to compile, it must use its powers to require that information.

You will be aware, however, that we also still await final consultation responses from key consultees like the Highways Agency, which had asked for an extension to 30 November, the highways authority, DfT Rail and Network Rail, which, we understand, may also not be resolved within the agreed period. I would also point out that the Council reiterated the importance it attached to the Scoping Opinion in its response to your draft Interim Master Plan in December 2005.

This request for further information does not cover any issues arising from the ongoing consideration of surface access issues by the relevant authorities and bodies. Their representations may give rise to another request for further information.

Yours sincerely

Roger Harborough
Planning Policy and Conservation Manager

SCHEDULE A – FURTHER INFORMATION REQUIRED UNDER REGULATION 19

Statutory requirements of information to be included in an Environmental Statement	Information required	Reason
<p>A description of the aspects of the environment likely to be affected by the proposed development, including in particular: Population Fauna Flora Soil Water Air Climatic factors Material assets including architectural and archaeological heritage, Landscape; and The inter relationship between the above factors.</p>	<p>1. Base line study of current condition of flora and fauna within Hatfield Forest, East End Wood and fen site and study of the effects of noise air and light pollution on these sites.</p>	<p>Base line study of current condition of flora and fauna within Hatfield Forest, East End Wood and fen site and study of the effects of noise air and light pollution on these sites were part of May 2003 obligation and in accordance with the approved timescale was to have been completed in late summer 2005. BAA has referred to some findings in its ES but has not otherwise reported the findings to UDC, as the obligation requires as soon as is reasonably practicable after the results are available to STAL.</p>
<p>A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative</p>	<p>2. Quality of Life Assessment compliant with Countryside Agency advice</p>	<p>Representations suggest that there are significant effects on community coherence and local assets that are regarded as important</p>
	<p>3. Information on the average mode noise exposure at all schools affected by noise</p>	<p>The former Essex Strategic Health Authority has made representations</p>

Development Control Committee 27 September 2006, item 2

<p>effects of the development resulting from: The existence of the development The use of natural resources The emission of pollutants, the creation of nuisances and the elimination of waste</p> <p>And the description by the applicant of the forecasting methods used to assess the effects on the environment.</p>	<p>levels from airport operations of between 40 dB(A) (LAeq,16) and 54 dB(A) (LAeq,16h) for the current and two main future situations (revised 25 mppa and 35 mppa cases)</p>	<p>expressing its concern about the effects on cognitive development of children in schools exposed to air noise above 40dB Leq. The HIA concluded that there is some impact on learning in schools where the noise exposure (LAeq,16) is 40 dB(A) or more (Para 5.5.21). The SHA's concerns have been endorsed by the new East of England Strategic Health Authority</p>
	<p>4. Worst mode 16 hour contours for 2004, the 25 mppa and 35 mppa cases– i.e. contours showing a typical westerly day (with 100% of movements operating in that mode) and a typical easterly day. In addition to graphical contours, the data should include the area enclosed by the contours, the population and the households enclosed;</p>	<p>In order to provide more information on the change of impact during the typical modes of operation and to be able to evaluate whether any potentially significant impacts are being masked by averaging</p>
	<p>5. L_{night} contours for 2004, the revised 25 mppa and 35 mppa cases but starting at 48 dB(A) in 3 dB(A) steps. Graphical plots should be supplied with associated area, population and household information, with this information presented in cumulative form rather than by band.</p>	<p>To enable comparison of the potential impact with guidance in PPG24 and the impact that occurs at other airports. Also to enable an easier understanding of the data.</p>
	<p>6. A similar L_{Amax} set of results to those published in Vol 2 section A4.3 but for the</p>	<p>To improve the understanding of the change of impact at specific locations</p>

Development Control Committee 27 September 2006, item 2

	<p>two worst mode days (i.e. all day westerly and all day easterly) rather than the average mode day presented in the environmental statement</p>	<p>during the typical modes of airport operation. Also to ensure that the averaging has not led to a masking of the changes that will occur.</p>
	<p>7. Downwind predictions for ground noise for the various cases studied.</p>	<p>It appears that the predictions have been based on neutral wind conditions. Consequently it is important to understand how the impact may change under non-neutral conditions. This request can be regarded as a sensitivity test.</p>
	<p>8. Total increase in road vehicle mileage resulting from the development by mode.</p>	<p>To quantify an effect that is relevant to the Government policy of encouraging travel by modes other than the private car.</p>
	<p>9. Hourly road traffic data around local roads outside the airport for the 24 hour weekday and, separately, for weekends, for the baseline, 25mppa and 35 mppa situations</p>	<p>To enable a better understanding of the diurnal impact of the proposals with respect to noise and to quantify the potential impact in terms of air quality</p>
	<p>10. Detailed assessment of the odour survey that was reported to have been carried out in 2005 (including provision of a copy of the report)</p>	<p>The ES indicates that there were 99 reports received over a short period of time. These complaints appear to have been registered in the “Birchanger Green” and Stansted Mountfitchet localities that are up to 4km from the airport and not within the prevailing wind direction. This suggests that odours may</p>

Development Control Committee 27 September 2006, item 2

		be of greater concern than indicated within the ES.
	11. Assessment of predicted NO ₂ concentrations for the 40 mmpa case based on 20% primary NO ₂ fraction	The hybrid mppa scenario is meant to represent a “worst case” analysis. It is understood that Defra are currently using 14% primary NO ₂ for current year (2004) scenarios. Bearing in mind that aircraft idle, NO _x may contain a very high proportion of primary NO ₂ , and that 2014 is being considered, 20% would represent a more suitable figure for the sensitivity analysis.
	<p>12.1. Provide additional information on model verification:</p> <p>Compare predicted airport NO_x with measured airport NO_x (rather than simply relying on comparisons of total NO_x)</p> <p>Include diffusion tube data in the verification exercise (using national bias adjustment factors)</p> <p>Describe model verification for the road traffic model</p> <p>Include comparisons with other airports</p>	<p>Whilst the comparisons of total NO_x may appear satisfactory, the model may be over or under-predicting the impact of aircraft emissions. This may have implications for other locations and future years.</p> <p>It is very disappointing that the model verification has relied upon monitoring data at a single location. This does not lend confidence to the results.</p> <p>No verification of model performance for road traffic emissions is provided.</p> <p>Comparison of the predicted concentrations with other airport studies would lend confidence to the results.</p>
	13. Take into consideration the recent review of the Air Quality Strategy that sets	The 30 µg/m ³ contour is very close to the boundary of Hatfield Forest for the 35

Development Control Committee 27 September 2006, item 2

	out Government's aspiration to achieve the NOx objective for the protection of vegetation at all SSSI sites, both inside and outside of exclusion zones.	mppa case, and is assumed to encroach upon it for the 40 mppa case (although no contours are provided).
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Development Control Committee 27 September 2006, item 2

SCHEDULE B –ADDITIONAL SUBSTANTIVE OUTSTANDING MATTERS PREVIOUSLY RAISED IN THE SCOPING OPINION

Statutory requirements of information to be included in an Environmental Statement	Information required	Reason
<p>A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development resulting from:</p> <p>The existence of the development The use of natural resources The emission of pollutants, the creation of nuisances and the elimination of waste</p> <p>And the description by the applicant of the forecasting methods used to assess the effects on the environment.</p>	14. Draft final airport master plan	As stated in the Scoping Opinion
	<p>15. An assessment of the impact of both the development and the resulting increase in air transport movements on the UK contribution to global warming through production of CO2 and other emissions.</p> <p>Study should include CO2 emissions from aircraft, vehicular traffic, energy use on airport, energy use in airport related activities off site, energy use in rail access, water supply, sewage disposal, energy use in construction, manufacturing of materials and transport of materials to site.</p>	To enable the significance of emissions generated to be assessed
	16. An appraisal of the effect of the development on the local housing market	The ES already includes some economic effects. Representations suggest that the growth of the airport is already causing changes in the local housing market,

Development Control Committee 27 September 2006, item 2

		stimulating buy to let and changes of tenure within the existing housing stock, from owner occupation to private rented and multiple single person households per house.
	17. Calculation of the opportunity costs of aviation development in relation to alternative economic activities foregone or displaced.	In 2001, the ES shows that labour demand in the study area exceeded supply and that, under one forecast, it could be in balance in 2014.

Development Control Committee 27 September 2006, item 2

SCHEDULE C – MATTERS OF CLARIFICATION, EXPLANATION AND DETAIL

Statutory requirements of information to be included in an Environmental Statement	Information required
<p>A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development resulting from:</p> <p>The existence of the development The use of natural resources The emission of pollutants, the creation of nuisances and the elimination of waste</p> <p>And the description by the applicant of the forecasting methods used to assess the effects on the environment.</p>	<p>Supporting information (actual numbers of movements by LAmax) for the graphs shown in Figs 25 to 30 inclusive in section A4.3 of Vol 2</p>
	<p>Clarification of night time movement assumptions. According to the busy summer day data and taking into account the proposed night flights movement limit, there would be around 37,900 movements in the 8 hour night in the 35 mppa case. According to the data in Volume 16 for the 35 mppa case in 2014, the total 8 hour night time movements are around 30,500 In the DfT’s Stage 2 consultation report on Night Restrictions, the DfT floated potential 8 hour restrictions for 2011/12 of 21,120 movements, which were assumed to be the 6.5 hour limit likely to be adopted plus an estimate for shoulder movements. The night quota period 6.5 hour limit was subsequently confirmed as 12,000 movements. The DfT’s Stage 1 consultation report stated the 2003 8 hour movements were 21,332, of which 9,046 were in the 6.5 hour night quota period.</p>
	<p>The National Trust’s representation letter dated 31 July 2006 suggests that three insect species have probably been incorrectly identified in ES Vol 10 – clarification is sought.</p>
	<p>Of the supplementary hourly movement data for an average July Friday in 2005, what % of the 26 movements in the hour beginning 2200 GMT (2300 BST) were scheduled between 2200 and 2230?</p>
	<p>How many CDA approaches are made on R05 during relevant periods?</p>
<p>It is understood that the figure of 180,000 PATMs in the ES Vol para 1.1.1 and para 1.2 of the Planning Statement is incorrect and should be 167,000, Please confirm.</p>	

Development Control Committee 27 September 2006, item 2

	Is 264,000 ATMs the effective capacity of the runway, taking into account the forecast 10,000 non ATMs? What are the factors underlying the 10,000 non ATM forecast?
	Why is there no increase in evening night shoulder period activity as stated in Vol 16 Tables A1.12 to 14
	Please provide a comparison of scheduled and actual movements for each hour of the 8 hour night time period on a busy day (average July Friday in 2005 and 2006 if available))
	What airport charges per passenger are assumed for the period to 2014? The master plan refers to £3.30 per passenger. Will any discounts continue to be offered?
	What is the assumed composition of cargo aircraft fleet in 2014 by aircraft type in, respectively, the 25 mppa and 35 mppa cases?
	Is the cargo forecast of 600,000 tonnes throughput based on an assumption of the proportion of South East demand handled at Stansted, or is it a forecast on a “stand alone” basis? Is the forecast tonnage constrained by the PATM forecasts for the 35 mppa case and availability of runway slots?
	Why is there a reduction of 0.1 mppa in the number of foreign business passengers in 2014 when the 25 mppa and 35 mppa cases are compared?
	Are split shift patterns expected for any employees?
	Is the reported total annual airport water consumption in 2005/6 of 714,918 cubic metres consistent with the ES baseline data of 1.69 MLD in 2004 and 2.83 MLD in the 35 mppa case? It equates to 32.15 litres per passenger, which is in excess of the 29.5 litres per passenger that it is understood reflects a worst case scenario of no further efficiency measures beyond those currently in use and higher than the 29.42 litres in 2004/5.

Planning application UTT/0717/06/FUL

Development Control Committee 27 September 2006, item 2