

Committee: Development Control

Agenda Item

Date: 29 November 2006

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Title: utt/0717/06/ful Extension to the passenger terminal; provision of extra aircraft stands and taxiways, aircraft maintenance facilities, offices, cargo handling facilities, aviation fuel storage, passenger and staff car parking and other operational and industrial support accommodation; alterations to airport roads, terminal forecourt and the Stansted rail, coach and bus station together with associated landscaping and infrastructure as permitted under application UTT/1000/01/OP but without complying with condition MPPA1 and varying condition ATM1 to 264,000 atm's

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Item for decision

Summary and Conclusions

- 1 This report concerns a planning application by BAA Stansted to expand the use of Stansted Airport by means of relaxing planning conditions thereby removing a cap of 25 million passengers per annum and increasing the number of aircraft movements to 264,000 per year.
- 2 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.
- 3 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.

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- As second bullet above, but with any necessary adjustments to other conditions and obligations and any necessary additional conditions and obligations.

Development Plan considerations

- 4 In principle, the proposal is consistent with the emerging spatial strategy for the East of England, the “need” for the development is established in the Future of Air Transport White Paper as are “the economic benefits”. It is however considered that the proposal does not comply with the Development Plan. It does not meet the Local Plan’s policies on access and amenity as set out in policies GEN1 and GEN2 nor its nature conservation policies as set out in Policy ENV7. As a consequence it is considered that the development is also contrary to the provisions of policy BIW9 of the Structure Plan. It is acknowledged that this policy requires the application to be determined in relation to certain criteria but it must surely be axiomatic that if an application does not meet the requirements of those criteria it fails to meet the requirements of the policy
- 5 For the most part it is considered, in the light of representations from consultees and the overall policy context that the quantifiable impacts on public health and safety are generally low (but see impacts on the cognitive development of school children below), the relevant statutory air quality objectives would be met and no additional housing or commercial development to that included in the draft East of England Plan would be required. The energy and waste implications in relation to airport facilities are acceptable, provided the mitigation can be secured.
- 6 However, when local circumstances are taken into account, the application as submitted is considered to be unacceptable.

Noise

- 7 The Environmental Statement has understated the impact of air noise on communities. Whilst people may not detect average reduction in peak noise levels, they will be adversely affected by the increase in numbers of aircraft overflying (27% in total compared to the 25 mppa case and 40% compared to a 2004 base). The use of the Leq metric to measure noise exposure, whilst valid as one indicator, masks the true impact. This is clearly demonstrated by the supplementary information provided in the ES.
- 8 Further mitigation would be required to address noise impacts, including consideration of

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- Setting controls that reflect the currently expected impact, but also include a degree of tightening compared to the ES assessments of effects. This would require further work to look at the realistic potential that exists to secure the phasing out of noisier aircraft over time and the related noise effects.
 - A more rigorous ground noise management strategy making use of the benchmark levels and taking account of the excursions above those levels that could occur under unfavourable weather conditions.
 - Other mitigation options, such as an 8 hour contour limit, various movement limits, constraints on aircraft types during the night shoulder periods and during the day, and improved sound insulation schemes.
- 9 The ES fails to consider adequately the impact of air noise on culture and leisure. This is a significant failing in view of the proximity and popularity of Hatfield Forest to the airport and tourism destinations like the historic attractions of Thaxted with its annual programme of events. In the absence of a Quality of Life Assessment that would have tested what people value and why, and whether their quality of life would be affected by additional aircraft movements and by how much the applicant has failed to supply important information, despite this having been requested in the Council's Scoping Opinion and its Regulation 19 request. This conclusion is supported by Natural England, the relevant statutory body.

Impact on residential and urban areas

- 10 The absence of a Quality of Life Assessment also means that the effect of the airport on the cohesion of local communities cannot properly be addressed. There is growing evidence that the various networks that underpin small rural communities are breaking down because of the economic pressures created by accommodation needs associated with the airport. This evidence is supported by the SSE documentation, the experience of local Ward Members and complaints to the planning enforcement service.

Health

- 11 The Health Impact Assessment has identified the effect of aircraft noise on cognitive development of primary school children as an issue that needs to be addressed, mainly in respect of the existing permitted level of activity, to which would be added a further delay from increased noise.

Nature Conservation

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- 12 The impact on Hatfield Forest and East End Wood is understated. In the principal case, the NO_x objective for the protection of vegetation would only just be met. The 30µgm⁻³ contour abuts the edge of the Forest. With sensitivity testing, it would encroach on the Forest, which is an SSSI. Bearing in mind the uncertainties in predicting NO_x concentrations in the future, the precise extent of any exceedence cannot be stated with any confidence. There would, in any case, be an increase in concentrations of NO_x affecting both these sites. By virtue of the contribution of NO_x to total N deposition, even sub threshold increases in NO_x will lead to an increase in the already over threshold total N of 10-15 kg ha⁻¹y⁻¹ in Hatfield Forest and East End Wood SSSIs. Indeed, that risk may already be being realised at current deposition levels as noted in the original consultation response provided by the Essex Wildlife Trust – the damage it reports in Hatfield Forest would be consistent with excessive N loading. Inadequate contingency arrangements for mitigation/ compensation measures have been made.

Water

- 13 The application fails to make adequate provision for increased efficiency in the use of water. This is a significant failing in the context of the airport's location within the driest region of the UK with inadequate local sources of supply, necessitating imports from strategic resources elsewhere.

Climate Change

- 14 The importance of climate change as a global issue and the mounting research evidence to support a policy review has increased in recent months. Given all the emerging information, coupled with the timing of the Stern Review in the course of the application, it is considered that it would be premature to grant planning permission for the increased use of the runway in advance of clarification by the Government as to whether part of its response to the Stern Review and other recent research will be to withdraw or amend its Air Transport White Paper. The Council needs certainty from the Government as to what level of demand it expects should be accommodated at Stansted under national policy given the growing consensus that the growth of aviation must be curtailed if the UK is to make its fair contribution to reduction of total global greenhouse gas emissions. It is acknowledged that no climate change effect directly linked to additional movements on the existing runway could be demonstrated, and delivery of a national policy of cutting back on the rate of increase of emissions from aircraft could potentially be delivered through mechanisms such as economic instruments. Given the other deficiencies of the application, though, it would be prudent not to permit

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the increases sought before the Government's Air Transport White Paper review or a subsequent careful, detailed rationalisation of the conflict between its respective objectives for air transport and greenhouse gas emissions.

Economic Benefits

- 15 In making any assessment of sustainable development, the economic benefits have to be taken into account and weighed in the balance against social and environmental factors. Notwithstanding the support for the economic benefits of making full use of Stansted's runway in national policy, the regional economic strategy and representations from consultees and business interests, the proposals would clearly exacerbate the balance of trade deficit in tourism expenditure. The value of the additional employment in terms of salaries and wages for the local community must be limited in the context of the opportunities in the wider labour market. Whilst acknowledging that forecasts suggest that by 2015 we will be moving towards a labour surplus or demand: supply balance in the sub region, the London economy will still provide alternative employment, albeit with commuting implications. The Stern Review Report now raises the broader issue of the potential economic costs of the world not moving towards a low carbon economy and the need to have regard to the risks. Officers' conclusion on economic benefits is that these have not been demonstrated strongly enough for them to be so overriding as to outweigh all other factors, certainly not before the Government has considered fully the Stern Review.

Other matters

- 16 Some of the potential adverse impacts could be addressed by conditions. Indeed, some have been directed by the Highways Agency, and other statutory bodies have recommended conditions to address surface water, foul drainage, etc. The most important of these would be the imposition of a further cap on passenger throughput. This would address some of the concerns about the surface access implications if it transpired for unforeseen reasons that the permitted number of air transport movements and air noise contour cap would actually facilitate substantially more than the 35 mppa forecasts in the principal case, or the 40 mppa sensitivity test, particularly in view of the uncertainty raised about the origins and destinations of non transfer passengers. However, other issues as identified above can only be addressed by substantial mitigation. This would need to be subject of planning obligations. The obligations unilaterally tabled by BAA are inadequate. BAA's proposed new conditions "to incorporate evolving policy and best practice in energy, water and waste management of the proposed development that will contribute to the sustainable development of the airport" fail to meet the tests for conditions. These essential issues would need to be dealt with more robustly including setting specific, measurable, timed targets.

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- 17 This planning application has been the subject of exhaustive scrutiny by this Committee over the course of some nineteen special meetings. The Committee has analysed the Environmental Statement and Health Impact Assessment in detail, has heard the views of interested parties both for and against the proposal during a week of public engagement (and on several other occasions), and heard the advice of its own highly-regarded specialist consultants on the matters of traffic forecasts, noise and pollution. Key meetings have been webcast and the Council has set up and been informed by its own interactive website. Few other planning applications can have been assessed in such detail and with such transparency.
- 18 The national and regional policy context is clear, but new policy considerations have emerged, and neither rule out the consideration of local environmental effects. It is considered that for the reasons outlined above that planning permission should be refused.

Recommendation

That Planning Permission be refused for the following reasons:

Noise

- 1 Inadequate mitigation measures are proposed to address the effects of noise on the local community, to the detriment of the amenity of the occupiers of buildings in the vicinity of the airport, and the cognitive development of primary school children, contrary to policies BIW9 of the Essex and Southend-on-Sea Structure Plan and GEN2 of the Uttlesford Local Plan
2. The absence of a Quality Of Life assessment means that inadequate consideration has been given to the impact of air noise on the culture and leisure activities of nearby communities, although evidence from consultees suggest these impacts are significant. As a result the effect of the development on local communities is uncertain, and no proportionate mitigation measures can be put forward, to the detriment of amenity and contrary to policies BIW9 of the Essex and Southend-on-Sea Structure Plan and GEN2 of the Uttlesford Local Plan

Quality of Life

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3. The absence of a Quality of Life Assessment means that the effects on the cohesion of local communities caused by the pressures on the nature and character of residential accommodation arising from the presence of a rapidly-growing airport has not been given due consideration. As a result the effect on local communities is uncertain, and no proportionate mitigation measures can be put forward, to the detriment of amenity and contrary to policies BIW9 of the Essex and Southend-on-Sea Structure Plan and GEN2 of the Uttlesford Local Plan

Air Quality

4. Increased pollution arising from the consequences of the proposed development could give rise to an increased risk of vegetation damage in Hatfield Forest and East End Wood. Insufficient real data is available to ensure an accurate assessment. As a consequence inadequate contingency measures for mitigation and/or compensation measures have been made, to the detriment of biodiversity and contrary to policies NR5, NR6, NR7 and BIW9 of the Essex and Southend-on-Sea Structure Plan and ENV7 of the Uttlesford Local Plan

Water conservation

5. Inadequate provision is made for increased efficiency in the use of water, to the detriment of water conservation strategies and contrary to policy EG4 of the Essex and Southend-on-Sea Structure Plan and GEN1 of the Uttlesford Local Plan

Surface Access - Road

6. With the exception of the requirements of the Highways Agency the proposed obligations and conditions do not satisfy the requirements of the highway authorities. Without adequate mitigation measures there could be congestion on the local highway network to the detriment of the free flow of traffic and highway safety, contrary to policies T1 of the Essex and Southend-on-Sea Structure Plan and GEN1 of the Uttlesford Local Plan

Surface Access - Rail

- 7 The mechanisms and measures proposed for rail access improvements are insufficiently clear to enable the local planning authority to have reasonable certainty that they will take place in a proportionate and timely manner, and as a result there could be increased reliance on the use of the private car to the detriment of national and local transport policies and the principles of sustainable development, contrary to policies T1 of the Essex and Southend-on-Sea Structure Plan and GEN1 of the Uttlesford Local Plan

Climate Change

- 8 In the light of the Stern Review, the proposed Climate Change Bill put forward in the Queen's Speech and the increasing evidence of the adverse effects of climate change it would be premature to grant planning permission in advance of clarification by the Government as to whether its response to the Stern Review and other recent research will include direct implications for the aviation industry beyond the provisions of the Air Transport White Paper.

Economic Benefits

- 9 The forecast economic benefits of the proposed development, particularly in the light of the costing of economic consequences of climate change set out in the Stern Report, have not been demonstrated strongly enough for them to be so over riding as to outweigh all other factors, with or without mitigation, to the detriment of the principles of sustainable development and contrary to policy BIW9 of the Essex and Southend-on-Sea Structure Plan.

Background Papers

Planning Application file; Expert Panel's responses to questions about the HIA; SH&E responses to the Committee's and public's questions; Bureau Veritas commentaries on air quality and noise aspects of the HIA; advice notes from Bureau Veritas on the Regulation 19 Request response; letter from Dr Robert Maynard, Health Protection Agency; Bureau Veritas reviews of the ES on noise and air quality.

Copies are available at the Council Offices or on the Council's website.

INTRODUCTION: THE PLANNING PROCESS

- 19 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 29th November 2006.
- 20 In preparing this report officers have taken into account relevant planning legislation, 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. These are all material planning considerations. In determining the application, Members must judge the weight that can reasonably be given to each of these material considerations in deciding whether to grant or refuse planning permission. 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.
- 21 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.
- 22 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.

DESCRIPTION OF SITE:

- 23 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

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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, via an unimplemented planning permission. Access to the airport's northside facilities is via First Avenue along Bury Lodge Lane opposite the Long Stay Car Park.

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

DESCRIPTION OF PROPOSAL:

- 25 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.

- 26 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.*

- 27 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.*

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- 28 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). This would be a 40% increase in PATM's over existing movements, which are effectively constrained by the 25mppa cap.
- 29 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.
- 30 As part of their supporting Environmental Statement, the applicants have submitted a composite airport layout plan (1078 K 004 P1) showing existing principal buildings 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

31 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*).

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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

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)

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

35mppa case in 2014

31 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).*

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

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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*).

Bassingbourn 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*).

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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*).

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*).

- 33 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

- 34 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 and its Regulation 19 Request Response as further supporting documents.
- 35 BAA has very recently submitted a table for discussion purposes setting out the contents of a possible Section 106 Agreement and conditions to accompany any grant of planning permission. BAA anticipates this new agreement replacing and revoking the existing one. A copy is appended

RELEVANT HISTORY:

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- 36 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.
- 37 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.
- 38 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, which were reported to earlier meetings of the Committee.

PUBLICITY AND CONSULTATIONS:

- 39 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. 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 www.stanstedexplained.com to keep the public informed of progress.
- 40 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

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commented on the 25mppa application. Stansted Airport Limited supplemented that list with its own stakeholders and airport related business groups.

- 41 To ensure openness and transparency of decision making, a number of extraordinary meetings of the Development Control Committee have been held to discuss the application. The dates of these meetings were 24th May, 13th-15th June, 20th June, 3rd-7th July, 18th July, 16th August, 13th September and 27 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
- 42 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. In total some 1,400 representations have been received with a ratio of some 10:1 against the proposals.

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PLANNING CONSIDERATIONS

- 43 The issue to be determined is whether the proposals as now proposed to be amended by the changes to conditions are in accordance with development plan, and whether there are other material considerations to which greater weight should be attached.
- 44 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.
- 45 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 the 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 impacts, any consent to vary the conditions enabling 35 mppa and up to 264,000 ATMs would be material.

The Development Plan

- 46 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.
- 47 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 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:

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- 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.
- 48 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).
- 49 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.
- 50 Other development plan policies, both those that are land use or environmentally based will also be relevant.
- 51 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, however, 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.

Other material considerations of a policy nature

- 52 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

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Sustainable Communities in the East of England - Building for the Future are particularly pertinent as are the UK Sustainable Development Strategy and Climate Change Programme. Reports of parliamentary committees and research commissioned by the Government, whilst not government policy, may have relevance. The recently published Stern Review Report on the Economics of Climate Change is considered to be particularly relevant to this application.

53 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.”*

Climate change issues are addressed in a companion report to this document.

54 Government policy can be summarised as supporting maximum use of Stansted’s runway in principle.

“The first priority is to make best use of existing runways, including the remaining capacity at Stansted and Luton.”

“11.26 Because we expect there to be an increasingly severe shortage of runway capacity at the major South East airports over the remainder of this decade, making full use of the available capacity at Stansted will be essential to avoid stifling growth. Making full use of Stansted would generate large net economic benefits. We therefore support growth at Stansted to make full use of the existing runway and expect the airport operator to seek planning permission in good time to cater for demand as it arises.”

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

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- 55 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.”

- 56 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.

- 57 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 Impact Assessment”

- 58 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.

- 59 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 development of the airports to enable easy travel for both workers

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and passengers. The objectives of the airports' surface access strategies to increase the proportion of passengers and workers travelling by public transport are supported".

- 60 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**

OFFICERS' COMMENTS

General planning policies for the area

- 61 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, and 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."

- 62 The Panel went on to comment that

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“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.”

- 63 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

- 64 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.” Draft 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.” (Policy 3C.6)

- 65 The Draft Further Alterations are currently the subject of public consultation. Officers are liaising with the GLA.
- 66 It is difficult to come to any conclusion other than that the current application is consistent with the principles set out in the spatial strategy for London and emerging spatial strategy for 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

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economic considerations as identified in the panel report. Members will note the emphasis given to the mitigation of environmental effects

Air travel needs

- 67 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 (ACC) 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 low end of the ACC range, demand will exceed the 25 mppa cap. The ACC are not suggesting that the cap should be retained at 25mppa.
- 68 The air traffic forecasts in the ES are based on the assumption that, in relation to the introduction of mixed mode operations at Heathrow, there will be no change of Government policy and there will be no increase in capacity there. Mixed mode operations at Heathrow could have an impact on long haul traffic at Stansted, but are more likely to have greater effects on the volume of this traffic at Gatwick. This assumes that the introduction of mixed mode operations would be timed to coincide with the implementation of an "Open Skies" agreement between the US and the EU. SH&E has confirmed its view remains that, even assuming mixed mode at Heathrow, BAA's forecast for long haul at Stansted could still be on the low side.
- 69 The ES forecasts an increase in transfer passengers from about 2.5 million a year in 2004 (13%) and in the 25 mppa 2014 case to 5.8 million in the 35 mppa case (17%). At present this is mainly transfers between short haul services. The development of long haul services from Stansted might attract passengers flying in from regional UK airports to transfer to these services. International passengers might also fly in to Stansted for the same reason and transfer to long haul routes. Although more passengers would be expected to take direct point to point flights from regional airports as the network of flights from these airports increases, the overall effect would be expected to be an increase in transfers, as BAA forecast.
- 70 The ACC argues that removing the passenger cap will enable BAA to justify a capital expenditure programme that would actually support substantially more than 35 mppa throughput. It objects to that level of capital expenditure because of the impact it argues this would have on demand when recouped through airport charges, and advocates instead that no change to the ATM limit be approved and that a revised passenger cap of 30 mppa be imposed by condition. This, it argues, would be consistent with more intensive use of

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the existing infrastructure and avoid any additional facilities. The views of the ACC have been carefully considered. Officers' view is that its capital investment programme is a matter of commercial judgement for BAA. Planning permission has already been obtained for the facilities in question, subject to permission for the details following outline permission in some cases. Whilst appreciating that the Regulated Asset Base is a factor in the CAA's economic regulation of airport charges at Stansted, and having regard to the timing of BAA's planning application in the relation to the fifth round of quinquennial reviews of charges at BAA's London airports, Officers consider that the appropriate process through which the ACC should pursue its concerns about charges is the setting of price caps.

- 80 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.
- 81 If economic instruments are introduced to reduce levels of demand in response to the implications of the Stern Review, this would have implications for the rate of growth and the level at which it would plateau. This is probably the most significant risk factor to the growth of demand at Stansted.

Summary of Consultation Responses on Air Travel needs and commentary

- 82 The application proposes removal of the 25mppa cap and a variation of the ATM limit. As a result, many representations express concern that this could result in a near doubling of passenger handling capacity by 2030, based on certain assumptions about load factors and slot availability / utilisation. SSE suggests 49.7mppa in 2030 if planning permission is granted, close to a projection (50.7mppa) submitted on behalf of the SACC where demand is unconstrained. Concerns are based not only on worries about the environmental effects of increased air traffic, but also on the increased use of resources such as water, for example CPRESsex and Stort Valley Friends of the Earth representations.
- 83 There are many variables in forecasting, and this was one of the main reasons why a 25mppa cap was imposed in 2003. Were planning permission to be granted by Members, it would be essential to have a 35 mppa cap. EERA considers that a 35mppa cap would be essential to ensure consistency with DEEP policies, as this would then require a reassessment if higher passenger numbers were possible within the ATM limit. This echoes the same point made, amongst others, by Takeley Parish Council in its objection, which considers that ATM limits are an insufficient basis for control. Officers have also considered other requests and suggestions, such as Stansted

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ACC's request for an interim cap at 30mppa with no ATM limit variation to allow for what it regards as sensible growth by 2010. Braintree DC also suggests interim caps of 30mppa and 253,000 ATMs should planning permission be granted, although it formally objects to the application.

Conclusion on Air Travel needs

- 84 It is considered that the forecasts in the ES are robust. If planning permission were to be granted by Members a condition of 35mppa would be recommended, primarily because most of the forecasts and assessments are based around 35mppa, and the effects beyond 35mppa become more uncertain.

Economic benefits

- 85 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 interests 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.
- 86 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 of its hub role in the face 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.
- 87 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

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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.

- 88 Representations raise the issue of displacement of other economic activity by growth of the air transport sector, as did the Scoping Opinion. This was an argument put to the DfT during the consultation on the White Paper. It does not necessarily 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. On the other hand, the Oxford University Environmental Change Institute report stated that following the airport security problems in the summer holiday period this year, expenditure on tourism in the UK did increase as people sought to make alternative arrangements having been frustrated by flight cancellations from travelling abroad. By 2014, however, 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 so general displacement is a difficult argument to sustain.
- 89 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.
- 90 The Stern Review has pointed to the negative economic effects of climate change, unless the world moves to a low carbon economy, but as officers' companion report on climate change concludes, no climate change effect directly linked to additional movements on the existing runway could be demonstrated.

Summary of Consultation Responses on Economic Benefits and commentary

- 91 By far the highest level of support for expansion is from business organisations and from direct and indirect airport employees. A number of

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local Chambers of Commerce have commented, including Cambridgeshire, Essex, Hertfordshire, London and Suffolk, as well as other employer / employee organisations such as the Transport and General Workers' Union.

- 92 Most of the support is descriptive of what the airport does, rather than making it clear what the economic and employment benefits of further expansion would be. Representations that try to do the latter include those from East of England International Limited (EIL), which works closely with East of England Development Agency (EEDA) delivering international trade and inward investment in the East of England; and from EEDA itself. EEDA highlights growth at the airport as a key contribution to the delivery of 25,000 jobs in the Rest of Essex Area identified in the Inspector's report into the Draft East of England Plan (DEEP). EEDA argues that job creation would also help in alleviating a notional misalignment between workers and jobs in the Stansted / M11 corridor sub-region, i.e. it could reduce reliance on out-commuting. EIL's representation highlights some modest job creation in the High Tech sector and that Stansted *"is important for the ICT and Biotechnology clusters in Cambridge and Great Chesterford, and makes a direct and material contribution to the neighbouring Essex, Cambridgeshire and Hertfordshire economies"*.
- 93 The Greater London Authority (GLA) supports expansion as it considers that it has the greatest potential of all the airport expansion options to bring regeneration and employment related benefits to East London, the Lower Lea Valley and the Inner Thames Gateway. The GLA has said that it will update officers on the status of its response given that the Mayor has said he intends to review aviation growth comments contained in the draft Further Alterations to the London Plan.
- 94 On the other hand, objectors are concerned about the dominance of Ryanair and Easyjet and query the wisdom of allowing expansion in this type of climate, i.e. where the "low-fares bubble might burst" to use a colloquialism. SSE in its representation is particularly concerned at the increase in the percentage of Uttlesford jobs that would be dependent upon the airport should expansion be permitted. SSE considers that over-dependency upon the airport would *"be contrary to the objective set down in the Uttlesford Local Plan aimed at making Uttlesford less dependent upon Stansted Airport for job opportunities and to the objectives set down in the Regional Plan of delivering a broadly based, balanced economy resilient to changing circumstances"*.
- 95 There are also many comments on expansion contributing to and increasing the tourism deficit whereby more money would be spent by British tourists flying abroad than by foreign tourists coming to this country.
- 96 Essex CC's Cabinet Members' report refers to the reduced level of total Stansted related employment in 2003 (14,800) compared to what was forecast for 15mppa during the 1981-3 inquiry (28,700) – *"It is clear therefore*

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that the direct economic impact of the airport has been less than originally envisaged. Nevertheless the employment increase is important in a sub region that relies predominantly on out commuting. The actual wider economic impact of the airport is not easy to measure, however business organisations consider the existence of a major international airport in the region as being of benefit”.

Conclusion on economic benefits

- 97 In making any assessment of sustainable development the economic benefits have to be taken into account and weighed in the balance against social and environmental factors. Notwithstanding the support for the economic benefits of making full use of Stansted’s runway in national policy, the regional economic strategy and representations from consultees and business interests, the proposals would clearly exacerbate the balance of trade deficit in tourism expenditure. The value of the additional employment in terms of salaries and wages for the local community must be limited in the context of the opportunities in the wider labour market. Whilst acknowledging that forecasts suggest that by 2015 we will be moving towards a labour surplus or demand: supply balance in the sub region, the London economy will still provide alternative employment, albeit with commuting implications. The Stern Review Report now raises the broader issue of the potential economic costs of the world not moving towards a low carbon economy and the need to have regard to the risks. Officers’ conclusion on economic benefits is that these have not been demonstrated strongly enough for them to be so overriding as to outweigh all other factors, certainly not before the Government has considered fully the Stern Review.

Impact on public health and safety

- 98 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.
- 99 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)
- 100 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

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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”

- 101 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.

- 102 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

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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.

- 103 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.
- 104 Advice commissioned by the Council from Bureau Veritas on the HIA points out, however, that the RANCH study only identified that reading performance drops below the mean at levels of around 52/ 53 dB(A) L_{AEQ10H}. Thus adverse performance only occurs above his level.
- 105 BAA proposes a vortex management scheme to address the predicted limited increase in vortex damage incidents.

Summary of consultation responses on health and public safety and commentary

- 106 Health is a major concern to objectors, with particular reference being given to the effect on the learning ability of children and to sleep deprivation, which some objectors describe as a form of torture. An article in The Lancet says: *“Adults repeatedly disturbed by noise suffer sleep loss, fatigue and accidents from concentration failure, especially whilst doing complex tasks. Studies showed that up to 500,000 people near Amsterdam’s Schipol Airport were affected by sleep loss. Primary schoolchildren exposed to noise experience reduced cognitive performance”*.
- 107 SSE has submitted a separate response to BAA's Health Impact Assessment (HIA), which it describes as not being a serious, objective attempt to quantify and assess the health impacts of the proposed expansion. SSE also considers that commercial interests should not override the health and wellbeing of the local community, and considers that the District Council should commission an independent assessment.
- 108 The former Essex Strategic Health Authority (ESHA) concluded that BAA's HIA is well written and structured, broadly agreeing with its conclusion that the overall health impacts of the proposed expansion would be relatively minor. However, the ESHA is concerned about the impact of existing airport operations on reading delay, and also upon schools within the 40-54dB contour. This impact has not been modelled by BAA as the incremental effect of additional exposure due to Generation 1 at those schools is reported as too small to accurately model. The ESHA's recommendations for further

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mitigation, modelling and monitoring work to be carried out reflect these concerns.

- 109 The Health Protection Agency (HPA) has also commented on the HIA, considering it to be thorough. The HPA is not surprised at the conclusion that impacts on health due to changes in levels of air pollutants are likely to be very small indeed. The HPA also says that considerable attention has been paid to recent work on the alleged associations between noise and ischemic heart disease and hypertension. The HPA agrees with the conclusion in the HIA that evidence on these topics is mixed and it is difficult to draw firm conclusions regarding possible effects. The HPA acknowledges that the main environmental effect of noise is annoyance, which some will find intolerable but to which others may adapt.
- 110 Essex CC's Cabinet Members' report says that ECC's Schools Service has looked at the proposal in the light of advice in Department for Education and Skills (DfES) Building Bulletin 93 (Acoustic Design of Schools) which recommends maximum ambient noise levels both within schools and in playgrounds and in playing fields. Recent monitoring on its behalf indicates that the DfES recommendations are being exceeded at a number of schools by the current air traffic generated by the airport. Accordingly, Essex CC also recommends appropriate monitoring on school sites within the airport vicinity, with BAA funding any necessary remedial measures to improve noise insulation where non-compliance with BB93 is shown to be due to aircraft noise.
- 111 Although air accidents are infrequent, safety concerns expressed by local residents (especially those in Great Hallingbury) are understandable where increased air traffic is being proposed. Public Safety Zones (PSZs) were revised in 2002 and Department for Transport (DfT) Circular 1/2002 advises on how they have been drawn up and how they are to be operated as a development control tool by local planning authorities. The Circular advises that PSZs have been modelled to 2015, but would be remodelled if a significant expansion is approved which has not already been taken into account. PSZ issues are more acute at the south western end (Runway 05 approach) than at the north eastern end (Runway 23 approach).
- 112 Incidents of wake vortex damage are dealt with by BAA as they occur.
- 113 The National Trust is concerned that the DfT Circular focuses solely on risk to human life and that it ignores *“the damage or loss of assets, other than human life, which cannot be replaced and which are statutorily protected by law e.g. through SSSI designation or Declaration of Inalienability. The Korean Airlines air crash of December 1999 demonstrated that damage to ancient*

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habitats and soil structures cannot be mitigated by replacement, and therefore the National Trust is currently pursuing a compensation case”.

Conclusion on Public Health and Safety

- 114 The Council has to be guided by statutory consultees over health issues. It is considered, in the light of representations from consultees and the overall policy context, that the quantifiable impacts on public health and safety are small. Nonetheless the Health Impact Assessment has identified the effect of aircraft noise on cognitive development of primary school children as an issue that needs to be addressed, mainly in respect of the existing permitted level of activity, to which would be added a further delay from increased noise.

Noise pollution levels

- 115 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. The extent to which there is material perceived detrimental effect of noise on communities and individuals can be observed from the strength and volume of representations received on this matter, and which are summarised in paras 128 to 145 below.

Air Noise

- 116 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.
- 117 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

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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.

- 118 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.
- 119 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.
- 120 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.
- 121 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.
- 122 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

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23.00 and 06.00 no increase is forecast with the majority of movements scheduled before 23.30.

- 123 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 unavoidably 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.
- 124 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.
- 125 Dr Robert Maynard, Head of Air Pollution and Noise at the Health Protection Agency, concluded on the basis of the submitted HIA that, in relation to noise, the evidence of health effects is mixed, with the main effect being annoyance, although the agreed finding that 240 additional people might be categorised as highly annoyed does not strike him as "a particularly small effect", even acknowledging that they would represent only a fairly small fraction of those people living in the area. He points to the difficulty of valuing this information. What has to be remembered is that this additional number simply represents those that are likely to be newly found in the highly annoyed category. These people may already have been annoyed to some extent by the current aircraft noise levels. The data is showing that their level of annoyance can be expected to increase and to reach what is categorised as highly annoyed.
- 126 The Air Transport White Paper comments that:
"11.25 Daytime noise impacts would not be greatly worse as a result of an increase to 35mppa: forecasts suggest that the area within the 57dBA noise contour in 2015 with maximum use of the runway would be about 43 sq.km - the same as the contour limit set as a condition of the recent planning permission for development to 25mppa." However, the contour limit was set to ensure that the noise impacts of the airport at 25 mppa did not exceed those predicted in the Environmental Statement that accompanied the 2001 planning application. The acceptability of the noise impact associated with a 57 dBA noise contour extending to 43 sq km in area was not determined in isolation. It was considered, weighing all the other factors as perceived at the

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time. Since 2003, a major programme of aircraft fleet replacement has taken place, with the result that the benefits of 25 mppa throughput in terms of meeting needs can be achieved with substantially less noise impact.

- 127 It is accepted that in 2003, when the Council granted planning permission for expansion of the airport to 25mppa, the area of the 57 Leq noise contour was greater than that now envisaged for 35mppa. However it is evident from representations received that the effects are severe already for local communities and individuals. Furthermore it should be noted that it is not possible to inflict on communities the sound levels put forward in 2003 because the 25mppa cap effectively constrains the number of PATM's which cause the noise. It is therefore not necessarily a reasonable approach to argue that what the Council found acceptable in 2003 is the baseline: the character of traffic has changed considerably since the area of the 57 Leq contour was imposed by condition and it is reasonable to assess the effects on the basis of what is happening now and what will actually happen at 25mppa.

Summary of Consultation Responses on Air Noise

- 128 It is clear that, of the many issues raised in the representations, air noise is the most significant, especially for the local community. The document "Erosion of the Community" prepared by Broxted and other local residents highlights *inter alia* what they consider to be worsening noise disturbance from the increased frequency of overflying of communities close to the runway thresholds. Some villages such as Great Hallingbury, Pledgdon Green and Broxted get no relief whatever the direction of runway working that is in place. One Broxted resident says: *"One evening recently, when the weather was hot and the house was close and stuffy, I sought refuge in the garden for a breath of cooler air. I was reduced to tears because I couldn't escape from the noise of the aircraft flying over"*. Great Hallingbury PC refers to the morning peak from 06:30 – 08:00 when take-offs on Runway 23 (i.e. to the SW) are continuous at around 2 minute intervals.
- 129 Many of the oral representations during the week of public engagement that ran from 3rd – 7th July 2006 were about the effect of air noise, including from local primary schoolchildren. There is particular concern about night noise, especially from cargo flights, and about movements in the early morning and late evening "shoulder" periods. Cambridgeshire CC draws attention to the forecast more than doubling of cargo tonnage (from 227,451 tonnes in 2004 to 600,000 tonnes in 2015 in both the 25 and 35mppa scenarios) without an equivalent doubling in Cargo Air Transport Movements (CATMs), implying the use of larger aircraft or larger / bulkier goods. This is notwithstanding that the proposed variation to Condition ATM1 would reduce CATM's from 22,500 to 20,500 at 35million passengers per annum (mppa), the current number being about 11,600. Stop Stansted Expansion (SSE) draws attention to what appears to be a small percentage points increase in all-night CATMs from

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19% to 20.8% at 35 mppa, but which *“actually represents a 9.5% increase in the CATM share of night traffic. Furthermore, this 20.8% share of night traffic contrasts sharply with the 7.8% (for the 35 mppa scenario) CATM share when measured over the full 24 hour period)”*.

- 130 Essex County Council’s joint report by the Cabinet Members for Planning, Environment and Culture and for Highways and Transportation dated 19/9/06 sets the issue of night flights in context: *“The Civil Aviation Bill currently before Parliament proposes that beyond 2012 the overall movement restriction at night be dropped. However, this aspect of the Bill was defeated in the Lords and a commitment has been secured that the overall movement restrictions at night will be maintained. The quota is, however, generous and actual current use falls below the maximums allowed. In Winter 2005/06, for example, 76.4% of the quota was used and 65.3% of the movement level was used. There is accordingly scope for significant increases in night flight activity before maximum levels are reached”*. The general point being made here is that in many respects the airport is operating comfortably within its existing planning restrictions, and objectors feel that this accordingly enables BAA to “play up” the forecast effects at 25mppa in 2014/15 in order to minimise the additional effects at 35mppa. Officers note this point, but in assessing whether to remove or vary planning conditions a local planning authority must take account of what could happen if the conditions stayed in place.
- 131 Slightly further afield, residents of Ware, surrounding villages and parts of Hertford are very concerned about the existing level of overflying when the Runway 05 approach is in use (about one third of the time based on prevailing wind conditions). On this approach, aircraft fly low over Ware to avoid conflict with Luton traffic, and are consequently unable to adopt continual descent approach procedures. Nearly half of the over 1300 letters and Emails from the public are on this single issue, and there are a number of letters from local groups such as Hertford Town Council, the Roydon Society and WRASE (Ware Residents Against Stansted Expansion). Hertford TC points out: *“Whilst there is not a constant flow of aircraft flying into Stansted directly over Hertford, the frequency of flights is none-the-less having an impact on the town and its residents, and more sporadic flights can have a more significant impact due to the sudden increase in noise levels”*. The Wormley Society has provided a written record of overflying of the village on one evening in June 2006 and again from 12-14th July 2006. The records indicate an average of one overflight every 4.5 mins for the time recorded. The village is located between Broxbourne and Cheshunt in SE Hertfordshire.
- 132 A related point is the concern about the way in which BAA represents noise impact in its Environmental Statement (ES), including the omission in the original ES of “all easterly day (05)” and “all westerly day (23)” noise contours, which better represent the effect on local residents under prevailing wind conditions (see SSE’s response to BAA’s HIA). These have been provided in

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BAA's Regulation 19 Response document, along with further information on 8-hour night noise contours. Many objectors, including the Bishops Stortford Civic Society, point out that depicting noise through average levels of sound over a 16-hour day does not represent the peaks and troughs that in reality occur on the ground. Officers have been provided with a copy of an article in The Lancet dated 21/08/04 written by a local resident entitled "Unhealthy airports" which puts forward the view that *"the Leq metric itself is flawed in that it averages noise levels over a 16-hour day, without taking into account flight frequency, type of aircraft, peak intensity, or changes in take-off and landing patterns"*.

- 133 A number of residents argue the general point that there is no comfort in knowing that aircraft are getting quieter (or less noisy) when they would be disturbed by more of them. SSE makes the point in its representation that: *"if an airport were to double the number of ATMs, but retain the same fleet mix proportions, then the Leq measurement at any one location would increase by 3dB"*. This is in answer to BAA's statement in its ES Vol 1 that PPG24 advises that a change of 3dB is the minimum perceptible under normal circumstances.
- 144 There are concerns from residents in the South Suffolk area about the impact of overflying aircraft and from the use of the Abbot stack, in which arriving aircraft are held in a circular pattern at a height of 7,000 ft or above before being authorised to make a final approach. These concerns are detailed in the response from the South Suffolk Air Traffic Action Group, which refers to 150 – 250 planes a day over an 18-hour period at 6-12,000 ft, sometimes 30-45 seconds apart.
- 145 The Council has no control over flightpaths or stacks, but can impose noise contour control and noise monitoring conditions if it thinks they can be justified. These are suggested by Essex and Hertfordshire CC amongst others in their responses should planning permission be granted. A National Air Traffic Services study of proposed airspace design in the Terminal Control North area is due to go out on public consultation early in 2007, during which appropriate representations can be made. Any resultant airspace changes would, of course, be bound to result in some winners and some losers.

Conclusions on Air Noise

- 146 It is accepted that in 2003 when the Council granted planning permission for expansion of the airport to 25mppa the area of the 57 Leq noise contour was greater than that now envisaged for 35mppa. However it is evident from representations received that the effects are already severe for local communities and individuals. Furthermore it should be noted that it is not

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possible to inflict on communities the sound levels put forward in 2003 because the 25mppa cap effectively constrains the number of PATM's which cause the noise. It is therefore not a reasonable approach to argue that the Council is constrained by what it found acceptable in 2003: the character of traffic has changed considerably since the area of the 57 Leq contour was imposed by condition and it is reasonable to assess the effects on the basis of what is happening now and what will actually happen at 25mppa.

- 147 The Environmental Statement has understated the impact of air noise on communities. Whilst people may not detect average reduction in peak noise levels, they will be adversely affected by the increase in numbers of aircraft overflying (27% in total compared to the 25 mppa case and 40% compared to a 2004 base). The use of the Leq metric to measure noise exposure, whilst valid as one indicator, masks the true impact. This is clearly demonstrated by the supplementary information provided in the ES.
- 148 Further mitigation would be required to address noise impacts, including consideration of
- Setting controls that reflect the currently expected impact, but also include a degree of tightening compared to the ES assessments of effects This would require further work to look at the realistic potential that exists to secure the phasing out of noisier aircraft over time and the related noise effects.
 - Other mitigation options, such as an 8 hour contour limit, various movement limits, constraints on aircraft types during the shoulder periods and during the day, and improved sound insulation schemes.

Ground Noise

- 149 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.
- 150 Further sensitivity testing was requested from BAA. In supplying more data regarding the likely ground noise impact were non-neutral conditions taken into account, BAA have assumed that the range of effects is likely to be no more than a +3dB(A) change downwind and a – 10dB(A) upwind. They conclude that no new properties experience an impact, although on westerlies, The Forge, Molehill Green would be expected to have a moderate

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impact during the day, evening and night in these non-neutral conditions (as opposed to just the night under neutral conditions).

- 151 On easterlies, Motts Hall would not receive an impact under upwind conditions at night, compared with a moderate impact under neutral conditions. The impact at The Forge, Molehill Green would also reduce to a minor impact at night (but see Para 152 below). Conversely, Glenmore, Takeley Street is expected to have a minor impact during the day and evening under non-neutral conditions, compared to no impact under neutral conditions.
- 152 When studying the results of this sensitivity test, it seems that the impact for The Forge, Molehill Green during the evening on easterlies was over-stated in the ES. Rather than being a minor impact, the data suggests that it should be no impact. Thus for this situation, there is no change in impact between the neutral and non-neutral assessments.
- 153 It is debatable whether confining the downwind assumption to no more than +3 dB(A) is valid. For example, in a draft ISO standard on measuring aircraft noise, it states that for ground to ground propagation downwind conditions can elevate levels by up to 10 dB(A) above average levels. It also states that upwind the level reductions could be up to +10 dB(A).

Road and Rail Noise

- 154 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.”

- 155 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

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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 on Bury Lodge Lane from 330 to 340.

- 156 More information was requested on traffic flows on local roads around the airport. The Regulation 19 response shows that for four road links, the B1383 north of Stansted, Bury Lodge Lane, and the Broxted to Molehill Green road, the airport related traffic is expected at least to double between the hours of 0600 and 0700 with the increased use sought compared to the current situation. This impact did not emerge from the original ES.
- 157 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.

Summary of Consultation Responses on Ground Noise

- 158 Ground noise is raised as an issue, including noise from road and rail traffic. Ground noise is considered to be particularly disturbing at night, SSE pointing out that: *“Individual noise events are accentuated against the generally lower background noise levels and their impact carries further”*. Takeley PC regards ground noise as a major ongoing issue, and does not accept BAA’s conclusion in the ES that the proposals would result in only imperceptible increases in ground noise other than in the north eastern corner where Echo apron is under construction.
- 159 SSE considers that: *“the effective nightly respite from airport-related activity, especially road traffic noise, is less than four hours”*. This it explains by way of lead and lag times for first departures from 0600 and last arrivals at midnight.

Conclusion on Ground Noise

- 160 Further mitigation would be required to address noise impacts, including consideration of a more rigorous ground noise management strategy making

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use of the benchmark levels and taking account of the excursions above those levels that could occur under unfavourable weather conditions.

Summary of Noise issues

- 161 Bureau Veritas comments that the original ES in its view did not fully highlight the potential noise impacts of the current proposal. The percentage increase in the number of people likely to be highly annoyed only emerged in the HIA. There are likely to be some hours of the day where increased use of the runway could cause noise increases of around 4 – 6 dB(A) at some locations. Similarly, at specific locations, the average change in noise level from the aircraft movements is likely to be small (around 1 dB(A)), and arguably not noticeable, whereas there will be a noticeable increase in movements.
- 162 The Regulation 19 request response showed that the change in population potentially affected (in terms of the number of people within the 57 dB(A) contour) is greater when the airport is on westerlies than easterlies. Given the dominance of westerly operations, the average mode result and westerly result are very similar.
- 163 Information from the HIA and Regulation 19 response showed that the percentage of people who could be 'Highly Sleep Disturbed' might increase by 37% compared to 2003.
- 164 On ground noise there will be some impact, but under certain conditions this impact could be greater than shown in the original ES. Similarly, for road traffic noise the Regulation 19 response showed that for certain road links for certain times of day the impact could be greater than the impression originally given in the ES.
- 165 Thus, it can be concluded that compared with the ES, the impact is probably going to be greater than that shown.
- 166 Not unreasonably, a lot of emphasis has been placed by BAA on comparing the 35 mppa case with the consent that was granted in 2003. With the possible exception of night noise and the actual number of movements, the impact with 35 mppa case will be less than the impact that was approved three years ago. The 57 dB(A) contour will be smaller, and consequently, the percentage highly annoyed etc will be lower than was permitted in 2003. Nonetheless, as discussed above, this is not necessarily a reasonable comparison because of the change in fleet mix since 2003 and the rapid approach to the 25mppa limit, which effectively limits PATM's. Consequently it is reasonable to draw comparison with what will actually happen at 25mppa.

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- 167 The relatively small ground noise impact is driven to an extent by the fact that the ground noise environment will only change a little from what was consented in 2003 and from the levels shown in the ground noise management strategy.
- 168 The exception appears to be night noise, where presumably because of the assumption that the permitted quota will be fully used in the 35 mppa case, the impact is increasing. It is acknowledged that the level of impact in the 6.5 hour period has already been approved by DfT for the next 6 years through the latest night noise regime.
- 169 In the HIA, BAA confirmed that there would be only a small increase in activity in the shoulder periods in the 35 mppa case.

Summary of consultation responses on other noise issues

- 170 Comments about noise from aircrew arriving home are noted. These relate particularly to houses that are now in multi-occupation by airport staff, which are referred to in the “Erosion of the Community” document. So long as not more than 6 residents are living together as a single household, no material change of use occurs for which planning permission is required.
- 171 Takeley residents have also expressed concern about noise from coaches on positioning runs from the Start Hill depot to the terminal travelling through the village rather than using the new A120. The perception of this particular source of noise has become more acute since the reduction in traffic along the B1256 following the opening of the new A120. Hopefully, this issue is now being resolved following correspondence between Takeley PC and National Express (and now Terravision), although there is no planning control over this.

Overall conclusions on noise issues

- 172 It is accepted that in 2003 when the Council granted planning permission for expansion of the airport to 25mppa the area of the 57 Leq noise contour was greater than that now envisaged for 35mppa. However it is evident from representations received that the effects are already severe for local communities and individuals. Furthermore it should be noted that it is not possible to inflict on communities the sound levels put forward in 2003 because the 25mppa cap effectively constrains the number of PATM’s which cause the noise. It is therefore not a reasonable approach to argue that the Council is constrained by what it found acceptable in 2003: the character of

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traffic has changed considerably since the area of the 57 Leq contour was imposed by condition and it is reasonable to assess the effects on the basis of what is happening now and what will actually happen at 25mppa.

- 173 The Environmental Statement has understated the impact of air noise on communities. Whilst people may not detect average reduction in peak noise levels, they will be adversely affected by the increase in numbers of aircraft overflying (27% in total compared to the 25 mppa case and 40% compared to a 2004 base). The use of the Leq metric to measure noise exposure, whilst valid as one indicator, masks the true impact. This is clearly demonstrated by the supplementary information provided in the ES.
- 174 Further mitigation would be required to address noise impacts, including consideration of
- Setting controls that reflect the currently expected impact, but also include a degree of tightening compared to the ES assessments of effects This would require further work to look at the realistic potential that exists to secure the phasing out of noisier aircraft over time and the related noise effects.
 - A more rigorous ground noise management strategy making use of the benchmark levels and taking account of the excursions above those levels that could occur under unfavourable weather conditions.
 - Other mitigation options, such as an 8 hour contour limit, various movement limits, constraints on aircraft types during the shoulder periods and during the day, and improved sound insulation schemes.

Environmental conditions

Air quality

- 175 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 all 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

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objectives away from the airfield and apron areas. There is no air quality objective for PM2.5 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 (NOx) 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.”

- 176 Bureau Veritas' advice is that the ES Volume 3 Air Quality report is thorough overall. Further clarification was sought on some issues. The verification of the emissions dispersion modelling remains uncertain because of a lack of adequate and robust monitoring data. However, despite the concerns regarding model verification, it is not considered likely that the increased use of the runway would cause any exceedences of the health based air quality objectives, based on the predictions in the ES and experience at other major UK airports. The potential that the NOx objective for the protection of vegetation might be exceeded is addressed in the next section starting at para 191.
- 177 Dr Robert Maynard, Head of Air Pollution and Noise at the Health Protection Agency, concluded on the basis of the submitted HIA that, in relation to air pollution, impacts on health due to changes in the levels of air pollution are likely to be very small indeed and this is unsurprising.

Summary of consultation responses on air quality

- 188 This is another major concern. The submissions of SSE and Saffron Walden Friends of the Earth (SWFoE) amongst others drawing attention to emissions that are known either to cause lung irritation, that are carcinogenic, or which are known to be harmful to those with chest and heart conditions. In its Regulation 19 Response document, BAA has included a draft of its odour study, which is one of its 2003 S106 Agreement obligations. This partly answers a criticism raised by SWFoE that BAA gave little detail of the study's findings in its ES. An interesting point in the odour study is that all respondents who indicate how long they had lived at their current address said they have been there 20 years or more, which precedes the start to major expansion works at the airport.
- 189 190 Other concerns relate to allegations of oily deposits / fuel dumping. BAA deals briefly with these in its ES Vol 3. With regard to oily deposits, it is difficult to demonstrate that these are related to the airport.

Conclusions on Air Quality

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- 190 It is considered that the effect on air quality would not breach statutory health based objectives but there are more significant issues with regard to nature conservation which are discussed below.

Nature conservation

- 191 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.
- 192 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”.
- 193 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 below. 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. It does however have concerns about water conservation, as outlined in para > below

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- 194 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 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.
- 195 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.
- 196 Natural England was formed from the Countryside Agency and English Nature on 1 October, and it has reviewed its position on the proposals in the light of its new responsibilities and the Further Information, in particular a report Nitrogen Assessments in Woodland Sites that has appeared as a chapter in the draft Baseline Assessment of Hatfield Forest, the East End Woods SSSI, the fen site on the airport and Hales Wood as a control site. It accepts that the $30\mu\text{g m}^{-3}$ contour in respect of NO_x will extend marginally as a result of the additional emissions arising from increased use of the runway, but that the contour will reach neither Hatfield Forest nor East End Wood, and that currently the modelled NO_x loads at Hatfield Forest and elsewhere although high ($22\text{-}29\ \mu\text{g m}^{-3}$) do not exceed the critical level above which vegetation damage may occur. It qualifies this acknowledgement by suggesting the corollary must be that there is a small, albeit sub threshold increase in NO_x concentration affecting these sites. However, it also notes that the Nitrogen Assessment of Woodlands report says the critical load/ level for total nitrogen deposition is given as $10\text{-}15\ \text{kg ha}^{-1}\text{y}^{-1}$ and that Hatfield Forest and other sites experience a significant exceedence of that critical level. It fully accepts that much of the loading does not come from airport-related sources, but the fact remains that increases in NO_x from increased use of the runway, although they will not take NO_x above the critical level at Hatfield Forest and East End Wood, will contribute to further exceedences of the total nitrogen deposition critical levels (NO_x forms part of the total N loading). Sub threshold increases in NO_x will lead to an increase in the already over threshold total N in the SSSIs and an elevated risk of vegetation damage. Indeed, that risk may already be being realised at current deposition levels as noted in the original consultation response provided by the Essex Wildlife Trust – the damage it reports in Hatfield Forest would be consistent with excessive N loading.
- 197 Natural England’s conclusion is accordingly that “by virtue of the contribution of NO_x to total N deposition, albeit small and sub threshold increases in NO_x from G1 may lead to an increased risk of vegetation damage in Hatfield

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Forest and East End Wood.” It remains “very concerned, for example, that mitigation for past permissions for expansion has not yet been fully implemented, and that the applicant’s reliance upon and commitment to future monitoring of environmental attributes is not backed up with mitigation/compensation measures to be implemented in the event that monitoring indicates environmental damage or environmental degradation”.

- 198 Whilst mitigation agreed in the 2003 Agreement has not yet been implemented fully, this is because the trigger has not yet been reached. Natural England’s other concern about inadequate contingency arrangements for mitigation/compensation measures is, though, a significant issue.

Summary of consultation responses on nature conservation

- 199 There is also a particular local concern about the effect of pollution on the flora and fauna of Hatfield Forest. The National Trust’s representation highlights the importance of the Forest, which is *“the most complete surviving example of a small Royal hunting forest dating from the early medieval period in Europe, and has never been ploughed”*. In recognition of its importance, English Nature has designated the Forest as a Site of Special Scientific Interest and a National Nature Reserve. In September of this year, as required under another one of its obligations in the 2003 S106 Agreement, BAA published its draft baseline survey report on Hatfield Forest, Eastend Wood and the fen site within the airport boundary. This draft is currently with both English Nature and the National Trust for comment. BAA is now collecting data for the subsequent impact survey report for publication later next year under a further part of the obligation. BAA’s studies include a control site at Hales Wood, which is located about 3km north east of Saffron Walden. The National Trust’s concerns also relate to noise and light pollution, which will be included in the BAA study. In its response to the Regulation 19 document, SWFoE consider that Hales Wood is not a good control *“Since aircraft regularly fly over on route to descend from the North East. Nitrogen deposition from such aircraft would be more dependent on weather conditions but could still be aircraft related”*.
- 200 There is praise amongst supporters for BAA’s management of landscaping and habitat within the airport boundary. Whilst the Royal Society for the Protection of Birds objects on grounds of climate change and its effect on biodiversity and conservation, it says that it regards Stansted as a major airport that has important habitats both for a number of birds and other species. It also says that it agrees that the proposed development is unlikely to affect existing areas of conservation value within the boundary of the airport. The former English Nature considered the arrangements for mitigation, compensation and monitoring to be appropriate, but sought an agreed delivery plan and a commitment to ongoing review of the management and mitigation measures in the light of monitoring.

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- 201 The Essex Wildlife Trust is concerned about the loss of floristically rich grasslands at two sites, namely Zone G Car Park and South Gate West Hotel, although it does recognise that they are man-made. It points out that the timing of the creation of compensatory habitat is crucial as there would be a temporary loss of biodiversity as the replacement habitat develops. These concerns have been picked up by CPREssex and are noted by officers for future reference. Neither of these sites currently has planning permission.

Conclusions on Nature Conservation

- 202 The impact on Hatfield Forest and East End Wood is understated. In the principal case, the NO_x objective for the protection of vegetation would only just be met. The 30µgm⁻³ contour abuts the edge of the Forest. With sensitivity testing, it would encroach on the Forest, which is an SSSI. Bearing in mind the uncertainties in predicting NO_x concentrations in the future, the precise extent of any exceedence cannot be stated with any confidence. There would, in any case, be an increase in concentrations of NO_x affecting both these sites. By virtue of the contribution of NO_x to total N deposition, even sub threshold increases in NO_x will lead to an increase in the already over threshold total N of 10-15 kg ha⁻¹y⁻¹ in Hatfield Forest and East End Wood SSSIs. Indeed, that risk may already be being realised at current deposition levels as noted in the original consultation response provided by the Essex Wildlife Trust – the damage it reports in Hatfield Forest would be consistent with excessive N loading. Inadequate contingency arrangements for mitigation/ compensation measures have been made.

Visual amenity

- 203 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.

Summary of Consultation Responses on Visual Impact

- 204 Light pollution disfiguring the night time sky is a particular concern of RoBE and Takeley Parish Council amongst others. Officers have reviewed the airport's main structural landscaping, and in general terms have found it to be

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highly successful. A number of issues have been identified, which BAA has indicated it is willing to discuss separately to the planning application. Particularly, these relate to enhancing the screen bunding along the M11 (a concern of Birchanger residents), a new belt of structural planting along Long Border Road bounding the aircraft maintenance area and a comprehensive review of the landside lighting strategy to identify the potential for reduced emissions whilst not compromising safety or operational matters. It is worth pointing out that the additional areas of long stay car parking permitted in 2003 close to Burton End are subject to a condition requiring approval of details of a lighting strategy as well as landscaping. In its representation, the National Trust expresses concern that landscaping in and around Hatfield Forest, which formed an important part of the 2003 S106 Agreement has yet to be carried to anything like the Trust's satisfaction. In fact, this planting did not form part of the Agreement as it requires planting on Third Party land, but was included in BAA's Addendum to its 25mppa Environmental Statement in May 2002. BAA is re-examining this planting as part of the Mounding and Landscaping Study that it was required to submit under the 2003 Agreement.

Conclusions on visual amenity

- 205 The visual impact of the airport on the surrounding area is severe at night, particularly when viewed from the south from Takeley village and the A120 and from the west from Birchanger village. Whilst changing the planning conditions as sought would not materially exacerbate the light pollution necessarily, the proposals do not address the impact that has now been identified.

Residential and urban areas affected by the proposals

- 206 The effect on residential and urban areas would 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.
- 207 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.
- 208 The pressures on the community are cumulative and have been building since the 1985 decision following the Airports Inquiries. They have now**

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reached a point where significant effects are now manifest. Increased use of the runway would exacerbate the perceived threat that BAA's proposals for a second runway already pose.

- 209 A Quality of Life approach would have ensured these issues and others were addressed and analysed, and the application is as a consequence silent on the matter. A Quality of Life Assessment was required by the scoping opinion, reiterated in the Regulation 19 request and has not been provided. Quality of Life Assessment is a tool for maximising environmental, economic and social benefits as part of any land-use planning or management decision. Promoted by the then four agencies (Countryside Agency, English Heritage, English Nature and the Environment Agency), it reflects the Government's integrated approach to sustainable development. English Nature and the Countryside Agency have now been amalgamated to form Natural England.
- 210 The Quality of Life Assessment Approach stands back from areas or features and considers the benefits that they provide for human well-being ("what matters and why?") ; provides a systematic and transparent evaluation framework for all scales of decision-making; integrates environmental, social and economic issues; emphasises improvement of quality of life rather than acceptance of the status quo; values the commonplace as well as the unusual and rare; puts professional/expert judgements alongside the concerns of local people; and works with other tools and processes including Environmental Impact Assessment, Sustainability Appraisal, Community Planning and Best Value.
- 211 There is some degree of independent corroboration of the effects on social cohesion arising from complaints made to the planning enforcement service about the large-scale purchase of new houses in Takeley for multiple occupation by aircrew.

Summary of consultation responses

- 212 The effects on residential areas are covered by the responses considered under air noise – in particular attention is drawn to the document "Erosion of the Community" prepared by Broxted and other local residents. (see para 128)

Conclusion on Residential and Urban Areas affected by the proposals

- 213 The absence of a Quality of Life Assessment means that the effect of the airport on the cohesion of local communities cannot properly be addressed. There is growing evidence that the various networks that underpin small rural communities are breaking down because of the economic pressures created

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by accommodation needs associated with the airport. This evidence is supported by the SSE documentation, the experience of local Ward Members and complaints to the planning enforcement service.

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

- 214 As explained above in para 61, 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.

Rail

- 215 The Department for Transport Rail Division has confirmed to BAA Stansted, that it agrees with a joint position statement following co-operation between the two bodies that reflects the general support for airport expansion in the ATWP. It is emphasised, however, that no formal response to consultation has been made to the Council. In their letter to BAA Stansted DfT Rail agrees that BAA's TIA provides a reasonable basis for planning Generation 1 rail needs. DfT Rail also agrees that a process of monitoring passenger numbers is sensible and welcomes BAA's proposals to do so, which consist of an annual review by BAA (commencing not later than 2010) and for DfT Rail and Network Rail to comment on that review. DfT Rail acknowledges that *"G1 itself might require further lengthening beyond 8 car services in order to accommodate demand whilst maintaining current seating densities"*. DfT Rail also confirms that *"the BAA strategy combining train lengthening and related infrastructure improvements (to meet forecast passenger growth contained within the BAA transport assessment) is credible and achievable in engineering terms"*.
- 216 The ability of the existing rail infrastructure to cater both for any further airport expansion and for the needs of other rail users, such as commuters, is a key issue. It is complicated by the need to take into account needs of both existing residents and new residents under Growth Area plans as may be confirmed in the RSS when it is finally approved. Modelling has taken into account, however, the proposals in the draft East of England Plan. There is, though, uncertainty as to when Growth Area development would be implemented and

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how much would be occupied within 15 years of passenger throughput exceeding 25 mppa. Members need to determine what weight should be attached to DfT's endorsement of the mechanisms being promoted by BAA to address capacity issues as they emerge. The Air Transport White Paper added a caveat to its support for growth at Stansted to make full use of the existing runway "*However, the airport operator and the Strategic Rail Authority would need to consider the adequacy of existing and planned rail capacity to accommodate this level of growth*". Officers, however, are concerned that there is no commitment in either the DfT Rail or BAA letters to specific measures or outcomes within a stated time frame.

Summary of Consultation responses on rail access

- 217 A high level of concern has been expressed in the representations about the ability of the existing rail infrastructure to cater both for any further airport expansion and for the needs of other rail users, such as commuters. The new West Anglia timetable is criticised for appearing to cater primarily for airport users at the expense of others. SSE refer to Stansted Express services being "*first on the graph*" for timetabling purposes, with services to other destinations being fitted around them. Members will be aware of teething difficulties with the new timetable, which have resulted in the temporary withdrawal of some services and changed stopping patterns to others in response to passenger comments. The temporary withdrawals are due to be reversed by the end of 2006.
- 218 Concerns about capacity on the West Anglia line go beyond issues relating to the airport and include the implications of the Government's London Stansted Cambridge Peterborough Growth Area policy. As a result, the North London Strategic Alliance has established a West Anglia Routes Group to seek timely upgrades to the West Anglia rail corridor to enhance capacity, improve reliability and promote growth. The Council's Environment Committee has agreed that Uttlesford will be represented on that Group to promote the needs of local rail users (e.g step free access at Tottenham Hale as requested by London Travelwatch).
- 219 London Travelwatch has also commented on the need to improve the Central Trains service to Cambridge / Peterborough by lengthening and / or increased frequency and later off-airport services (the last departure is currently 2020 hrs). Officers note that bids from the short-listed operators to run the new Cross Country franchise (of which this service is part) have to be submitted to DfT by the end of February 2007.
- 220 In its response, the GLA says: "*TfL would not wish to see expansion of Stansted and resultant increased transport demand being provided for at the expense of local and commuter demand. The fact that airport passengers*

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and their luggage require more space and facilities than local passengers must also be considered". This is relevant to DfT Rail's point that "G1 itself might require further lengthening beyond 8 car services in order to accommodate demand whilst maintaining current seating densities".

- 221 DfT Rail also confirms that *"the BAA strategy combining train lengthening and related infrastructure improvements (to meet forecast passenger growth contained within the BAA transport assessment) is credible and achievable in engineering terms"*.
- 222 No direct response to consultation has been received by this Council from the rail industry.
- 223 There is concern, though, that there is no commitment in either the DfT Rail or BAA letters to specific measures or outcomes within a stated time frame.

Conclusion on Rail Access

- 224 No replies have been received from consultees on rail access, such as DfT Rail and Network Rail. All that has been received is a letter from DfT Rail to BAA. This gives insufficient assurance as to the measures required to increase rail capacity and to the certainty that they will be implemented when required. Accordingly, without the necessary certainty of timely implementation and demonstrable effectiveness of any proposed measures, it would be difficult for the Council to grant planning permission for an increased throughput of 10mppa.

Road

- 225 There is a high level of concern about the ability of the strategic road network to cope with the extra traffic generated by further airport expansion. If planning permission is granted, the Highways Agency (HA) has directed that a number of conditions be imposed requiring schemes to ensure the safe and efficient operation of strategic road network, to ensure highway safety and to monitor trigger points. In accordance with DTLR Circular 4/2001, the design year for the schemes is 2023, i.e. 15 years after opening. This represents a shift in BAA's position since submission of the application, which was that no mitigation was required. This shift was in part behind the need to extend the programme for determination of the application beyond 27 September.
- 226 The HA also recommends, on behalf of the Secretary of State for Transport, that: *"a Section 106 Agreement be entered into to ensure that the applicant provides funding for public transport services commensurate with the scale of*

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the application together with an updated Travel Plan for the Airport. The Agreement should also confirm that the applicant will enter into a S278 with the Secretary of State for Transport to provide 100% of the funding for the schemes to be completed under the attached conditions”.

- 227 The Highways Agency’s approach reflects national government development control policy on planning and transportation, but looking to the longer term, if a second runway were not to be implemented and an associated surface access improvement package similarly were not provided, further enhancements to critical lengths and nodes of the strategic network would still be required.
- 228 Satisfactory road access to the airport depends on the performance of the strategic road network. Incidents and congestion inevitably result in traffic re-routing to local roads. There is a continuing need to monitor use of local roads and implement any traffic management measures found to be necessary from monitoring studies.
- 229 Fly parking and unlawful off-airport car parking are ongoing issues for the Council, and are also concerns of SSE in its Lo-Car Strategy. An experimental “no waiting” scheme is shortly to be introduced in Takeley, funded out of the £50,000 allocated by BAA Stansted under the 2003 S106 Agreement. Data from the telephone hotline set up by BAA indicates that Takeley is (unsurprisingly, due to its location) the most affected settlement. Fly parking is unlikely to go away, and a further commitment to dealing with it is needed. The Council continues to take a robust stance against unlawful off-airport car parking, which is not a sustainable activity.
- 230 Bus and coach, especially the latter for air passengers, are key components to an integrated approach to airport surface access. The Stansted Area Surface Access Strategy and the Airport Transport Forum have been an important mechanism for agreeing interventions to support the development of bus and coach networks, service levels and facilities. As a consequence, a rapid increase in usage has been secured. The ASAS needs to continue to be funded so that there is scope to make some initial investment in marketing, vehicles, or capital works if that is what is required to support the establishment of an otherwise viable enhancement. This needs to be secured for 15 years after opening, given the importance of demonstrating that the strategic road network will continue to perform to the required standards for this period in national policy and the contribution of bus and coach to Stansted’s passenger transport mode share.
- 231 Whilst local access to the airport on foot and by cycle are the preferred mode for only a limited number of people accessing the airport, mainly for journeys to work, it is important that facilities are provided so that barriers to using this mode are addressed. Key objectives are connectivity of the links and suitability of the facilities for users.
- 232 It is still uncertain whether the proposals for rail, road (including bus and coach), cycling and walking meet all of the criteria set out in Uttlesford District Plan Policy GEN1 – Access adopted 2005.

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Summary of consultation responses on road and other access

- 233 It is important that the requirements of local bus passengers are catered for. This is consistent with DEEP identifying Stansted as a Regional Interchange Centre. This could be achieved by an agreement to continue the work of the SATF Bus / Coach Working Group, which officers think has been successful over the last two or three years. Part of the Group's work could be to consider the potential bus / coach enhancements identified in the TIA and other opportunities that could contribute to a "to be agreed" public transport mode share above 40%. There is support for expansion from airport bus / coach operators such as Arriva, First and National Express, which is to be expected.
- 234 In respect of what the agreed mode share should be, BAA's TIA suggests a number of enhancements that could lift the mode share to just over 43%. Other bodies (such as Transport for London and the Thames Gateway London Partnership) suggest a more ambitious target of 50%. In relation to bus and coach, a "menu" of enhancements for study could be drawn up from the comments of the County, Borough and District Councils that have responded to the planning application. Given both the increased passenger throughput being proposed and the already high public transport mode share compared to other airports, officers consider that maintaining the existing 40% mode share could in itself prove challenging.
- 235 The SACC notes: *"BAA's assertion that peak hour traffic flows on the highways will not be materially affected appears to rely heavily on achieving an increased public transport mode in the 35mppa enhanced case. BAA asserts that it will achieve this substantial increase in public transport mode share through the development of a wider network of bus and coach services serving the airport. Whilst there has been an increase in the mode share achieved by bus and coach in recent years – from 11% in 2004 quoted in the Draft Interim Master Plan to 14% in the Final Interim Master Plan, this has largely been at the expense of rail patronage. The ACC considers it high risk to rely on this increase in the share of surface access journeys by bus and coach as a basis of determining the current application"*.
- 236 The reason for the bus / coach mode share increase is that bus and coach services are more quickly able to respond to new demands for travel than rail and have more flexible route patterns. It is the case that the rail mode share has not increased like that for bus / coach (27.2% mode share in 2000, 25.3% in 2005) but, nonetheless, the airport's rail service is still carrying more passengers than it used to.
- 237 More locally, concern continues about congestion on the A120 west of Bishop's Stortford at Little Hadham, which Little Hadham PC describes as *"impossibly congested"*. There are also references to rat-running on local roads in SSE's "Erosion of the Community" document, and representations on this matter from residents of Felsted, Hatfield Broad Oak and Stansted Mountfitchet amongst others. The stance of Essex CC as the local highway authority is quite clear from the Cabinet Members' report: *"The TA indicates*

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that the application will have little effect on the local roads surrounding the airport that are managed by ECC. ECC refute this absolutely and assert that these local roads could prove to be attractive routes for passengers diverting around incidents on the trunk road network.....ECC will require BAA to monitor the use of the local road network to examine the impact of diversion caused by problems on the trunk road network. Where necessary, traffic management measures should be introduced to deter (or possibly encourage) use of local roads by airport traffic". The reference to encouraging use of local roads is with particular reference to using the A131 / A120 route from Chelmsford to Great Dunmow rather than the A130.

- 238 The Essex CC Cabinet Members' report puts forward the establishing of a Local Transport Board. This Board would manage the expenditure of a charge on airport related trips by cars, taxis and commercial vehicles. It is anticipated that this charge would supersede the current parking levy and the other S106 Agreement funds. The charge would be spent on local highway network improvements and passenger transport access to the airport once throughput reached 35mppa. Membership of the Board would include Essex and Hertfordshire CCs, BAA, HA and DfT Rail. At the moment this is a formative proposal, as Essex CC has recently bid for Transport Innovation Fund funding to explore this approach in more detail with BAA.
- 239 Requests for local speed limits can be made to the local highway authority by Parish Councils.
- 240 The local branch of the Cycle Touring Club (CTC) criticises BAA Stansted's Cycling and Walking Strategy: *"there will never be any success with such a campaign given the dismal and dangerous environment (by design!) inside the airport site, where all roads are like F1 racetrack. This encourages excessive speed which is unpleasant and dangerous even for motor vehicle users, never mind everyone else"*. There are also concerns from both the CTC and Sustrans about the suitability of cycleway surfaces, especially where they are shared with horses. Whilst Sustrans welcomes the role of the Local Access Working Group of the SATF, it considers that: *"if any development does take place there needs to be a firm commitment from BAA to complete a high quality network of shared use paths off-carriageway with a good quality tarmac surface"*.

Conclusions on Road and other forms of access

- 241 BAA has agreed to the requirements of the Highways Agency, which address the effect on the trunk road network. However it is not explicit in their proposed obligations and conditions that the requirements of ECC and HCC – the two local highways authorities – will be met. Accordingly the application is deficient in this respect.

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Energy Efficiency

- 242 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.
- 243 The programmed provision of a new bay to the terminal building on its arrivals side provides a major opportunity to reduce the greenhouse emissions associated with providing space and water heating to the terminal as a whole. BAA has advised that it will be installing new biomass fuelled boilers to meet the continuous base level of demand across the year, switching the existing gas boilers to meet peak period demand only which is mainly in winter. As a consequence the net impact on greenhouse gas emissions of increasing the terminal space to address current capacity problems and provide capacity to handle the arrivals throughput in 2015 would be a reduction compared to current levels. This enhancement has not been factored into the submitted ES's assessment of future energy requirements. It would need to be secured by planning condition.

Consultation responses on Energy Efficiency are considered under "Climate Change"

Conclusions on Energy Efficiency

- 244 These issues are considered to be adequately addressed by BAA and where not can be controlled by appropriate conditions in the event of the grant of planning permission.

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Water

- 245 As the Environment Agency has commented, water resources in the area are scarce and the predicted increase in water consumption is significant when compared to local resources. It had already expressed concerns about the effects of abstraction at Hadham Mill within the River Ash catchment area, which it considers would be a significant impact, in its letter dated 27 June 2006. It raised no objections to the proposals subject to conditions. It does, however, want water efficiency to be addressed seriously, and it is concerned from the response to the Regulation 19 notice that it is apparent that greater water efficiency in terms of consumption per passenger is not anticipated. It considers that this is unsatisfactory, and a significant reduction on water passenger use should be aimed for.

Summary of comments on Water

- 246 Consumption of water is a major concern raised by many objectors, including CPREssex and Stort Valley Friends of the Earth. CPREssex says: *“The additional demand for water that would result if the application were approved must be considered in the wider context of the planned development across the Region to 2021 and the outlook on the supply side. Essex is already the driest County in the UK, with the position forecast to worsen by 2050 according to UKCIP”*. (UKCIP is the United Kingdom Climate Impacts Programme).
- 247 Many consider that the extra airport demand would be unsustainable, especially with a current hosepipe ban. In its response, the EA expresses concern at the additional abstraction that would come from Hadham Mill within the River Ash catchment area, which it considers would be a significant impact. The EA wants water efficiency to be addressed seriously, but otherwise raises no objections to the proposals subject to conditions.
- 248 A further concern is security of supply, and even the possibility of rationing has been raised. Three Valleys Water has not responded specifically to consultation, but Veolia Water acting on its behalf confirms that the airport itself is fed directly off the trunk main system and has no impact upon local distribution. The risk of low pressure in Takeley has been identified as an issue by Three Valleys.
- 249 In its Regulation 19 Response document, BAA gives some further clarification on airport water consumption, and states that it is likely that as further developments come forward opportunities will continue to be sought to reduce water usage.

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Conclusion on water supply

- 250 The application fails to make adequate provision for increased efficiency in the use of water. This is a significant failing in the context of the airport's location within the driest region of the UK with inadequate local sources of supply, necessitating imports from strategic resources elsewhere.

Sewage

- 251 Thames Water is in consultation with BAA regarding the provision of sewerage and sewage treatment for any future expansion of the airport and has raised no objections. One of the Environment Agency's recommended conditions requires adequate sewerage infrastructure.

Conclusion on sewage

- 252 The matter is controllable

Waste

- 253 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.

Conclusion on waste

- 254 The matter is controllable

Other Matters

Sustainability

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- 255 Many of the issues identified in this report are directly related to the consideration of sustainability although they may not have been spelled out specifically. For example such issues as mode share, nature conservation, climate change, energy efficiency, the effect on local communities, waste generation and water supply all fall under the general heading of sustainability.
- 256 A sustainability appraisal accompanies the application. Its recommendations are:
- 257 “To improve the sustainability of the design, the following should be considered when progressing the detailed design of the facilities that would be brought forward under the 35mppa case (and potentially development of BAA design standards for all future projects):-
- Consider the feasibility of rainwater collection systems/grey water recycling for new buildings;
 - Minimise overall growth of impervious areas to enable natural rainwater to infiltrate into the ground;
 - Consider flexible use of buildings/design for long term use and take account of design for deconstruction principles;
 - Ensure that the project risk process includes an assessment of the long term impact of climate change, including rising temperatures, stronger winds and higher risk of subsidence, and introducing appropriate adaptation of design;
 - Consider the feasibility of on site generation of energy as part of the proposed development; and
 - Continue to implement the landscaping as proposed in the Landscape Masterplan.

In developing the airport generally, it may be of merit to consider increasing the utilisation of Northside Area which is an existing industrial area.

Operational Considerations

In the ongoing operation of Stansted Airport, and the arising pressures as a result of the increased throughput which arises from the 35mppa case, the following should be considered:-

- Consider minimising amount of surface runoff diverted to foul and/or local treatment to maximise local return;
- Continue the 'Meet the Buyer' initiative beyond December 2009 (current commitment) to setting specific targets for use of local suppliers, including local food supply;
- Set programme of implementation for the Materials Strategy / set specific targets based on available alternatives;

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- Consider options for utilising residual waste (i.e. once recycled options fully explored) as an energy resource. Consider onsite processes where appropriate;
- Following completion of the freight study, consider and implement appropriate measures to reduce road movements associated with goods delivered to the airport.
- Continue to liaise with community on noise and air quality issues, to improve the understanding of the issues;
- Continue working in partnership to maximise economic potential and target investment which arises from the airport's growth in areas identified for regeneration.

Relationships with Airlines and Other Airport Companies

Due to the nature of the airport, an important element to improving the sustainability of the proposed development arises through the relationships with the airlines and other companies which operate within the airport (e.g. tenants, retail companies, freight distribution companies, hotel companies etc). The following sets out key points to consider as part of the ongoing relationships with these organisations:-

- Consider more proactive measures to encourage tenants to use recycled materials and to reduce waste;
- Consider more proactive measures to encourage airlines to develop sustainability measures;
- Investigate options for reducing aircraft emissions;
- Maintain compliance with existing controls to minimise disturbance by adhering to Director's Notices, minimising APU running time and potentially minimising activity in the Echo apron area if operationally possible, and improve performance of FEGP use;
- Work closely with the airlines to maintain performance against standards in track keeping, reduce noise infringements and reduce noise disturbance through the use of CDA and P-RNAV3 technology;
- Work in partnership with airlines and other airport companies to ensure accessibility measures implemented across all parts of the airport.”

258 It is not immediately evident how these requirements have been satisfactorily carried forward in the proposed conditions and obligations.

Summary of consultation responses on sustainability

259 Many concerns from objectors about sustainability relate to other aspects as well, such as climate change and air pollution, and are referred to elsewhere in the report. What is clear is that objectors criticise the expansion proposals for being based on what is regarded as the Government's "predict and provide" method of aviation planning, resulting in environmental damage. SWFoE conclude: *Most Government policy is clear that developments should not lead to a significant increase in greenhouse gases. The Aviation White*

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Paper is the only White Paper that attempts to exonerate one section of the economy, aviation, from this policy. It does however recognise that airport expansion will have to meet the requirement of the Planning system and justify the necessary environmental impact assessment. Both the scenarios we are offered at 2014 involve environmental damage, that at 35 mppa and 264,000 flights is greater”.

- 260 SSE’s representation includes a commentary on BAA’s Sustainability Appraisal, submitted on its behalf by RPS. The commentary says: *“We are not surprised to find that the published results of the RPS Sustainability Appraisal fail to give a true representation of findings. The method of presentation appears to be designed to gloss over the real impacts and, more seriously, the way the conclusions are arrived at was crudely contrived”.*
- 261 Many objectors accept Stansted Airport in its function as a local airport supporting local people and businesses, or consider that it is just about bearable in its current form. However, they consider it inappropriate for future expansion to be based on increasing the number of cheap fares attracting passengers from a wide catchment area.
- 262 There are a number of comments about the imposition of environmental taxes and about the development becoming a White Elephant.

Conclusions on sustainability

- 263 Many of the recommendations in the sustainability appraisal are detailed management issues and examples of best practice that cannot be directly addressed through the terms of any planning permission. The main shortcoming is the lack of any quantifiable and binding targets.

Climate Change

- 264 Because of its growing awareness of the adverse consequences of climate change, and its relevance to many aspects of this application, a separate report has been prepared to accompany this report and should be read in conjunction with it. In particular the publication of the Stern Review has raised the profile of climate change considerably.

Summary of consultation responses on climate change

- 265 This is another major area of concern, both with individuals and environmental groups, which is likely to be given even greater emphasis by the recently published Stern Review. The concerns are perhaps best summed up by the response from the Aviation Environment Federation (AEF), which concludes

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on climate change that: *“the Government’s policy response to the problem of aviation and climate change is inadequate; in no way can it be claimed that emissions from aviation are under control. It is irresponsible to pursue airport expansion today when the sole measure proposed to deal with the climate change impacts of that expansion is a partial, untested economic solution that will not even enter into force for several years to come”*. The reference is to emissions trading.

- 266 The AEF also casts doubt upon the ability of technological progress to significantly contribute to mitigation and states that the Government’s Energy White Paper target of a 60% reduction in CO² emissions by 2050 must be the absolute minimum commitment. SWFoE, amongst others, draw attention to the Tyndall Centre Report “Decarbonising the UK”, which states that if aviation growth continues as planned for in the Aviation Transport White Paper (ATWP) air transport will account for 39% of the UK’s total climate change impacts in 2030 and 74% by 2050. The Report says that it is unlikely that additional reductions in other industries could compensate for this level of growth. The National Trust 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.
- 267 A number of representations refer to the Council’s signing of the Nottingham Declaration, in which the Council acknowledges the increasing impact that climate change will have on the community in the 21st Century and commits to tackling the causes and effects on the district. Having signed the Nottingham Declaration, the argument is that it would be hypocritical to grant planning permission for airport expansion. There is a general sentiment expressed by objectors that the Government supports inaction by not adopting “polluter pays” policies.
- 268 Supporters draw attention to the massive economic expansion currently taking place in the Far East, which swallows up UK climate change initiatives. One of the points made is whether it is right for the UK to stagnate whilst others progress. Supporters also point out that Uttlesford residents have the highest rates of domestic greenhouse gas emissions in the country .
- 269 Essex County Council’s Cabinet Members’ report addresses the issue of climate change. It argues that an increase of only 23,000 ATMs / year (which is not accepted to be the appropriate figure) would result in a small contribution to global climate change, and if planning permission is refused some of the movements could migrate to other airports. It is the view of ECC that climate change is not a justifiable reason for refusal because of the Government’s policy stance in the ATWP and because of the limited level of growth being proposed. Herts CC’s and East Herts DC’s stances are similar.

Conclusion on Climate Change

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270 The importance of climate change as a global issue and the mounting research evidence to support a policy review has increased in recent months. Given all the emerging information coupled with the timing of the Stern Review in the course of the application it would therefore, it is considered, be premature to grant planning permission for the increased use of the runway in advance of clarification by the Government as to whether part of its response to the Stern Review and other recent research will be to withdraw or amend its Air Transport White Paper. The Council needs certainty from the Government as to what level of demand it expects should be accommodated at Stansted under national policy given the growing consensus that the growth of aviation must be curtailed if the UK is to make its fair contribution to reduction of total global greenhouse gas emissions. It is acknowledged that no climate change effect directly linked to additional movements on the existing runway could be demonstrated, and delivery of a national policy of cutting back on the rate of increase of emissions from aircraft could be delivered through mechanisms such as economic instruments. Given the other deficiencies the application, though, it would be prudent not to permit the increases sought before the Government's Air Transport White Paper review or a subsequent careful, detailed rationalisation of the conflict between its respective objectives for air transport and greenhouse gas emissions.

Other matters raised in representations

271 There were several other areas of interest raised by objectors and supporters arising from the extensive public consultation exercise. While not all strictly relevant to the determination of the application they will assist Members in their understanding of the relationship of the airport with various communities

Alternatives

272 All suggestions of alternatives risk an accusation of "NIMBYism", particularly from those who may be affected by the alternatives. Officers' view is that it is difficult to come to any conclusion other than that the current application is generally consistent with the spatial strategy for London and the emerging strategy for the East of England. Officers are exploring the implications of the recent announcement by the Mayor for London of his response to the Stern Review (see Economic / Employment Effects section).

Conditions

273 A wide range of conditions have been suggested. Circular 11/95 advises local planning authorities that conditions should not be imposed unless they are both necessary and effective, and do not place unjustifiable burdens on

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applicants. All 6 tests of reasonableness must be met, which are that conditions must be *i) necessary, ii) relevant to planning, iii) relevant to the development to be permitted, iv) enforceable, v) precise and vi) reasonable in all other respects.*

- 274 Officers fully acknowledge the concerns expressed by objectors that what BAA has applied for is open-ended in terms of future passenger throughput (see Runway Capacity section). An option is to impose a new passenger throughput cap should planning permission be granted. Conditions seeking to impose controls over aircraft in flight would fail the 6 tests, as these controls exist via other legislation.
- 275 Whilst WRASE totally opposes the application, it says: “*We believe the Council should insist upon BAA agreeing to a 40 year moratorium on any expansion at Stansted additional to the existing runway as a condition of approval of its 25 mppa + application*”. This would obviously contradict the thrust of the ATWP and would not be acceptable to BAA, which is currently preparing its Generation 2 planning application for submission next year.
- 276 Both Essex and Hertfordshire CC make the point that if an inquiry is held the Inspector, if recommending to the Secretary of State to grant permission, may not choose to put forward conditions as tough as those preferred by the local authorities.

Consultation

- 277 Plane Talk is a BAA publication, and is therefore bound to promote a particular point of view.
- 278 There are also concerns both about the public consultation exercises carried out by BAA and who was invited to BAA meetings. Officers have noted these concerns, but these are for BAA to answer.

Decision Making / Determination Of Application

- 279 Some representations suggest that the application should be determined by an amalgamation of all affected Councils. This cannot happen under planning law. The District Council is the local planning authority and has the statutory duty to determine the application unless it is “called in” by the Secretary of State (which it has not been) or there is an appeal against non-determination (not yet lodged). However, in this case the District Council has worked closely not only with Essex CC but also with Hertfordshire CC and East Herts DC in view of the important cross-border issues raised. The close working has included the appointment of SH&E and Bureau Veritas to give independent advice to the four Councils on a number of matters. If planning permission is refused, or is granted subject to conditions which aggrieve the

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applicants, there is a right of appeal which would most certainly lead to a public inquiry.

- 280 Officers do not accept that the 25mppa decision was rail-roaded through, that the resulting Section 106 Agreement was weak, or that there was a lack of expertise, competence, knowledge and finesse amongst officers. Such criticisms are easy to make when there is disappointment at the final decision.
- 281 There is no indifference to the views of any individual or organisation. A considerable amount of officers' time has been spent in reading, analysing and summarising the 1,400 or so representations received since April 2006. Officers do not accept that there has been insufficient time for replies to be sent in. Where requests for extensions of time have been made, officers have accommodated them. The main report sets out the consultation procedures that the Council has adopted in dealing with this application.
- 282 It is the role of officers to prepare a report for Members of the DC Committee containing a recommendation based on the planning merits of the case. Members are not bound by that report, but will take it into account when determining the application.
- 283 Some consider that change is inevitable and resources should be concentrated in a "done deal" to get the best for the local community rather than fighting a public inquiry. This is allied to the earlier point that conditions and obligations emerging from a planning permission following a public inquiry may not be as extensive as those resulting from a local decision.

Emergency Services

- 284 Essex Police has instigated a formal determination process with the Secretary of State for Transport for the recovery of unpaid policing costs for 2005/6, and has the option to do so for subsequent years if required. This is a matter separate to the planning process. Officers are concerned about what the Police regard as inadequate custody provision on-airport, resulting in reduced airport presence whilst prisoners are transported to Braintree or Harlow. Reassurance from BAA as to the provision of adequate custody accommodation is required should expansion be permitted. The need to design out crime is an ongoing point of detail to be discussed with BAA Stansted when planning applications for infrastructure works are submitted.
- 285 The airport railway station smoke flow study work between BAA and the Essex Fire Service is ongoing, and is being monitored by the Rail Working Group of the Stansted Area Transport Forum (SATF). Fire safety is dealt with under separate legislation.

Heritage

- 286 A point raised in the representations is the interruption of church services, and inability to enjoy peace and tranquillity as a result of air noise. This point is

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specifically picked up in English Heritage's response – *“The peacefulness of the churches at Tilty or Takeley or Great Hallingbury, or that of the settlements in the flight path or near principal roads, would be further eroded”*. English Heritage does say that the proposals would not physically affect any listed building or ancient monument, although the representation on behalf of the Parish of St Giles, Great Hallingbury does refer to structural damage due to vibration, particularly in the tower where powdered mortar has to be swept up. However, the ringing of church bells creates vibration.

History Of The Airport

- 287 The development of the airport since World War 2 is well documented elsewhere.
- 288 Officers are aware of the comments of Sir Graham Eyre following the 1981-83 public inquiry. The report sets out the context within which this current application falls to be determined.

Human Rights

- 289 Comments on sleep deprivation are contained in the Health section.
- 299 One resident has commented that British citizens appear to have no rights whatsoever. To answer this, officers would draw attention to Planning Policy Statement (PPS) 1: Delivering Sustainable Development, which clearly sets out how the Planning system should be operated. Paragraph 2 states: *“Good planning is a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land”*. PPS1 also promotes community cohesion in both urban and rural areas, which is relevant to the “Erosion of the Community” document referred to earlier.

Planning Application And Documents

- 300 Very many concerns have been expressed from those who regard BAA's original ES as inadequate. The Council has, however, formally requested additional information from BAA on 15/9/06 under Regulation 19 of the EIA Regulations, along with a request for further information originally requested in its Scoping Opinion, and further matters of clarification, explanation and detail. BAA's Regulation 19 Response document has now been received, in which it explains why it has not submitted a full master plan to date. SSE is particularly critical of BAA on this point: *“Whilst the principle of a second*

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runway is hotly contested, it is surely important to know what are the implications for this first planning application for the obvious certainty that a second will so soon be submitted". Whilst officers understand this concern, no new infrastructure is being proposed by BAA as part of this current application. Should planning permission be granted for expansion beyond 25mppa, any subsequent applications for reserved matters or full planning permission would be judged against circumstances as they exist at that time.

- 301 BAA's explanation as to why it has not chosen to submit a separate Quality of Life Assessment may be found in its Regulation 19 Response document. Officers are not satisfied with this response.
- 302 Comments on BAA's HIA are included in the Health section of this report.
- 303 Hatfield Broad Oak PC, amongst others, criticise the quantity and quality of information submitted. Their response says: *"BAA have continually drip fed us with information, most of which is irrelevant and is only what they want us to hear, or say matters will be investigated and consultations take place. The fact is that consultations are just P.R. exercises as BAA completely ignores the results. The Council must take account of the fact that BAA only publish facts and figures that suit their purpose, any others do not see the light of day. The Council must obtain all the facts before making a decision and if necessary commission its own consultations"*.
- 304 As the local planning authority, the Council has the duty to assess the merit of an applicant's case (and all representations received) when considering a planning application. This it will normally do via its own in-house resources, by seeking the views of statutory consultees and others and by commissioning its own advice when required. The Council has done all of these in this case. If the Council considers that insufficient information has been submitted to enable an application to be determined it can refuse planning permission on that basis.

RF Interference

- 305 Not many have commented on this, but it clearly is of concern to those affected. Advice from the Radiocommunications Agency on causes and solutions can be found on the Internet.

Use Of Airport

- 306 Many supporters highlight the benefit of local airport travel. One Ipswich resident says: *"Stansted Airport is my local airport. I find it much more convenient to travel to than Gatwick and Heathrow. I do not use it for frivolous travel but to visit family and friends and for the occasional holiday. It is easy to get to by public transport if I go by train to Colchester and then take the coach.*

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307 *My partner works at the airport. The company I work for uses the airport for business trips (we have clients in Germany). My family uses the airport – it is our main link between relatives in Ireland and France. So in almost every aspect of my personal and professional life, Stansted Airport plays an important role*". This representation is illustrative in many ways of the modern lifestyle that the airport facilitates.

308 Carter Jonas says in its representation: *"Increasingly, we find our clients are making use of Stansted and cite it as a major reason as to why they would locate in this region. As a national property consultancy, with a base in Cambridge, it has enabled us to do business further afield to the benefit of the wider economy"*.

309 In particular, City and dockland workers find it more convenient than Heathrow, and some supporters particularly welcome the recent introduction of flights to the USA.

310 Some supporters refer to the importance of Stansted as a gateway for the 2012 Olympic Games in London.

311 In considering these comments about use of the airport, it should be born in mind that the Oxford University Environmental Change Institute Predict and Decide Report argues for an urgent air transport policy review before people become reliant on aviation in the same way that the car has become essential to many people's life style:

"The UK is increasingly developing an air dependent culture. If action to tackle flying is postponed, we will enter an era in which frequent flying is increasingly the norm for better-off households, with lifestyles adapted to this expectation, including far greater ownership of second homes abroad, and more geographically-distant networks of friends and family."

Officers' overall summary and recommendation is to be found at the front of this report