

Committee:	Development Control Committee	Agenda Item
Date:	4 April 2007	5
Title:	BAA Appeal – Increased use of runway, Stansted Airport UTT/0707/06/FUL	
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Summary

Since the Committee determined BAA's planning application on 29 November, the Government has published its Future of Air Transport Progress Report. The Council's case for the Planning Inquiry requires some updating to take account of this new material consideration.

BAA has also written to the Programme Officer advising that it will offer the Inquiry a planning condition providing a control on air passenger numbers limiting throughput to 35 mppa.

Recommendations

- 1 That the Climate Change case for dismissal of BAA's appeal be:

It would be premature to grant planning permission in advance of the Government carrying out an Emissions Cost Assessment. An Assessment is required to ensure that this major decision on airport capacity takes account the wider context of aviation's climate impact as well as local environmental effects. This is in accordance with the Government's policy as set out the Future of Air Transport Progress Report, December 2006.

This is substituted for the reason in the decision dated 30 November, 2006: "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";
- 2 That the case on grounds of social and environmental costs outweighing the economic benefits for dismissal of BAA's appeal be:

The forecast economic benefits of the proposed development 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.

This is substituted for the reason in the decision dated 30 November, 2006:
“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

In preparing this report the author has referred to:

The Future of Air Transport Progress Report published by the Department for Transport in December 2006, which can be viewed at
<http://www.dft.gov.uk/about/strategy/whitepapers/air/aviationprogressreportsection/aviationprogressreport?version=1>

UDC letter to DfT dated 24 January 2007 and its response dated 28 February, which may be viewed by contacting the author of this report.

Impact

Communication/Consultation	Extensive community involvement informed the decision taken by the Committee on 29 November. The Council's case will be tested through a public inquiry.
Community Safety	
Equalities	
Finance	
Human Rights	
Legal implications	The Inquiry is subject to Rules.
Sustainability	
Ward-specific impacts	
Workforce/Workplace	

Situation

- 1 The Council was required to submit its Statement of Case at the Inquiry by 30 January to meet the Planning Inspectorate's deadline as part of the inquiry preparations. The Statement indicated that the Council needed to review its position adopted on 29 November in relation to specific matters.
- 2 At the Pre Inquiry meeting the Inspector advised that "the Inquiry is not the appropriate forum for challenging the merits of current Government policy or for debate on the direction of future policy – these are matters for Parliament and public consultation/ debate outside the scope of the present appeal." "Therefore the Inquiry will proceed on the basis of Government and other relevant policy as it stands. Evidence and views on the implications of policy for the proposals before the Inquiry will be welcome, but there will be no discussion of the merits of current policy or of how it should change. It will be for the Secretaries of State to decide whether, and to what extent, to take wider or future policy considerations into account in their decision."

Climate Change

- 3 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 was considered in November 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.
- 4 The Air Transport White Paper Progress Report published in December 2006 states that the White Paper committed the Government to ensuring that aviation reflects the full costs of its climate change emissions, and that will influence the amount of traffic growth that will occur. The Progress Report advises that the Stern Review recommended the same approach across the whole economy. The Progress Report stated "The Review thus supported the policy set out in the 2003 White Paper which stated that the price of air travel over time reflect its environmental and social impacts." As a result, the Progress Report states the Government's commitment to include aviation emissions in the EU emissions trading scheme as soon as practicable, but also "to consult on the development of a new emissions costs assessment to inform Ministers' decisions on major increases in aviation capacity. This assessment would consider whether the aviation industry is meeting its external climate change costs". There is also reference to schemes for air passengers to offset their personal carbon emissions arising from flights that they take and the doubling of air passenger duty that comes into effect from 1 February 2007.
- 5 The Government has acknowledged in the Progress Report that climate change is a critical issue and that the aviation sector needs to respond to the scale of the challenge. The Government acknowledges the need to take

urgent and effective action and, whilst its focus remains the inclusion of aviation emissions in the EU emissions trading scheme, it will in the short term work towards introducing the emissions cost assessment. Until the issue is properly addressed and the Government has put in place other economic instruments, no more major increases in capacity should be permitted.

- 6 It would appear that BAA's current proposals do constitute a major increase in aviation capacity. The Council has sought clarification from the Department for Transport as to how and when the proposed emissions costs assessment process will be made available to inform the Ministers' decision on this appeal and, in particular, the target date for release of the proposals for consultation. The DfT's response does not provide any significant new information other than to confirm that the consultation is still expected in the first half of 2007.

Economic Benefits

- 7 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.
- 8 The sub clause in Reason 9 Economic Benefits: "particularly in the light of the costing of economic consequences of climate change set out in the Stern Report" requires review, however, in the light of the new information in the White Paper Progress Report. The economic costs of climate change will be addressed through the Emissions Costs Assessment, the importance of which is stressed in the updating of the Climate Change reason.
- 9 The rest of the cost benefit issue remains as a conventional economic argument and includes points that are strong enough in themselves, independent of climate change costs, to warrant dismissal of the appeal. 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. It is not clear what additional economic benefit would arise specifically from the increased use of the runway that BAA is seeking, over that which already accrues with the airport approaching 25 mppa. The economic benefits have still not been demonstrated strongly enough for them to be so overriding as to outweigh all other factors including the clear environmental and social costs.

Planning condition - 35 mppa cap

- 10 BAA has sought to address concerns of some parties participating in the Inquiry that variation of the ATM limit and removal of the 25 mppa cap as sought would result in air passenger throughput exceeding 35 mppa. It is

standard practice at all public inquiries to agree conditions in the event that the appeal is allowed, without prejudice. The Council would clearly not want unlimited passenger numbers in this eventuality. It would therefore have had to submit to the inspector that, if he were minded to recommend that permission be granted, passenger numbers should be limited by condition. The submitted Environmental Statement does not address comprehensively the effects of any throughput other than 35mppa. Therefore, if there is to be a revised passenger limit, it would have to be 35 mppa. The concession made by BAA is entirely consistent with the application lodged. As BAA is proposing a condition, it does not require the agreement of the Council to offer this assurance to the Inquiry.