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Dear Supporter

Airport Planning Application

By the time you receive this letter it will have been fully two years since Manchester Airport Group ('MAG') first submitted proposals to Uttlesford District Council ('UDC') to expand Stansted beyond its currently permitted throughput of 35 million passengers per annum ('mppa'). MAG stated at that time that it expected to secure planning approval within 'three to four' months. The position today – two years on – is that MAG has still not secured approval.

You will recall that in November 2018 the UDC Planning Committee divided evenly (five v. five) on a resolution to approve the airport planning application for 43mppa. The end result was that conditional approval was granted on the basis of the Chairman's casting vote. However, the conditions attached to that approval **have still not been met** – despite protestations from MAG and UDC officers to the contrary.

Meanwhile, there has been a dramatic change in the political landscape at UDC. The previous administration, which had enthusiastically supported MAG's expansion plans, was ousted at the local elections on 2nd May and was replaced by the Residents Party who we expect will take a more balanced approach. Significantly, the five members of the Planning Committee who voted in favour of the airport planning application last November are no longer councillors, whereas the five who voted against were all re-elected and all now sit on the new Planning Committee.

There is considerable controversy within UDC – mainly between the Council's officers and the elected members – as to what should happen next. This largely revolves around two issues:

- 1) Whether the proposed Section 106 agreement (i.e. the mitigation commitments and community benefits which MAG is willing to provide in return for planning approval) satisfies all the conditions laid down in the November 2018 Planning Committee resolution.
- 2) Whether, since November 2018, there have been new material considerations or changes in circumstances of sufficient weight to tip the balance in relation to the original decision.

It is abundantly clear from any proper examination of the above two issues that: (1) the proposed S.106 agreement falls far short of what was specified and expected by the November Planning Committee resolution; and (2) a number of material developments have either occurred or emerged since last November which have a direct and significant bearing on the planning balance, including:

- **Misapprehensions:** It has emerged that the Chairman of the Planning Committee and at least one other Planning Committee member, both of whom voted in favour of approval in November 2018, had not realised that approving the application would result in between 25,000 and 47,000 additional flights per annum, compared to maintaining a 35mppa cap.
- **New WHO Guidelines:** The majority of the Planning Committee were totally unaware that updated WHO Noise Guidelines were published in October 2018, setting significantly lower thresholds for the avoidance of adverse health impacts from aircraft noise. Inexplicably, UDC officers failed even to alert the Planning Committee to the new WHO Guidelines.

Patron: Terry Waite CBE

Stop Stansted Expansion is a working group of the North West Essex and East Herts Preservation Association

- Green Paper: The determination of the Planning Application on 14 November 2018 was followed, five weeks later (17 December), by the publication of "Aviation 2050: The future of UK aviation" setting out a number of proposed new Government policies for tackling the adverse environmental impacts of aviation.
- Boeing 737 Max-8: The assessments of the noise and air quality impacts for the 43mppa Planning Application assumed that Ryanair (which accounts for 80% of Stansted's passengers) would replace the majority of its present fleet with "cleaner and quieter" Boeing 737 Max-8 aircraft by 2028. In the light of the ongoing problems with Boeing 737 Max-8, that assumption is now untenable.
- Heathrow third runway ('HR3'): Despite the Government's expectation that HR3 would be open by 2026, and repeated assurances from Heathrow Airport Ltd that it would meet that timetable, MAG assumed that HR3 would not open until 2030. Legal obstacles were cited by MAG as its main reason for projecting that later opening date and UDC officers accepted MAG's assumption. However, Heathrow Airport has now overcome all five of the legal challenges it was facing and has reaffirmed its commitment to a 2026 opening for HR3.
- Climate Change Committee ('CCC'): The CCC published a landmark report on 2 May 2019 recommending that the UK should amend its legislation to commit to net zero greenhouse gas emissions by 2050. This will require a major review of current Government policy on aviation carbon emissions and a coordinated approach to manage these nationally rather than allowing decisions about airport expansion to be taken by local planning authorities.

Logically, the correct approach now is for the application to be referred back to the (new) Planning Committee, which is the appropriate body to consider the above matters. The Planning Committee would be able to invite representations from MAG, SSE and others before making its decision.

The above matters are due to be discussed at an Extraordinary Council Meeting on Friday 28th June at the UDC Offices, Saffron Walden, starting 4.00pm, which is open to the public.

Legal update

SSE's two legal challenges continue to progress slowly but surely in the High Court. A 'Directions Hearing' is scheduled for 6th June where, hopefully, the Judge will agree to combine the two cases (one against Transport Secretary Chris Grayling and the other against Communities Secretary James Brokenshire) and set a date for a full hearing – which will probably require three days.

The earliest dates for a High Court hearing will be in September. There will however be no need for a hearing if the UDC Planning Committee, after reviewing the proposed S.106 Agreement and the new material considerations, decides that the balance has shifted and now supports a refusal decision rather than an approval decision. It is highly likely that MAG would appeal against a decision to refuse its application, in which case the Secretary of State would appoint a Planning Inspector to chair a Public Inquiry to consider the application and make recommendations.

SSE has argued from the outset that this airport planning application was too large and complex to be properly considered at local level by UDC. We would therefore unreservedly welcome the establishment of a Public Inquiry where we would be able to present our evidence and to cross-examine MAG on the dubious assertions and projections it has used in seeking to claim that its expansion proposals for Stansted Airport would have no significant environmental impacts.

Reminder – AGM

The 2019 NWEHHA AGM (incorporating SSE) will be held on **Wednesday 5th June** at the Silver Jubilee Hall, Brewers End, Takeley, CM22 6QJ at 8.00pm. All SSE members are welcome.

With many thanks for your ongoing support.

Yours sincerely

A handwritten signature in blue ink that reads "Peter Sanders". The signature is written in a cursive style with a large initial 'P'.

Peter Sanders, Chairman