Planning application UTT/18/0460/FUL
Applicant: Manchester Airports Group (MAG)

Submission to Uttlesford District Council by Stop Stansted Expansion

30 April 2018
Incorporating corrections 18 May 2018 (see insert)
CORRECTIONS – incorporated 18 May 2018*

Glossary
- Correct ANMAC to 'Aircraft Noise Management Advisory Committee'.
- ‘dB’ added to Glossary (with definition).
- Re-ordered alphabetically.
1.2.1, line 2
- Change 'Error! Reference source not found.' to 'para 1.1.8'.
2.4.6, line 3
- Footnote reference inserted after '55mppa'.
5.2.6
- Change final sentence to 'This has now been arranged for 11 June.'
6.11.2
- Delete final sentence (now redundant).
6.12.1 (1)
- First bullet point, final line: change 'Nov 2017' to 'Oct 2017'.
Table 8.2, row 6
- Insert Formatting corrected.
8.3.4, line 5
- Insert 'also' after 'Commission'.
9.5.8, lines 3 & 5
- Change 'LAMP2 FASI(2)' to 'LAMP2 FASI(S)' (two references).
9.5.19, line 4
- Formatting of footnote reference (123) corrected to superscript.
9.6.13, line 2
- Formatting of footnote reference (138) corrected to superscript.
9.9.4, Table
- Insert (Km²) after 'Area' in column 2 heading in Table 9.2.
9.9.5, Table
- As above and change numbering from 'Table 9.2' to 'Table 9.3'.
10.1.2, line 2
- Delete 'because of'.
10.3.11, line 1
- Change 'because' to 'that'.
10.3.39, final line
- Replace 'in 2018' with '(see para 13.2.2)'.
10.3.48, line 9
- Sentence redrafted to improve clarity (but no material change).
10.4.5, line 5
- Change 'multi-story' to 'multi-storey'.
10.7.6, Table
- Change 'Table 9' to 'Table 10.9' and change 'VPD' to 'vpd'.
11.2.13, line 5
- Change 'times of' to 'timetable for'.
12.1.6, line 2
- Change '776%' to '77%'.
12.1.6, line 5
- Change 'increase by' to 'be' and delete second use of 'by'.
12.3.5, line 3
- Change 'Authority' to 'Organisation'.
13.2.6, line 6
- Change '27 years later' to '27 years after the plans were first announced'.
Footnote 167
- Redrafted to improve clarity (but no material change).
13.2.17, first bullet
- Change third use of 'mean' to 'median' (i.e. penultimate word).
13.2.18, line 1
- Insert '(median)' after 'average'.
13.2.19, line 1
- Insert '(median)' after 'average'.
13.2.30, first bullet
- Line 5, change '.4' to '1.4'.
13.3.6, final line
- Change 'county' to 'country'.
Table 13.4
- Correct all totals to 100.0%.
13.5.1, line 5
- Change 'many' to 'several'.
Table 13.5
- Insert '(Median)' after 'Average' in table heading.
15.2.2, line 2
- Delete the word 'of' before 'potentially'.
15.2.5, line 2
- Change 'applicant' to 'Applicant'.
15.8.2, line 5
- Change 'pathogen' to 'pathogens'.
15.8.4, line 2
- Change 'tick born' to 'tick-borne'.
15.9.1, line 6
- Insert 'such' after 'infections'.
15.10.1, footnote
- Change footnote 243 reference from 'Appendix E' to 'Appendix F'.
16.1.5, final line
- Delete repetition of 'allow'.
Appendix A, p1
- Delete repetition of 'Carol Barbone' on CV header line.
Appendix A, p3
- Insert 'Advisory' after 'Management' in para 2 of Martin Peachey CV.
Appendix E
- Correct all totals in Table E1 to 100.0% and add note below both Table E1 and Table E2: 'Columns may not sum due 10 rounding.'
- Insert '(Median)' after 'Average' in Table E3 and Table E4 headings.

*Minor formatting/punctuation/grammar corrections of no materiality are not specifically listed above.
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## GLOSSARY OF TERMS AND ABBREVIATIONS

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
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<tbody>
<tr>
<td>2008 Act</td>
<td>Planning Act, 2008</td>
</tr>
<tr>
<td>AC</td>
<td>Airports Commission (also referred to as 'the Commission')</td>
</tr>
<tr>
<td>ACF</td>
<td>Airport Communities Forum</td>
</tr>
<tr>
<td>AEF</td>
<td>Aviation Environment Federation</td>
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<tr>
<td>AGA</td>
<td>Abellio Greater Anglia</td>
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<tr>
<td>ALP</td>
<td>Adopted Local Plan</td>
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<tr>
<td>AMP</td>
<td>Airport Master Plan</td>
</tr>
<tr>
<td>ANIS</td>
<td>Aircraft Noise Index Study</td>
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<tr>
<td>ANMAC</td>
<td>Aircraft Noise Management Advisory Committee</td>
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<td>ANPS</td>
<td>Airports National Policy Statement, 2018</td>
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<tr>
<td>APF</td>
<td>Aviation Policy Framework, 2013</td>
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<td>APU</td>
<td>Auxiliary Power Unit</td>
</tr>
<tr>
<td>AQ</td>
<td>Air Quality</td>
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<tr>
<td>AQMA</td>
<td>Air Quality Management Area</td>
</tr>
<tr>
<td>ATF</td>
<td>Airport Transport Forums</td>
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<tr>
<td>ATM</td>
<td>Air Transport Movement</td>
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<tr>
<td>ATWP</td>
<td>Air Transport White Paper, 2003</td>
</tr>
<tr>
<td>BAA</td>
<td>Owner of Stansted Airport prior to its sale to MAG in January 2013</td>
</tr>
<tr>
<td>Base Case</td>
<td>The out-turn that could be achieved with existing planning consents. Also referred to as the '35mppa Case' or the 'Do Minimum' scenario.</td>
</tr>
<tr>
<td>Baseline</td>
<td>The existing position for the environmental assessment – i.e. the starting point – generally 2016 but could be 2017 if more recent data available or 2015 if that is the most recent data available.</td>
</tr>
<tr>
<td>CAA</td>
<td>Civil Aviation Authority</td>
</tr>
<tr>
<td>CAGR</td>
<td>Compound Annual Growth Rate</td>
</tr>
<tr>
<td>CATM</td>
<td>Cargo Air Transport Movement</td>
</tr>
<tr>
<td>CCC</td>
<td>Committee on Climate Change</td>
</tr>
<tr>
<td>CDA</td>
<td>Continuous Descent Approach</td>
</tr>
<tr>
<td>CO₂</td>
<td>Carbon Dioxide</td>
</tr>
<tr>
<td>CORSIA</td>
<td>Carbon Offset and Reduction Scheme for International Emissions</td>
</tr>
<tr>
<td>CRF</td>
<td>Congestion Reference Flow</td>
</tr>
<tr>
<td>dBA</td>
<td>dB measured on an A-weighted scale. Designed to more nearly approximate to sounds as perceived by the human ear.</td>
</tr>
<tr>
<td>dBC</td>
<td>dB measured on a C-weighted scale. For louder and low frequency sounds, dBC correlates better than dBA to the human ear.</td>
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<tr>
<td>DCLG</td>
<td>Department for Communities &amp; Local Government – former name for the MHCLG (see below)</td>
</tr>
<tr>
<td>Defra</td>
<td>Department for the Environment, Food and Rural Affairs</td>
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<tr>
<td>Development Case</td>
<td>Projected out-turn if the planning application was approved. Also referred to as the 43mppa Case.</td>
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<tr>
<td>DfT</td>
<td>Department for Transport</td>
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<tr>
<td>EA</td>
<td>Environment Agency</td>
</tr>
<tr>
<td>EFT</td>
<td>Emissions Factor Toolkit (Defra tool for AQ modelling)</td>
</tr>
<tr>
<td>EHDC</td>
<td>East Herts District Council</td>
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<tr>
<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<tr>
<td>EIP</td>
<td>Examination in Public</td>
</tr>
<tr>
<td>EIR</td>
<td>Environmental Information Regulations</td>
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<tr>
<td>ELP</td>
<td>Emerging Local Plan</td>
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<tr>
<td>ES</td>
<td>Environmental Statement for the current airport planning application</td>
</tr>
<tr>
<td>ES1, ES2 etc</td>
<td>Volume 1, 2, 3 etc of the ES</td>
</tr>
</tbody>
</table>
ETS  Emissions Trading Scheme
FEGP  Fixed Electrical Ground Point
FoI  Freedom of Information (specifically in respect of the FoI Act, 2000)
FTE  Full Time Equivalent
G1  'Generation 1' – Stansted 2006 application for 35mppa
G2  'Generation 2' – Stansted 2008 application for 2nd runway (withdrawn)
GA  General Aviation – defined by the CAA as a commercial aircraft
movement other than an ATM.
GDP  Gross Domestic Product
GPL  Gardner Planning Ltd – Planning Consultants
GVA  Gross Value Added
HA  Highways Agency – which preceded HE (see below)
HE  Highways England
HIA  Health Impact Assessment
IA  Impact Assessment
ICAO  International Civil Aviation Organisation
ICF  Consultants employed by MAG to produce aviation forecasts
IPCC  Intergovernmental Panel on Climate Change
LA90  Background noise level measurement
LAMP  London Airspace Management Programme
LA_{eq}  A-weighted equivalent sound pressure level – a notional continuous level
that, over the defined time period (T) contains the same sound energy as
the actual fluctuating sound over the same time period (T)
LA_{MAX}  Maximum A-weighted sound pressure level of an aircraft noise event
LCA  Land Compensation Act, 1973
LDAY  The LA_{eq} for 0700 – 1900
LDEN  The LA_{eq} for 0000 – 2400 with the evening values weighted by the
addition of 5dB(A) and night values weighted by the addition of 10dB(A).
LEVENING  The LA_{eq} for 1900 – 2300
LEP  Local Enterprise Partnership
Leq  Equivalent sound level of aircraft noise in decibels
Leq_{16}  The Leq over the period 0700 to 2300
L_{NIGHT}  The LA_{eq} over the period 2300 – 0700
LOAEL  Lowest Observed Adverse Effect Level
LPA  Local Planning Authority (in this case UDC)
LSCC  London-Stansted-Cambridge-Consortium – a lobbying group for
economic development of an area which is broadly the M11 corridor
LTO  landing and take-off
M11 J8  Junction 8 of the M11
MAG  Manchester Airports Group
MHCLG  Ministry of Housing, Communities & Local Government (formerly DCLG)
mppa  million passenger movements per annum
Mt CO_{2}  million tonnes of carbon dioxide
NATS  National Air Traffic Services – responsible for air traffic control
NFR  Night Flying Restrictions
NNG  Night Noise Guideline
NNR  National Nature Reserve
NOEL  No Observed Effect Level
NO_{2}  nitrogen dioxide
NOx  nitrogen oxides
NPPF  National Planning Policy Framework (which replaced PPG notes)
NPS  National Policy Statement
NPSE  Noise Policy Statement for England, March 2010
NQP  Night Quota Period
NSIP  Nationally Significant Infrastructure Project
NWEEHPA  North West Essex and East Herts Preservation Association
OE  Oxford Economics
ONS  Office of National Statistics
ORR  Office of Road and Rail Regulation
PATM Passenger Air Transport Movement
PBN  Performance Based Navigation
PiXC Passengers in excess of capacity (a rail term)
PM$_{10}$ microscopic particles
PM$_{2.5}$ ultra-fine microscopic particles
PPA Planning Performance Agreement
PPG Planning Policy Guidance Note
PSR Passenger Survey Report (published each year by the CAA)
QC Quota Count
QoL Quality of Life
RAT Rapid Access Taxiway
RCEP Royal Commission on Environmental Pollution
RET Rapid Exit Taxiway
RF Radiative Forcing
SA Sustainability Appraisal
SDG Steer Davies Gleave (transport consultants)
SDP Sustainable Development Plan
SOAEL Significant Observed Adverse Effect Level
SOC Standard Occupational Classification
SoNA Survey of Noise Attitudes
SSE Stop Stansted Expansion
SSSI Site of Special Scientific Interest
STACC Stansted Airport Consultative Committee
STAL Stansted Airport Ltd, a subsidiary of MAG
STEX Stansted Express
TA Transport assessment
TEMPro DfT generic traffic model
TWG Topic Working Group (part of preparations for the G2 Inquiry)
UDC Uttlesford District Council
vpd Vehicles per day
WAML West Anglia Main Line
WHO World Health Organisation
1 Introduction

1.1 Context of this planning application

1.1.1 In 1985, Stansted Airport Ltd (‘STAL’), which was then a wholly-owned subsidiary of BAA, was given Government approval to grow to a capacity of 15 million passengers per annum (mppa).

1.1.2 In August 2001, STAL submitted a planning application for an additional 10mppa – i.e. for the cap to be raised to 25mppa. This was approved by Uttlesford District Council (‘UDC’) in May 2003.

1.1.3 In April 2006 STAL submitted a planning application, again for an additional 10mppa – i.e. for the cap to be raised to 35mppa. This was refused by UDC in November 2007 but then approved by the Secretary of State on appeal in October 2008.

1.1.4 In June 2017, STAL, by then a wholly-owned subsidiary of Manchester Airports Group (‘MAG’), submitted a request for a Scoping Opinion from UDC, accompanied by a Scoping Report, thus formally notifying UDC of its intention to seek planning permission for the passenger cap to be raised from 35mppa to “approximately” 44.5mppa. MAG also advised that it would seek an increase in its annual aircraft movements cap from 274,000 (overall) to 285,000, and seek approval for nine additional aircraft stands, an additional rapid access taxiway (‘RAT’) and an additional rapid exit taxiway (‘RET’).

1.1.5 In October 2017, MAG amended its proposal by removing the year 2029 from its projections (thus providing growth projections only until 2028) and thereby trimming the proposed new passenger cap from “approximately” 44.5mppa to 43mppa and trimming its proposed annual movements cap from 285,000 to 274,000. However, the additional aircraft stands and taxiways were to remain as originally proposed.

1.1.6 In February 2018, MAG duly submitted its planning application, reference number UTT/18/0460/FUL, for the construction of an additional RAT, an additional RET and nine additional aircraft stands, and for an uplift in the passenger cap from 35mppa to 43mppa. The application also asks for a unified cap on annual aircraft movements of 274,000 compared to the present separate annual caps of 243,500 passenger air transport movements (‘PATMs’), 20,500 cargo air transport movements (‘CATMs’) and 10,000 ‘Other’ aircraft movements, giving a total of 274,000 annual movements.

1.1.7 In 2017 Stansted handled 25.9mppa and a total of 189,921 aircraft movements. Thus, if the application were to be approved there would be a 66% increase in passengers and a 44% increase in aircraft movements compared to 2017.

1.1.8 A Planning Statement, an Environmental Statement (‘ES’), a Statement of Community Involvement and a Health Impact Assessment (‘HIA’) were submitted alongside the planning application. A Transport Assessment (‘TA’) was provided as part of the ES.

1.2 Format of this submission

1.2.1 This submission, which is based on detailed examination of the documents referred to in para 1.1.8 above, as well as our own research and analysis, has been prepared by Stop Stansted Expansion (‘SSE’), a group representing local community interests, which comprises some 7,500 members and registered supporters, over 150 special interest...
and environmental organisations, parish and town councils and other community groups. SSE also has widespread support from elected local authority representatives across Essex, Hertfordshire, Cambridgeshire and Suffolk.

1.2.2 Before examining the environmental, health and socio-economic impacts of the proposed development – all of which are dealt with in later chapters – this submission addresses a number of fundamental overarching issues namely:

- The appropriate procedure for determination (Chapter 2)
- The inadequacies of the ES (Chapter 3)
- Prematurity (Chapter 4)
- Concerns about UDC competence and impartiality (Chapter 5)

1.2.3 This planning application is for a proposed development which meets the definition of a Nationally Significant Infrastructure Project (‘NSIP’) under section 23(5) of the Planning Act 2008 (‘the 2008 Act’) and it therefore falls to be determined by the Secretary of State, and not by the Local Planning Authority (‘LPA’), UDC. We deal with this issue in considerable detail in Chapter 2 and we reserve all our legal rights in this regard.

1.2.4 However, we have to deal with matters as they currently stand and we are faced with a situation whereby UDC is intent upon determining this planning application. Moreover, there have been repeated indications that UDC is intent also upon approving this planning application.

1.2.5 Notwithstanding the above, this submission sets out clear reasons for this planning application to be refused, with reference to national and local planning policies, as well as evidence of the likely environmental and other impacts of the proposal. We also identify key areas where the ES is not fit for purpose.

1.2.6 We have not commented on every topic in the ES because of the need to prioritise our resources given the limitations of time. We may however wish to make further submissions in due course.

1.3 Statement of Competence

1.3.1 This submission has been prepared by the SSE Response Team with support from external consultants in key areas. The Response Team has been established since 2002 and comprises individuals with particular expertise in the relevant topics. A brief summary of their qualifications and experience is provided in Appendix A, which also includes a summary of the qualifications and experience of the external consultants.
2 Procedure for Determination

2.1 The statutory position

2.1.1 Planning application UTT/18/0460/FUL relates to a proposed development which unquestionably amounts to a NSIP as defined in para 1.2.3 above. It therefore properly falls to be considered by an examining authority appointed by the Planning Inspectorate on behalf of the Secretary of State, rather than determined by UDC.

2.1.2 In addition to the above, the Secretary of State has other routes available to ensure that the determination is carried out at the correct level, including:

- He can direct that the application be treated as one for which development consent is needed under section 35 of the 2008 Act on the basis that he thinks it is of national significance, either by itself or when considered with one or more projects (or proposed projects) in the same field;
- He can direct that the application is referred to him under section 76A of the Town and Country Planning Act 1990 (‘the 1990 Act’) if he thinks that the development to which the application relates is of either national or regional importance; and
- He can call the application in under section 77 of the 1990 Act in accordance with the ‘Caborn principles’, as explained in para 2.8.1 below.

2.2 The 2008 Act

2.2.1 Sections 14 and 23 of the 2008 Act provide as follows in their relevant parts:

“14. Nationally significant infrastructure projects: general
(1) In this Act “nationally significant infrastructure project” means a project which consists of any of the following—

(i) airport-related development;

(2) Subsection (1) is subject to sections 15 to 30.”

“23. Airports
(1) Airport-related development is within section 14(1)(i) only if the development is—
(a) the construction of an airport in a case within subsection (2),[1]
(b) the alteration of an airport in a case within subsection (4), or
(c) an increase in the permitted use of an airport in a case within subsection (7).

(4) Alteration of an airport is within this subsection only if—
(a) the airport is in England or in English waters, and
(b) the alteration is expected to have the effect specified in subsection (5)

(5) The effect is—

[1] Sub-section 2 is irrelevant to this application.
(a) to increase by at least 10 million per year the number of passengers for whom the airport is capable of providing air passenger transport services, or
(b) to increase by at least 10,000 per year the number of air transport movements of cargo aircraft for which the airport is capable of providing air cargo transport services. [our emphasis]

(6) “Alteration”, in relation to an airport, includes the construction, extension or alteration of—
(a) a runway at the airport,
...
(7) An increase in the permitted use of an airport is within this subsection only if—
(a) the airport is in England or in English waters, and
(b) the increase is within subsection (8).

(8) An increase is within this subsection if—
(a) it is an increase of at least 10 million per year in the number of passengers for whom the airport is permitted to provide air passenger transport services, or
(b) it is an increase of at least 10,000 per year in the number of air transport movements of cargo aircraft for which the airport is permitted to provide air cargo transport services.”

2.2.2 It follows from the above that any alteration to an airport runway in England which has the effect of increasing the capacity of that airport by either 10mppa or 10,000 CATMs per annum is a nationally significant infrastructure project by virtue of sections 14 and 23(4) to 23(6) of the 2008 Act.

2.2.3 In addition, section 35 of the 2008 Act provides as follows:

“35. Directions in relation to projects of national significance
(1) This section applies if—
...
(d) the Secretary of State thinks that the project is of national significance, either by itself or when considered with one or more other projects or proposed projects in the same field.
...
(4) The Secretary of State may direct—
(a) the application to be treated as an application for an order granting development consent
...
(7) If the Secretary of State is considering whether to give a direction under subsection (4), the Secretary of State may direct the relevant authority to take no further action in relation to the application until the Secretary of State has decided whether to give the direction....”

2.2.4 Accordingly, the Secretary of State may direct any application for development at an airport to be treated as an application for development order consent under the 2008 Act if the Secretary of State thinks that the project is of national significance, either by itself
or when considered with other aviation projects or proposed projects. Further, the Secretary of State can direct a LPA to take no action on an application pending the Secretary of State’s decision on that matter.

2.3 The 1990 Act

2.3.1 Section 76A of the 1990 Act provides as follows:

“76A. Major infrastructure projects
(1) This section applies to—
(a) an application for planning permission;
(b) an application for the approval of a local planning authority required under a development order, if the Secretary of State thinks that the development to which the application relates is of national or regional importance.
(2) The Secretary of State may direct that the application must be referred to him instead of being dealt with by the local planning authority.”

2.3.2 The Secretary of State is thus empowered to direct an application to be referred to him if he thinks that the development to which it relates is of either national or regional importance.

2.3.3 Finally, section 77 of the 1990 Act provides as follows:

“77. Reference of applications to Secretary of State.
(1) The Secretary of State may give directions requiring applications for planning permission… to be referred to him instead of being dealt with by local planning authorities.”

2.3.4 The Caborn principles make it clear that the cases which are apt to be called in under this section include those which, in the Secretary of State’s opinion, may conflict with national policies on important matters; may have significant long-term impact on economic growth; could have significant effects beyond the immediate locality; or could give rise to substantial cross-boundary or national controversy.

2.4 The potential capacity of the proposed development

2.4.1 The original MAG proposal as set out in the Scoping Report in June 2017 was for an increase in the annual passenger cap from 35mppa to “approximately” 44.5mppa, an increase in the overall annual aircraft movements cap from 274,000 to 285,000, an additional RAT, an additional RET and nine new aircraft stands.

2.4.2 That original proposal was amended in October 2017 to an increase in annual passenger numbers to 43mppa. There was now to be no increase in annual aircraft movements but there would be a unified cap, rather than separate caps as under the current permission. A unified cap would mean no restriction on any component part (PATMs, CATMs and ‘Other’) other than the total cap of 274,000 per annum.

2.4.3 The new airport infrastructure proposed in the planning application would make the Stansted runway infrastructure comparable to the Gatwick runway, which is already
capable of handling 55 aircraft movements per hour, giving a theoretical capacity of 351,300 aircraft movements per annum, excluding night movements.\(^2\)

2.4.4 In practice, the maximum number of aircraft movements that a runway can currently handle is between 80% and 90% of its theoretical capacity, depending largely on seasonality.\(^3\) This equates to between 281,000 and 316,000 movements, excluding night movements, in the case of Stansted and Gatwick. Stansted has permission for 13,700 night movements per annum and Gatwick has permission for 14,450 night movements per annum. In total, therefore, both airports could each handle at least 295,000 aircraft movements per annum.

2.4.5 Further, the capacity of any given airport will generally increase every year – both in terms of aircraft movements and passengers – as technology improvements enable more hourly runway movements whilst larger aircraft and higher load factors increase the number of passengers per PATM. The average number of passengers per PATM has grown by about 2% p.a. over the past ten years at Stansted, from 131 in 2007 to 161 in 2017. This compares to a 2017 figure of 159 at Gatwick.\(^4\)

2.4.6 By way of comparison, Gatwick handled 286,000 movements and 45.6mppa in 2017 and the Government projects that Gatwick will ultimately be able to handle up to 300,000 ATMs and 55mppa\(^5\) – an average of 183 passengers per aircraft.

2.4.7 The significance of all this is that the new runway infrastructure for which permission is being sought would enable Stansted to handle considerably more than the 274,000 aircraft movements specified in the application, and also considerably more than the specified 43mppa. Indeed, it is worth noting the original passenger and aircraft movement forecasts submitted by MAG in its June 2017 Scoping Report:

<table>
<thead>
<tr>
<th>Annual Passengers and Aircraft Movements '000</th>
<th>2016</th>
<th>2023</th>
<th>2024</th>
<th>2028</th>
<th>2029</th>
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<tbody>
<tr>
<td>Passengers</td>
<td>24,300</td>
<td>35,200</td>
<td>37,000</td>
<td>43,000</td>
<td>44,500</td>
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<tr>
<td>Movements</td>
<td>181</td>
<td>246</td>
<td>255</td>
<td>284</td>
<td>285</td>
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</table>

Source: Scoping Report, June 2017, Tables 2.3 and 2.4.

2.4.8 Importantly, in amending its proposal in October 2017 to 43mppa and 274,000 movements, MAG did NOT amend the proposed additional infrastructure. There can therefore be no doubt that, with another RET, another RAT and nine more aircraft stands, Stansted would be capable of handling at least 285,000 aircraft movements p.a. It would also comfortably be capable of handling 45mppa or more.

2.4.9 In addition, it will have been noted that no cap is proposed for CATMs. However, if the application were to be approved, there would clearly be enough capacity at Stansted to

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\(^2\) 55 x 17.5 hours x 365 days.

\(^3\) Stansted is less seasonal than Gatwick with a monthly peak to average movements ratio of 1.1 compared to 1.2 at Gatwick (see https://www.caa.co.uk/Data-and-analysis/UK-aviation-market/Airports/Datasets/UK-airport-data/CAA). Stansted should therefore be able to achieve higher annual runway utilisation than Gatwick. It also carries more passengers per PATM than Gatwick – see para 2.4.5.


\(^5\) 'UK Aviation Forecasts', DIT, Oct 2017, Table 32 and Table 66.
enable an additional 10,000 annual CATMs to be accommodated, over and above the present cap of 20,500 CATMs per annum.

2.4.10 It is also to be noted that whilst the amendment which MAG announced last October was presented as a trimming back of its plans in the light of feedback from the local community, it is clear that (comparing Table 2.1 above to Table 2.2 below) the so-called reduction from 44.5mppa to 43mppa has been achieved simply by removing the 2029 forecast and only projecting to 2028. Thus, as if by magic, the application now seeks permission for 43mppa rather than “approximately” 44.5mppa.

Table 2.2: MAG’s revised forecasts – October 2017

<table>
<thead>
<tr>
<th>Annual Passengers ’000</th>
<th>2016</th>
<th>2023</th>
<th>2024</th>
<th>2027</th>
<th>2028</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>24,300</td>
<td>36,370</td>
<td>38,100</td>
<td>42,600</td>
<td>43,000</td>
</tr>
</tbody>
</table>

Source: MAG Forecast for Stansted Airport, as amended, October 2017.

2.4.11 It might reasonably be asked: What now happens in 2029 or 2030? The answer is suggested in MAG’s Sustainable Development Plan (‘SDP’) for Stansted, published in 2015. This considered the development of Stansted to 2030 and was based on a projected throughput of up to 45mppa.

2.4.12 It is also to be noted that:

- Until the current planning application, Stansted Airport’s standard practice was to use round numbers in its planning applications and forecasts.
- Long term forecast intervals of five years or ten years (2025, 2030, 2040, 2050 etc.) are also the standard practice for the Department for Transport (‘DfT’).
- The Airports Commission followed the same convention.
- The last major Stansted Airport planning application (the 2008 ‘G2’ application) provided aircraft movement and mppa projections to 2030.

2.4.13 In addition, whereas the current MAG application is for an 8mppa increase in the passenger cap (having originally been for a c.9.5mppa increase), each of the last two completed planning applications to increase the capacity of Stansted Airport has applied for permission for an additional 10mppa:

i. The 2001 application to increase the cap from 15mppa to 25mppa; and
ii. The 2006 application to increase the cap from 25mppa to 35mppa.

2.4.14 The MAG projections in this planning application, originally “approximately” 44.5mppa for 2029 and subsequently revised to 43mppa for 2028 look very odd in comparison to past practice. They are clearly the contrived result of STAL attempting to avoid the thresholds for a NSIP set out in section 23 of the 2008 Act. However, for the reasons given in sections 2.1 to 2.3 above and 2.5 below, that attempt has failed.

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6 Attempts to describe this as an application for “about 35mppa” were quashed prior to the start of the G1 Inquiry.
2.5 Reasons why this planning application must be dealt with as a NSIP

2.5.1 MAG has gone to considerable lengths to try to avoid this planning application being dealt with as a NSIP but has failed to achieve that for the following two reasons:

Reason One

- Section 23(5) of the 2008 Act makes it clear that where any alteration to a runway is proposed (including alterations through the provision of an additional RET and RAT and additional aircraft stands), the relevant thresholds relate to the potential capacity of the proposed development – i.e. the number of passengers or CATMs the airport becomes capable of servicing – not the increase actually proposed at that particular time.
- For the reasons given in Section 2.4 above, the runway alterations for which this application has been made would increase Stansted’s capacity considerably beyond both statutory thresholds.
- On this ground alone, the proposed development plainly meets the criteria of a NSIP under sections 14 and 23(5) of the 2008 Act.

UDC has plainly erred in law in considering otherwise. It has failed to appreciate that section 23(1) creates three separate categories of aviation NSIP, and has ignored (ii) below, and looked only at (iii):

i. The construction of an airport, which is irrelevant to this application

ii. The alteration of an airport, which is critical to this application and is substantively dealt with in subsections (4) to (6), which make it clear that the determinative consideration is the increased capacity which results from the alteration; and

iii. Any actual increase in the permitted use, which is substantively dealt with in subsections (7) and (8).

Reason Two

- If the application were to be approved there would clearly be enough capacity at Stansted to enable an additional 10,000 annual CATMs to be accommodated over and above the present cap of 20,500 CATMs per annum. In the absence of any proposed cap, the application therefore also falls within the criteria of a NSIP under section 23(8) of the 2008 Act, through breaching the threshold set out in subsection (8)(b).

2.5.2 For the above reasons, planning application UTT/18/0460/FUL should be dealt with as a NSIP under sections 14, 23(5) and 23(8)(b) of the 2008 Act.

2.6 Section 35 of the 2008 Act

2.6.1 Whilst MAG has distorted the application so that it proposes an increase in passenger throughput just below the 10mppa threshold, that must be seen in the context of a proposed project to increase passenger movements beyond 43mppa by 2030 – as per the SDP for Stansted published by MAG in 2015. In other words, MAG is attempting to circumvent the passenger movement threshold set down in section 23(8) of the 2008 Act by crossing the river in two jumps.
2.6.2 However, that device plainly engages section 35 of the 2008 Act in that the present application has to be seen alongside the post-2028 “proposed project” through which, in combination, the 10mppa increase in passenger movements would be exceeded. Accordingly, it is clear that this application should not be determined by UDC because any reasonable Secretary of State, properly interpreting the 2008 Act and acting in fidelity to its statutory purpose, would be compelled to make a direction under section 35 of the 2008 Act.

2.6.3 The current proposal also has to be seen in the context of:

- The ‘Call for Evidence’ by the DfT in July 2017, as a precursor to a new Aviation White Paper to be published in early 2019 to replace the Government’s 2013 Aviation Policy Framework (‘APF’).
- The draft Airports National Policy Statement (‘ANPS’), first published in February 2017 for public consultation and subsequently revised in October 2017. The Government intends to seek Parliamentary approval for the ANPS in the summer of 2018, its main focus will be a third Heathrow runway but it will also have policy implications for new runway capacity at other airports in the South East of England.
- The UK aviation forecasts and CO₂ emissions projections to 2050, published by the DfT in October 2017 to inform future aviation policy.

2.6.4 Interrelations between all of these proposals is considered in greater detail below. Suffice it to say at this stage, however, that:

- The mere fact that the Government is preparing an ANPS demonstrates that all aviation proposals to significantly increase the capacity of a major airport have national significance, potentially impacting upon the overall strategy for aviation; and
- The current planning application is plainly premature at this stage, coming in advance of the final ANPS and the new aviation White Paper. We deal with the issue of prematurity more fully in Chapter 4.

2.7 Section 76a of the 1990 Act

2.7.1 As noted in paras 2.1.2 and 2.3.1 above, the Secretary of State is empowered to direct a planning application be referred to him if he thinks that the development is of national or regional importance. For the reasons set out above, any reasonable Secretary of State would consider this application to be of national importance, and all the more so regional importance. Indeed, even the Applicant states that the proposal is of both national and regional importance. That is made absolutely clear in the MAG/STAL press release of 22 February 2018 announcing the planning application, in which the following comments were made:

- “Businesses across the UK and in the vibrant East of England to benefit”
- “The application seeks permission to make best use of the airport’s existing single runway over the next decade, a move which will deliver significant economic benefits to the UK and the vibrant East of England region, create 5,000 new on-site jobs, improve passenger choice and
convenience and boost international long-haul routes to fast-growing markets like China, India and the US. The application will also ease pressure on the London airport system by unlocking additional capacity at a time when other airports are full."

- "It is vital for the region that Stansted is able to build on its momentum and the long-term proposals that we have outlined today will enable us to do this …"
- "Stansted’s potential and spare capacity remains untapped so it’s vital to make best and efficient use of the existing infrastructure to provide more growth opportunities and greater value for consumers at a time when runway capacity is more constrained in the south-east of England, and in light of the challenges Brexit may bring"

2.7.2 In describing the nature of its planning application, as above, the Applicant is quite clearly emphasising its national and regional significance. The application must therefore fall to be tested at a level of decision-making appropriate to projects of national and regional significance under either the 2008 Act or section 76A of the 1990 Act. The same applies to the impacts of the proposal which go far beyond UDC’s administrative boundaries as outlined below.

**Strategic Economic Importance**

2.7.3 Section 78 of the Civil Aviation Act 1982 grants the Secretary of State the power to set night flight quotas for three designated airports, namely Stansted, Heathrow and Gatwick. At all other UK airports, the night flying arrangements are a matter for the LPA. The designation of an airport by the Secretary of State is evidence of its wider importance to the national economy.

**Employment**

2.7.4 The most recent Stansted Airport Employment Survey\(^8\) shows that just 18% of the airport’s employees are residents of Uttlesford; 30% are residents of other parts of Essex; 26% are residents of Hertfordshire; 7% are residents of North & East London; 3% are residents of Cambridgeshire and the remaining 16% are from further afield. This application therefore has employment implications which go far beyond Uttlesford – a point which is underlined by MAG’s claim that Stansted Airport is the biggest single site employer in the East of England region. As a further indication of the ‘disconnect’ between UDC and Stansted Airport, just 4.3% of the economically active population of Uttlesford are employed at Stansted Airport.\(^9\)

**Environmental Impacts**

2.7.5 The environmental impacts of Stansted Airport also extend far beyond the borders of Uttlesford. SSE’s membership base bears testimony to that, with significant numbers of members not only in Essex but also in Hertfordshire, Cambridgeshire and Suffolk. Analysis of Stansted's aircraft noise complaints also indicates a wide geographical spread of noise impacts across Essex, North and East Hertfordshire, South Cambridgeshire and large parts of Suffolk. Similarly, the road traffic impacts of Stansted Airport extend far beyond the borders of Uttlesford.

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\(^7\) *Beyond the horizon: Next steps towards an aviation strategy*, DfT, Apr 2018, para 6.7.

\(^8\) ES1, Table 11.1.

\(^9\) Labour Market Statistics for Uttlesford District for the 12 months to 30 September 2017, NOMIS.
Customer Base

2.7.6 Analysis of Stansted Airport passenger origins and destinations from the most recently available CAA passenger survey report\(^\text{10}\) shows the following breakdown:

<table>
<thead>
<tr>
<th>Region</th>
<th>Share of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Midlands</td>
<td>3.4%</td>
</tr>
<tr>
<td>East of England</td>
<td>29.1%</td>
</tr>
<tr>
<td>London &amp; South East</td>
<td>60.6%</td>
</tr>
<tr>
<td>North East</td>
<td>0.3%</td>
</tr>
<tr>
<td>North West</td>
<td>0.5%</td>
</tr>
<tr>
<td>Scotland</td>
<td>0.2%</td>
</tr>
<tr>
<td>South West</td>
<td>2.3%</td>
</tr>
<tr>
<td>Wales</td>
<td>0.6%</td>
</tr>
<tr>
<td>West Midlands</td>
<td>1.7%</td>
</tr>
<tr>
<td>Yorkshire &amp; Humberside</td>
<td>1.2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Source: Origin/destination of Stansted Passengers, 2016 CAA Survey Report

2.7.7 Accordingly, the development to which this planning application relates has far wider relevance than just the District of Uttlesford. Indeed, UDC itself defines this planning application as a "strategic major application" which meets the criteria approved by the Council on 30 March 2017\(^\text{11}\), allowing for a Planning Performance Agreement (‘PPA’) to be entered into with the Applicant.

2.7.8 In those circumstances, and again properly interpreting the 1990 Act and acting in fidelity to its statutory purpose, this application should not be dealt with by UDC. It should be dealt with by the Secretary of State under section 76A of the 1990 Act unless action had already been taken under the 2008 Act.

2.8 Section 77 of the 1990 Act

2.8.1 As further noted in paras 2.1.2 and 2.3.3, section 77 of the 1990 Act affords the Secretary of State the power to call-in any application pursuant to the Caborn principles. Those principles are plainly engaged by this application for all of the above reasons. The Caborn principles are also engaged where a planning application:

- may conflict with national policies on important matters;
- may have significant long-term impact on economic growth;
- could have significant effects across a wider area than a single local authority, and beyond the immediate locality also; or
- may give rise to substantial cross-boundary or national controversy.

2.8.2 Accordingly, properly interpreting the 1990 Act and acting in fidelity to its statutory purpose, this application should not be dealt with by UDC. It should be dealt with by the Secretary of State under section 77 of the 1990 Act unless action has already been taken under either the 2008 Act or section 76A of the 1990 Act.


\(^{11}\) [http://uttlesford.moderngov.co.uk/Data/Cabinet/201705251900/Agenda/Document%206.pdf](http://uttlesford.moderngov.co.uk/Data/Cabinet/201705251900/Agenda/Document%206.pdf)
3 The Inadequacies of the Environmental Statement

3.1 Background

3.1.1 On 1 June 2017 MAG provided a Scoping Report to UDC and UDC responded to this by providing MAG with its formal Scoping Opinion on 22 December 2017.

3.1.2 In order to assist UDC in the preparation of its Scoping Opinion, SSE carried out a detailed review of MAG’s Scoping Report and, on 14 July 2017, provided UDC with a 25-page submission listing 109 items which SSE considered should be addressed in the Environmental Impact Assessment (‘EIA’) and where it was not clear that MAG intended to address these items. SSE’s July 2017 submission to UDC commenting on the MAG Scoping Report is available on the SSE website at: http://stopstanstedexpansion.com/documents/Scoping_response_by_SSE_to_UDC.pdf.

3.1.3 The UDC Scoping Opinion incorporates some of SSE’s points but this makes little difference because MAG has largely ignored UDC’s Scoping Opinion. The result is that the Environmental Statement (‘ES’) is inadequate in many respects, including some which make it impossible for significant environmental impacts to be adequately assessed.

3.1.4 UDC must now seek to remedy the shortcomings in the ES by using the provisions available to a LPA under section 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as follows:

“If a relevant planning authority… [is] of the opinion that, in order to satisfy the requirements of regulation 18(2) and (3), it is necessary for the statement to be supplemented with additional information which is directly relevant to reaching a reasoned conclusion on the likely significant effects of the development … the relevant planning authority … must notify the applicant or appellant in writing accordingly, and the applicant or appellant must provide that additional information; and such information provided by the applicant or appellant is referred to in these Regulations as “further information”.”

3.1.5 This SSE submission identifies the topic-specific inadequacies of the ES in the relevant topic-based chapters of this submission, i.e. noise, surface access etc. There are however two fundamental flaws in the ES which we deal with below because they are of an overarching nature and have a bearing on multiple topics, namely:

- The planning horizon – i.e. only until 2028;

and

- The assessment of cumulative impacts.

3.2 The planning horizon

3.2.1 The ES is based on a planning horizon of just ten years, until 2028. As referred to in para 1.1.5 above MAG originally provided projections to 2029 but then revised its sights downwards from “approximately” 44.5mppa to 43mppa by cutting short its projection from 2029 to 2028.
3.2.2 The last major Stansted Airport planning application, the 2008 G2 application, provided an ES which assessed environmental impacts to 2030, i.e. 22 years ahead. The G2 proposal – which was subsequently withdrawn – did of course involve a greater scale of development compared to the current proposal and so it could be argued that a 22-year assessment period is excessive. Perhaps so, but the current proposal would, if approved, have significant adverse impacts in a number of areas, and an assessment period of just ten years is inadequate.

3.2.3 Cumulative road traffic impacts are a particularly important consideration in relation to this planning application and the DfT Circular 02/2013 states as follows:

“The overall forecast demand should be compared to the ability of the existing network to accommodate traffic over a period up to ten years after the date of registration of a planning application or the end of the relevant Local Plan whichever is the greater”.

3.2.4 The relevant Local Plan for the purposes of this planning application is the Regulation 18 Uttlesford Local Plan (2017) which is for the period to 2033, subsequently referred to in this submission as the Emerging Local Plan (‘ELP’). In its December 2017 Scoping Opinion, UDC advised MAG that the ELP was to be treated as a material planning consideration.

3.2.5 The Government’s planning horizon for airport development has typically been 15-30 years. For example, the 2003 Air Transport White Paper (‘ATWP’) set down airport development policy to 2030, as did the 2006 ATWP Progress Report (‘ATPR’), where the 30 largest UK airports were asked to publish master plans to 2030.

3.2.6 MAG published a Sustainable Development Plan (‘SDP’) for Stansted in March 2015 which outlined the development plan for the airport through to 2030. At the time MAG was careful not to describe the SDP as a master plan but MAG now accepts that it is:

“In 2015, MAG published its long-term masterplan for Stansted in line with Government Guidance. The 2015 SDP is a comprehensive summary of the vision and objectives for Stansted and the consequential effects of growth up to the capacity of the single runway.”

3.2.7 The 2013 Aviation Policy Framework (‘APF’), which described the purposes of airport master plans as follows:

“They do not have a statutory basis, but the primary objective of master plans is to provide a clear statement of intent on the part of an airport operator to enable future development of the airport to be given due consideration in local planning processes. They also provide transparency and aid long-term planning for other businesses.”

3.2.8 The Stansted SDP is not an adopted UDC planning policy but UDC considers that it could become a material planning consideration. For that reason, in its December 2017 Scoping Opinion, UDC notified MAG as follows:

“UDC requires there to be consistency between the SDP and the Environmental Impact Assessment.”

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14 ES1, para 2.62
This implies that the ES should cover the period to 2030 (at least) and, as referred to in para 3.2.3 above, the TA should cover the period to 2033.

3.2.9 UK aviation forecasts are produced periodically by the DfT to inform future policy. The most recent forecasts, published in October 2017, provide air traffic projections to 2050. This is partly because the forecasts also provide projections for aviation CO₂ emissions and there is a need to ensure consistency between aviation policy and climate change policy, especially where there are targets and milestones to be achieved. The Government is bound by a legal commitment to cut UK carbon emissions by 80% by 2050, compared to a 1990 baseline.

3.2.10 Long term forecasts are also essential for surface access infrastructure planning. The Rail Investment Strategy for the UK and now also the Road Investment Strategy for England are both delivered in five-yearly work programmes. The schemes to be included in the work programmes are decided in the previous five years, whereas research, evaluation of options and prioritisation typically take place at an even earlier stage, especially for rail infrastructure. In the case of major airport expansion, the forward planning for surface access infrastructure therefore needs to begin many years before any significant increase in passenger throughput.

3.2.11 For the reasons set out in paras 3.2.1 to 3.2.10 above, the ES should cover the period to 2030 as a minimum. However, as explained in section 3.3 below, a planning horizon of 2030 is inadequate: the ES needs to cover the period until at least 2033.

3.3 The assessment of cumulative impacts

3.3.1 The planning horizon for the Uttlesford, East Herts and most other local development plans is 2033. The ES therefore needs to provide an assessment of impacts through to 2033 so that the impacts of the proposed development of Stansted Airport can be considered alongside the impacts associated with the implementation of the Uttlesford Local Plan and other local plans in the surrounding area.

3.3.2 The UDC Scoping Opinion not only notified MAG that the EIA must treat the ELP as a material planning consideration but also, in relation to other Local Plans, it stated:

"With regards to Local Planning Policy and Guidance, it is considered that the proposed list [in MAG's Scoping Report] is too restrictive. Given the nature of the envisaged development and the potential wide area of potential likely significant effects, it is considered that due consideration should be given to the following Local Authority areas and their adopted and/or emerging Local Plans:  

- Epping Forest District Council
- Harlow Council
- Braintree District Council
- Chelmsford City Council
- East Hertfordshire District Council
- South Cambridgeshire District Council
- Hertfordshire County Council
- Cambridgeshire County Council
- Cambridge City Council
- the Cambridgeshire Combined Authority's emerging spatial planning work."

3.3.3 In making this request, UDC was no doubt very mindful of the large number of new houses planned for the local area in the period to 2033. However, we can find no real evidence that MAG has taken any cognisance of UDC’s Scoping Opinion in this important regard.

3.3.4 In a similar vein, Highways England (‘HE’) asked for the Transport Assessment (TA) to assess cumulative impacts to 2033, to coincide with the Local Plan period:

“The Uttlesford Emerging Local Plan period ends in 2033 and therefore AECOM [consultants for HE] recommend that an additional review period assessment should be based on the year 2033 to gain an understanding of the airport passenger increase impact including the cumulative impacts of the surrounding developments identified within the plan period.” 17

3.3.5 MAG’s consultants responded by saying that all peak hour assessments would include analysis to 2033 but this does not address the point that was being made about cumulative impacts. The TA – and the ES generally – assess specific housing impacts only in respect of those houses within Uttlesford alone for which planning approval has already been granted or where there has been a resolution to grant planning permission. The TA otherwise relies on the generic TEMPro traffic model to predict future traffic growth on local roads. This is a wholly inadequate approach in view of the scale of housing proposed for the local area in the period to 2033, not only in Uttlesford but also in East Herts, Braintree, Harlow and Epping Forest Districts. Cumulative road traffic impacts are therefore significantly understated in the TA.

3.3.6 If road traffic impacts are understated then so too are air quality impacts. Moreover, the failure to take account of the large number of new houses planned for the local area in the period to 2033 will have knock-on effects on other aspects of the assessment of cumulative impacts, for example, in relation to the demand for potable water.

3.4 Closing remarks

3.4.1 We have confined ourselves in this chapter to dealing with just two aspects of the ES, namely, the short planning horizon and the cursory assessment of cumulative impacts. Taken together, these two fundamental shortcomings will have resulted in a significant underestimation of the environmental impacts to the extent that the ES, as it presently stands, is not fit for purpose.

3.4.2 The proposed development of Stansted Airport to 43mppa by 2028 (and potentially more by 2033) has to be considered alongside the impacts associated with the implementation of the Uttlesford Local Plan and other Local Plans in the surrounding area, particularly in view of the scale of new housebuilding planned in Uttlesford, East Herts, Braintree, Harlow and Epping Forest Districts between now and 2033.

3.4.3 The most obvious consequence of this is an understatement of road traffic impacts but this is not the only concern. Other consequences are identified in the later topic-specific chapters of this submission, and so also are other shortcomings in the ES.

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17 ES3, Appendix B, p11.
4 Prematurity

4.1 Planning context

4.1.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that the

"Determination [of planning applications] must be made in accordance with the [development] plan unless material considerations indicate otherwise."

4.1.2 MAG is seeking to have this application determined at a time when the UDC Local Plan to 2033 is in a state of flux and the Government is in the midst of a consultation on the future policy for the development of UK airports and aviation strategy. In short, two of the main pillars for determining this application – the local development plan and Government policy – are currently subject to significant uncertainty.

4.1.3 The concept of ‘prematurity’ is clarified in the National Planning Policy Framework (‘NPPF’)18 which addresses the question: “In what circumstances might it be justifiable to refuse planning permission on the grounds of prematurity?” before going on to explain:

"...arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

4.1.4 SSE’s case that the application is premature is only partly in the context of the emerging local policy (which is what the NPPF is referring to above), but more importantly in the context of the more specific existing and emerging national airports and aviation policy, for example, see paras 4.2.4 to 4.2.8 below and 6.4.10 to 6.4.16 below.

4.1.5 In submitting this 43mppa planning application at this time MAG may be seeking to pre-empt any risk that, when the Aviation Strategy is finalised and published next year, the Government’s imperative will clearly be shown to be the successful delivery of the new

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18 See https://www.gov.uk/guidance/determining-a-planning-application.
Northwest Runway at Heathrow; and the Government will wish nothing to threaten the business case for that, for example, the introduction of unforeseen, competing airport capacity elsewhere, especially when:

- The assessment by the Airports Commission of the commercial viability and financeability of a third Heathrow runway assumed that Stansted remained capped at its permitted capacity of 35mppa.\(^{19}\)
- The Commission carried out extensive analysis of the business case for a third Heathrow runway, and of a second Gatwick runway, and concluded that it was not feasible to proceed with both projects at the same time,
- The proposed new Northwest Runway at Heathrow has a projected cost of around £17.6 billion at 2014 prices\(^{20}\). By comparison, MAG purchased Stansted from BAA in 2013 for less than £1.5 billion.

### 4.2 Emerging local and national policy

#### 4.2.1 MAG has either misunderstood or misinterpreted the Emerging Local Plan (‘ELP’) because MAG wrongly claims that the ELP supports the proposed development, as follows:

"On 12 July 2017, UDC published a Regulation 18 Draft Local Plan for consultation. The consultation recently concluded on 4 September 2017.\(^{21}\)

The draft new Local Plan promotes and encourages the economic development of the District. With specific reference to Stansted Airport, one of the plan’s overarching objectives is to accommodate development by:

- Utilising the full capacity of the existing runway and provide for the maximum number of connecting journeys by air passengers and workers to be made by public transport: [our emphasis] and
- Ensuring that appropriate surface access infrastructure and service capacity will be provided without impacting on capacity to meet the demands of other network users."\(^{22}\)

#### 4.2.2 MAG has either not done its homework or is deliberately misrepresenting the true position because the Regulation 18 Local Plan actually states as follows:

"Objective 2c – London Stansted Airport

“To accommodate development by:

- Utilising the permitted capacity of the existing runway and provide for the maximum number of connecting journeys by air passengers and workers to be made by public transport: [our emphasis] and
- Ensuring that appropriate surface access infrastructure and service capacity will be provided without impacting on capacity to meet the demands of other network users."\(^{23}\)

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\(^{19}\) Airports Commission Final Report, Jul 2015, Chapter 11.

\(^{20}\) Ibid, Table 11.1.

\(^{21}\) This wording indicates that ES1 Chapter 3 was written some time before UDC provided its Scoping Opinion on 22 December 2017.

\(^{22}\) ES1, paras 3.83-3.84.
4.2.3 Thus, the ELP supports the development of Stansted Airport up to its permitted throughput of 35mppa but does not support the higher level of utilisation proposed in this planning application. In the mistaken belief that Objective 2c in the Regulation 18 Local Plan supported full use of the existing runway, MAG described this as one of the Plan's "overarching objectives". Presumably the same description applies now that it is clear that the Local Plan does not support full use, whatever that is taken to mean.

4.2.4 Turning to the national policy framework, Parliamentary approval of a final version of the ANPS will be sought in the summer of 201824 and the Government has said that it will publish its new Aviation White Paper in early 201925. Meanwhile, there is no clear Government policy on the extent and timing of any further expansion at Stansted.

4.2.5 A 'Call for Evidence' published by the DfT in July 2017, at the start of the current consultation on the new aviation strategy, included the following two statements which MAG immediately seized upon as support for its Stansted Airport planning application:

"The government… is minded to be supportive of all airports who wish to make best use of their existing runways including those in the South East." [para 7.20]  
"Due to the recent rise in growth, the government believes that this issue cannot wait until the publication of a new Aviation Strategy." [para 7.21]

4.2.6 It is highly unusual for this type of statement to be published before a consultation process has even begun and, in this case, it was directly contrary to the extant Government policy, as set down in the APF, as follows:

"Before taking decisions on any future new airport capacity, the Government will want to have a thorough understanding of the local environmental impacts of any proposals." 26

4.2.7 The DfT initially sought to justify its position by referring to the recommendations of the Airports Commission but what the Commission said in relation to Stansted was:

"The Commission considers that there may be a case for reviewing the Stansted planning cap if and when the airport moves closer to full capacity. Its forecasts indicate that this would not occur until at least the 2030s, although the airport has seen rapid growth since its purchase by MAG, which if sustained over a longer period would bring this forward. The Commission does not have any view as to the outcome of any such review but is clear that it should be carried out on the basis of a full detailed assessment and consultation process, taking into consideration the environmental and other issues that supported the imposition of the original cap, as would be expected for any planning application of this nature and scale. The independent aviation noise authority could be involved in such a review." 27

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23 UDC Regulation 18 Local Plan, p13.  
24 'Beyond the horizon: Next steps towards an aviation strategy'; DfT, Apr 2018, para 6.7.  
25 Ibid, Executive Summary, p9, final para.  
26 'Aviation Policy Framework'; DfT, Mar 2013, para 3.54.  
4.2.8 Significantly the most recent DfT consultation paper on the new aviation strategy does not repeat the points made in paras 7.20 and 7.21 of its earlier paper. Indeed, there is now no mention of any need for urgency. So why the urgency with this 43mppa planning application?

4.3 Why the urgency?

4.3.1 Given all of the above, it is difficult to rationalise the urgency that MAG attaches to this planning application, both in relation to the timing of its submission and in relation to the haste with which it is seeking to secure approval. Having submitted its Scoping Report in June 2017, MAG wants its application determined by 18 July 2018 – a period of just 13½ months from start to finish – and has agreed to provide financial support to UDC to enable its application to be dealt with more quickly.

4.3.2 By comparison, in the case of the last completed Stansted Airport planning application – the BAA ‘G1’ proposal for expansion from 25mppa to 35mppa – a period of 28 months was allowed between the Scoping Report and UDC determination.

4.3.3 There would be no significant adverse impacts for the Applicant if planning consent was refused at this stage when:

- MAG’s own forecasts show that the 35mppa cap will not be reached until 2023;
- The latest DfT forecasts show that the current 35mppa cap will not be reached until 2033.

4.3.4 It is also relevant to note that no lengthy construction works are involved. MAG states in the ES that the construction works would be

"sequenced over an approximate 12-month period ... broadly timetabled to start in 2021 and be completed by mid-2022 (i.e. in advance of the existing 35mppa cap being reached)."

4.3.5 Moreover, it has not been clearly explained by MAG why the construction works are even necessary. The original proposal was for 11,000 additional aircraft movements per annum and to that extent the need for two additional taxiways and nine additional aircraft stands could be rationalised. However, the revised proposal is for no increase in the current 274,000 cap on annual aircraft movements. Why then is there a need to construct new taxiways and aircraft stands?

4.3.6 In view of STAL’s past history of avoiding making compensation payments to local residents whose properties have been devalued by the expansion of the airport, there must be a suspicion that the proposed construction works, which do not appear to be necessary for a throughput of 43mppa, will not be built, either in total or in part. In other words, STAL may once again be seeking to ensure that it has a ‘golden rivet’ to enable it to delay the payment of such compensation to local homeowners as may be required under Part 1 of the Land Compensation Act 1973 (‘the LCA’).

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28 ‘Beyond the horizon: Next steps towards an aviation strategy’, DfT, Apr 2018.
29 ES1, para 4.53.
31 ES1, para 5.5.
32 By delaying the construction of a small part of the works from its 1999 planning approval for 15mppa STAL succeeded in rejecting compensation claims under Part 1 of the LCA until it faced a legal challenge in 2016.
4.4 Outstanding obligations

4.4.1 Apart from settling its obligations in relation to homeowner compensation (which we recognise cannot be admitted as a planning consideration), there is another important outstanding legal obligation which STAL must be required to discharge before the current planning application is considered. This relates to the G1 planning consent.

4.4.2 In a Deed of Unilateral Undertaking given by STAL to UDC and Essex County Council on 26 September 2008 (just 12 days before the G1 planning application was approved by the Secretary of State), STAL agreed as follows:

"Before 31 December 2014 STAL shall commission studies of the impact of the Development upon the area in which the Airport is situated to include the effect of the Development upon air noise contours, ground noise measurements, air quality, traffic flows, transport mode shares employment levels, patterns of the places of residence of persons employed at the Airport, visual impact, waste water and energy, and provide the same to UDC as soon as reasonably practicable after the same shall have been completed."

4.4.3 To the best of our knowledge and belief, the above legal obligation, arising from the last Stansted Airport planning consent for an expansion of passenger throughput, has not been discharged. No such impact studies have yet been published whereas they should have been commissioned by 31 December 2014. We submit that until such time as this outstanding planning obligation has been properly discharged, it would be wholly wrong to proceed to determine the current airport planning application.

4.5 Postponement

4.5.1 A postponement of the determination of this planning application until next year would allow time for the outstanding legal obligation to be discharged and it would enable the policy context – locally and nationally – to become clearer.

4.5.2 Postponing determination of this application would also facilitate a better assessment of the post-Brexit implications for the UK aviation sector. Concerns about the post-Brexit arrangements for UK-EU air travel are repeatedly being raised by Ryanair – which accounted for 82% of all of Stansted's passengers in 2016 – and so this is a highly relevant issue for this planning application.

4.5.3 Importantly, a postponement of this application until 2019 would do no harm to the Applicant, who does not expect the present cap to be reached until 2023.

4.5.4 Moreover, as noted in para 4.1.5 above, it is highly questionable whether, at this stage, the development of Stansted beyond a capacity of 35mppa would have Government support. The Government's over-riding priority with regard to aviation policy is the delivery of a third Heathrow runway by 2026\(^3\) or as soon as possible thereafter. The Government will not want any other proposals to stand in the way of that.

\(^3\) Revised Draft ANPS, DfT, Oct 2017, para 3.46.
5 Concerns about UDC Competence and Impartiality

5.1 Introduction

5.1.1 With a population of just 86,200, UDC is a relatively small District Council and has neither the resources nor the level of expertise necessary to deal with this planning application. The UDC planning department is reported to have just 24-25 staff.

5.1.2 In addition to dealing with the airport planning application UDC is deeply embroiled in trying to secure approval for its long overdue Local Plan. The last adopted Local Plan is from January 2005. The process of producing a new Local Plan has gone on since 2011 and it continues to be mired in controversy.

5.1.3 The new Local Plan (‘the Emerging Local Plan’ or ‘ELP’) is due to go out to Regulation 19 pre-submission consultation in the summer of 2018, to be followed by a Regulation 22 submission in Autumn of 2018. Regulation 24 hearing sessions for the public examination are expected to start during the winter of 2018/19. In our view UDC is not capable of properly dealing with two major challenges at once – i.e. the current Stansted Airport planning application and the management of the ELP process – alongside its normal day-to-day planning work.

5.1.4 On 18 March 2018 SSE wrote to the Secretary of State for Housing, Communities and Local Government formally asking him to call-in the current Stansted Airport planning application. The letter included an annex which set out the principal reasons for our concerns about UDC competence and impartiality, including our concern that UDC had prejudged the planning application in favour of approval. This chapter of our submission is an updated version of that annex.

5.2 Concerns about prejudgment

5.2.1 SSE’s concerns were first raised at a meeting which took place on 28 July 2017 between, on the one hand, the UDC Leader, UDC Chief Executive, UDC Director of Public Services and the Leader of the Liberal Democrat Group and, on the other hand, the SSE Chairman, Deputy Chairman and Campaign Director. SSE’s file note of that meeting is provided in Appendix B.

5.2.2 The meeting discussed a range of issues but the main topic was the forthcoming Stansted Airport planning application. STA had submitted a Scoping Report on 2 June and SSE had been pressing UDC Planning Department – unsuccessfully – for an opportunity to present its response to the Scoping Report in order to “explain, justify or expand” on any of the 109 points therein.

5.2.3 The 28 July meeting barely discussed EIA Scoping issues. As can be seen from the file note, the main focus was on higher level issues, particularly the question of local versus national determination. It soon emerged that the central reason for UDC being so keen to determine the application locally was the importance it attached to securing section 106 benefits, particularly a sizeable financial contribution from MAG to help fund

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34 Timetable presented to UDC Cabinet, 15 Feb 2018 - see https://www.uttlesford.gov.uk/CHttpHandler.ashx?id=3012&p=0.
35 The meeting was arranged between SSE and the three elected UDC councillors serving as party leaders. The leader of UDC, representing the Conservative Party, and the Liberal Democrat leader both attended, while the leader of the third party represented on UDC, Residents for Uttlesford (‘R4U’), was unable to be present.
improvements to Junction 8 of the M11 ('M11 J8'). This was viewed by UDC as a critical issue in the wider context of being able to deliver the challenging housing proposals contained in the draft UDC Local Plan.

5.2.4 By the end of the meeting, the SSE team were left in no doubt that UDC intended to approve the airport planning application and it was largely a question of negotiating a favourable section 106 agreement with MAG. It was also clear that extensive discussions had already taken place between UDC and MAG.

5.2.5 SSE was subsequently able to establish, through requests under the Freedom of Information Act 2000 ('FoI') requests, that UDC planning officers held 35 meetings with MAG between 8 February 2016 and 11 December 2017. UDC planning officers say that the first 27 of these meetings were informal and so (they claim) there was no requirement to produce minutes. A confidentiality exemption from disclosure is claimed for the remaining eight meetings.

5.2.6 By comparison, at time of writing, SSE is still waiting for the opportunity of a meeting with UDC Planning Department, having made three requests for such a meeting, the first of these in June 2017, when the response received was that “officers are too busy”. On 7 March 2018 SSE was finally offered a meeting with the UDC planning team. This has now been arranged for 11 June.

5.2.7 One of the first issues SSE wishes to discuss with the UDC planning team is the Scoping Opinion sent by UDC to MAG in December 2017. As well as containing some significant errors and omissions, the Scoping Opinion appears to have been written on the assumption that the planning application will be approved, for example:

“In the event that the World Health Organisation ('WHO') new evidence on the impacts of aviation noise is published before a determination to grant planning permission, the environmental statement assessment must incorporate this evidence (for example, by way of supplementary assessment).”

5.3 Concerns about London Stansted Cambridge Consortium ('LSCC')

5.3.1 The LSSC is a non-statutory organisation which primarily comprises local authorities in the London–Stansted–Cambridge ('LSC') corridor – including UDC – alongside private sector and other “partners” and “supporters”. Its principal purpose is to promote economic development in the corridor. At its inaugural meeting in June 2013, it declared: “The LSCC brings together local public and private sector bodies to champion and lobby for the region”.

5.3.2 The objectives of the LSSC are described more fully on the organisation’s website:

“The Consortium membership board has agreed three simple objectives:

- Promote the corridor – which covers supporting our Members with the development of the narrative for the corridor, promotion and positioning with government, Whitehall, and the investor community;

- Make the case for infrastructure – prioritising and focussing on the key infrastructure requirements which are needed to support [36 UDC Scoping Opinion, Dec 2017, Appendix A, para 47]
growth. This includes London Stansted Airport as one of the key infrastructure components, as well rail, road, digital and utilities; [our emphasis]

• Support our key sectors – identifying growth spaces for expansion, supporting labour mobility, and encouraging skills development.”

5.3.3 The LSCC has no published constitution and it does not publish financial accounts. However, SSE has been able to obtain LSCC income and expenditure details through a FoI request to Haringey Borough Council, which provides a book-keeping service for the LSCC. This shows that in 2016/17 UDC made a £10,000 contribution to the LSCC and Stansted Airport was the largest private sector sponsor, with a £15,000 contribution.

5.3.4 The LSSC identifies Stansted Airport as its main commercial sponsor and supports (at least) the full utilisation of the existing Stansted Airport runway, for example:

“The LSCC wishes to see the airport fully utilised to maximise the economic benefits of this major strategic asset to the corridor.”

... 

“Going beyond the planning agreement to maximum use of the existing airport infrastructure, at 45mppa, would generate £2.660 billion and support an additional 8,310 jobs.”

5.3.5 UDC is one of the principal supporters of the LSCC. The leader of UDC has spoken at two of the last three LSCC conferences, and UDC’s annual financial contribution to the LSCC helps to finance its lobbying activities, including in relation to the expansion of Stansted Airport beyond its current planning limit.

5.3.6 Accordingly, we submit that UDC’s close association and co-sponsorship of the LSCC calls into question the impartiality of UDC and its suitability, as the LPA for Stansted Airport, to rule on the current planning application.

5.4 Concerns about process

5.4.1 The planning application was submitted on 22 February 2018 and posted on the UDC website together with a heading “Important dates for the application” which gave a deadline of 3 April for public comments and a determination deadline of 24 May 2018. The UDC website also advised that hard copies of the planning application were available from the Applicant at £300 per copy. (In the event there were no hard copies available until the following week.)

5.4.2 SSE immediately asked UDC to extend the 3 April deadline, pointing out that:

• The planning application was complex and extended to 2,930 pages;
• Parish and Town Councils generally only meet on a monthly basis and would have insufficient time to consider;
• The effective deadline was 29 March, due to the timing of Easter;
• On 2 June 2017, UDC imposed an unrealistically tight deadline for responses to the MAG Scoping Report, saying that it only had five weeks to provide its Scoping Opinion to MAG. In the event UDC did not provide MAG with its Scoping Opinion until 21 December 2017.
When inviting comments on the Scoping Report UDC understated the scale of the proposed development – saying that it only proposed six additional stands whereas the true figure was nine. It took almost a month and a second SSE reminder before this error was corrected.

5.4.3 Even when SSE subsequently pointed out to UDC that its determination deadline of 24 May was wrong in law and should not be any earlier than 15 June, UDC would still not extend its deadline for public comments. However, on 27 March 2018, following representations from more than 40 local Parish and Town Councils, UDC finally agreed to extend the deadline from 3 April to 30 April 2018.

5.4.4 When emailing local Parish & Town Councils to notify them of the planning application and of the 3 April deadline for their comments, UDC took the highly unusual step of telling Parish & Town Councils what the application was NOT (“The application is NOT seeking permission for a second runway”), intending thereby to play down the importance of their scrutiny of the application.

5.4.5 In the course of pressing UDC to extend the 3 April deadline SSE asked for an explanation for the apparent urgency and received the following reply:

“**The council has negotiated an agreement with MAG which, although setting target dates for key milestones in the process for consideration of its application, does give the council an extension of time over the statutory period for a decision. It also provides the council with additional resources to help meet these target dates. The application fee of some £2,000 did not enable that.**”

5.4.6 Only then did it become clear that UDC had entered into a Planning Performance Agreement (‘PPA’) with MAG which set down a timetable for dealing with the planning application. Initially a redacted copy of the PPA was published on the UDC website such that the financial contribution from MAG was not shown. However, under pressure from SSE and (we understand) many of its own councillors, the total MAG contribution was un-redacted and shown to be £117,781 plus VAT.

5.4.7 SSE does not challenge the principle of PPA agreements, but it is clear that in this case the effect of the PPA is to curtail the opportunity for public engagement and fair and transparent consultation. In the case of the last comparable Stansted Airport planning application – by BAA in 2006 for an additional 10mppa – there was a period of 21 months between the Scoping Report and the planning application and a further seven months for the application to be determined. This enabled detailed consideration of the impacts and extensive public consultation.

5.4.8 For the comparable 2006 airport planning application, UDC allowed a full week for public hearings and ensured that these were well advertised. The hearings were all over-subscribed and all took place inside a packed Council Chamber even though they were also broadcast on webcam. By comparison, on this occasion it is understood that UDC has allowed just one day for public hearings.

5.4.9 The UDC Planning Department, when seeking endorsement from the Council on 30 March 2017 for the use of PPAs, stated in its report to Council:
"Appropriate publicity and marketing of PPAs will be undertaken. The concept will be explained to communities to help it to be understood."

5.4.10 The reality, however, is that prior to public disclosure by SSE, there was no communication from UDC to local Parish and Town Councils or the general public. Even UDC councillors appeared to be taken by surprise when informed of the agreement with MAG.

5.4.11 The PPA reveals that the start date for discussions on a section 106 agreement between UDC and MAG will be as early as May – long before the impacts of the proposed development have been adequately assessed. This reinforces the clear message that SSE obtained at its UDC meeting on 28 July 2017 that UDC is intent on approving this planning application and its primary focus is on the section 106 benefits that can be secured in return for local approval.

5.4.12 A letter from the Chief Executive of Stansted Airport to airport employees on 28 February 2018 urged employees to post messages of support for the airport planning application on the UDC website, using an automated system, as follows:

“It is quick and easy to register your support for the application and will take two minutes. All you need to do is log onto www.ourstansted.com and complete the registration form. This will then send a letter automatically to the Council outlining why you support the plans for the airport.”

5.4.13 As a result of the www.ourstansted.com system, large numbers of almost identical automatic emails have been sent to UDC supporting the application. It appears that at least some of these have been sent unwittingly and involuntarily, for example:

5.4.14 The following email was received by SSE on 7 March 2018:

From: XXXXXXXXXXXXXXXXXXX
Sent: 07 March 2018 21:24
To: Stop Stansted Expansion
Subject: Miss leading people on Facebook

Hi guys thought you might find this interesting, below is a screenshot that I have just seen on Facebook for grant funded insulation for any house effected by Stansted Airport Noise. When you click on the link there’s a mandatory box that has to be ticked.

In ticking the box you fully support the expansion of Stansted Airport.
It’s very misleading and is this a scam to rally support for the expansion?
I do not know if it will work but here is where the “learn more” button takes you.
http://www.ourstansted.com/community/
Kind regards
XXXXXXXXXXXXXXXXXXXXX
5.4.15 A further example is the following email which UDC again wrongly categorised as supporting the application. The writer refers to an earlier email he sent which did actually support the application. However, this follow-up email to his local councillor was a complaint about the process, not a further message of support from the same individual. SSE had to write three times to the UDC Chief Executive (who initially denied any mis-categorisation) before this mis-categorisation was rectified.

From: James Collins
To: Joel Charles
Cc: James Collins; Stansted Planning Application; Michael Garnett; Sue Livings; Mike Garnett
Subject: Re: Stansted
Date: 09 March 2018 20:44:06

Dear Joel

I feel like I have been totally misled. I completed a survey after receiving an email regarding parking at STN. I clicked a link of which gave my support to STN growth. What I did not know was that MAG were using my survey and sending emails to my local councillors.

I would assume/guess you will see other mails like mine. I am of the opinion this is a poor way to gain support

Regards
James Collins

5.4.16 Having drawn these two examples to UDC’s attention in mid-March, SSE expected UDC to introduce further checks so as to improve the reliability of its categorisation of public comments on the planning application. However, less than two weeks later SSE identified a batch of five new instances of mis-categorisation (as per the screenshot below). All of these were individual submissions from members of the public who were
quite clearly objecting to the application, and all were wrongly categorised as supporting the application.

5.4.17 SSE does not have the resources to check that all the comments on this planning application are being correctly categorised by UDC, noting that at time of writing more than a thousand comments have been submitted. Where SSE has carried out random checks, or where we have received information from others, we note that it has always been a case of a submission being wrongly categorised as supporting the airport planning application, and never the other way around.

5.5 Concerns over favourable treatment towards the Applicant

5.5.1 UDC has chosen to apply a different set of rules to those supporting the planning application compared to the rules applied to those who object to the application. This UDC webpage for the airport planning application clearly states:

"You can object to or comment on the planning application online, by email or by letter. Please remember that you must include the planning application reference (UTT/18/0460/FUL), your name and address."

5.5.2 The above advice from UDC – in bold – leaves no room for doubt about the requirement for respondents to provide their name and address. However, on the UDC webpage listing the responses to the application there are many hundreds of automated entries from respondents supporting the application where merely a postcode has been provided.

5.5.3 SSE asked why the address requirement was being waived for respondents who supported the application. UDC replied as follows:

"It is not being waived for non UDC residents, it is being waived for the people sending a representation through the Support Stansted Airport website."

5.5.4 This approach appears to SSE to be unbalanced by making it easier for individuals to support the application than to oppose it. There are many people, particularly the elderly, who are deterred from sending in comments on any controversial planning application because they do not wish to provide their name and address for fear of some form of reprisal. Whilst such fears are almost entirely groundless, it should be noted that several senior SSE members have over the years received 'hate mail'. In some extreme cases this has led to police investigations. If UDC is prepared to give a waiver to those submitting their representations through the Support Stansted Airport website, the same waiver should be given to everyone, and the rules made clear at the start.

5.5.5 We referred in para 5.2.5 above, to the 35 meetings held between UDC officers and MAG/STAL during 2016 and 2017 and the fact that UDC is either unable or unwilling to
provide formal minutes for any of these meetings\(^{37}\). We referred also to the meeting which SSE was afforded on 29 July 2017 with the Council Leader, Chief Executive and Director of Public Services. SSE’s file note of that meeting is provided in Appendix B.

5.5.6 It can be noted that towards the end of the meeting (page 6 of the file note) SSE raised the issue of homeowner compensation and asked whether UDC had put in a claim [i.e. a claim on MAG/STAL under the Land Compensation Act in respect of properties owned by the council]. When the answer received was “No”, SSE suggested that UDC should take advice on this issue as it had done in the 1990s, which led to compensation being paid to UDC by STAL for the devaluation of council-owned properties as a result of the airport expansion that had taken place in preceding years.

5.5.7 The SSE team present at that July 2017 meeting got the clear impression that UDC showed no interest in pursuing a compensation claim against MAG/STAL, nor even in taking professional advice on the matter. Accordingly, on 13 December 2017 SSE submitted an FoI/EIR request to UDC asking UDC to advise:

“.. what steps UDC had taken, and please provide copies of any and all correspondence, relating to the claiming of fair and reasonable compensation from STAL for the diminution of the value of Council-owned properties, pursuant to Part 1 of the Land Compensation Act 1973, following the June 2016 announcement by STAL that it was (finally) prepared to consider such claims relating to airport works dating from December 1999 to March 2007."

5.5.8 A reply was received on 22 January 2018. This did not answer our question about ‘what steps UDC had taken’ and did not provide copies of any correspondence as evidence that UDC was taking, or had taken, professional advice on the issue of airport compensation. Whilst the possibility of a compensation claim against MAG/STAL was not ruled out, it was clear that this was not being actively pursued, bearing in mind that this vacuous reply came six months after SSE raised the matter with UDC:

“the council has not as yet made any claim for compensation under the Land Compensation Act 1973 relating to works carried out at the airport between 1997 and 2007, although it has been briefed by Manchester Airports Group on progress with claims made by other parties."

5.5.9 In a similar vein, in paras 4.4.1 to 4.4.3 above we referred to the fact that UDC has quietly turned a blind eye to STAL’s non-compliance with the legally binding Deed of Undertaking given as part of the approval process for the G1 planning application, viz:

“Before 31 December 2014 STAL shall commission studies of the impact of the Development upon the area in which the Airport is situated to include the effect of the Development upon air noise contours, ground noise measurements, air quality, traffic flows, transport mode shares employment levels, patterns of the places of residence of persons employed at the Airport, visual impact, waste water and energy, and provide the same to UDC as soon as reasonably practicable after the same shall have been completed.”

\(^{37}\) Some handwritten notes were provided for 9 of the 35 meetings but these were little more than scribbled jottings which were often unintelligible and/or illegible.
5.5.10 Not only has UDC turned a blind eye to this breach of the G1 Deed of Undertaking by STAL but also UDC has not brought the breach to the public's attention. For this reason and many of the other reasons set out above, it is difficult to avoid the conclusion that, in relation to the current airport planning application, UDC is keen to avoid creating any potential obstacles to approval.

5.5.11 Finally, SSE also has concerns regarding the lobbying activities of a prominent UDC councillor who represents the ruling party at UDC, serves on the Planning Committee as a Reserve Member and is a full member of the Council's Stansted Airport Advisory Panel. This councillor is a leading advocate for Stansted Airport generally and for the approval of the airport planning application in particular. Shortly after the application was published, he sent letters to all the leading local newspapers (see example below) in his capacity as a councillor, championing the planning application and calling for determination by UDC. It may be no coincidence that he is the owner of an airport-related business based at the main offices at Stansted Airport.

Local decision best

I write in response to the Stop Stansted Expansion (SSE) press release entitled 'Airport planning application is manipulative and misleading'.

As a local businessman and councillor, I believe London Stansted Airport is a success story for our region. It is our biggest single site employer with more than 12,000 employees, 2,000 of whom live in Uttlesford. The airport makes a massive economic contribution of more than £1 billion per annum and offers flights to more than 190 destinations – including Dubai, Boston and, from this year; New York.

Manchester Airport Group's (MAG) application to make best use of Stansted's single runway aims to raise the restriction on annual passenger numbers from 35 to 43 million, enabling Stansted to meet demand over the next decade. The airport has committed to delivering growth within the flight and environmental restrictions - they are not requesting any extra aircraft flights.

MAG has been carrying out extensive consultations within the community and a new airport are 50 per cent quieter than before. So unlocking further capacity will create more choice and competition for passengers, while creating 5,000 more jobs. Businesses across the UK and East of England benefit from long haul connectivity to fast moving markets such as China, India and the USA.

MAG is investing £600 million on a new arrivals building to cater for this future growth. The new college is also supporting the ambitions of our young people - we are the envy of many to have such support. It seems pointless to have a state-of-the-art asset on our doorstep and preventing it reaching its full capacity. I have lived in areas lacking the opportunities we enjoy in Uttlesford, most regions would bite your hand off to have a thriving local industry. With the proposed cut in council funding from Government, I believe the airport can be the goose that lays the golden egg in our community. On SSE's specific issue about why Stansted is not being dealt with by the secretary of state, I believe Uttlesford councillors should decide the future of our airport, rather than bureaucrats in Whitehall.

Terry Farthing
Great Sampford

5.5.12 We conclude this chapter simply by expressing our surprise when, upon raising the above matter with the UDC Chief Executive, we were provided with a robust defence of this councillor's entitlement to behave, act and lobby as he sees fit.
6 Planning Statement

6.1 Introduction

6.1.1 Gardner Planning Ltd (GPL) was instructed by SSE on 6 March 2018 to assess the planning application made by MAG on behalf of STAL on 22 February 2018 and to provide a Planning Statement for SSE to incorporate in its submission.

6.1.2 GPL welcomes the decision by UDC to extend the ‘deadline’ for submission of representations to the application from 3 April to 30 April 2018 noting that this is a complex application with some 112 supporting documents. SSE and the public have a right to examine this documentation and make legitimate submissions and objections. STAL and UDC have been preparing and discussing the application for at least eight months since June 2017 (the submission of request for a scoping opinion).

6.1.3 The Town and Country Planning (Development Management Procedure) (England) Order (2015) para 33 states a “local planning authority must, in determining an application for planning permission, take into account any representations made …” Clearly there is a minimum period during which the LPA cannot take a decision, but beyond that there is no maximum period so that any representations made up to the date of decision must be ‘taken into account’.

6.1.4 Such a ‘deadline’ for submissions and objections has no statutory significance. The statutory deadline for a decision (16 weeks\(^{38}\)) is 14 June 2018 but the Planning Performance Agreement (‘PPA’) provides a Planning Committee meeting target date of 18 July 2018 for "consideration and resolution of the application”.

6.2 The proposed development

6.2.1 The formal description of the development is:

"Airfield works comprising two new taxiway links to the existing runway (a Rapid Access Taxiway and a Rapid Exit Taxiway), six additional remote aircraft stands adjacent Yankee taxiway; and three additional aircraft stands (extension of the Echo Apron) to enable combined airfield operations of 274,000 aircraft movements and a throughput of 43 million terminal passengers, in a 12-month calendar period.”\(^{39}\)

6.2.2 It is therefore a mixture of some physical development, and what is effectively an amendment to current restrictions on the scale of operations as conditioned by various planning permissions. The latter would normally be by way of an application under Section 73 of the Town and Country Planning Act 1990. The application seeks no increase in overall aircraft movements but seeks a unified cap without differentiation between passenger and cargo planes, general aviation and other and non-commercial movements.

6.2.3 In summary, the main points of the objection by SSE are:

a) The planning proposal should be determined by the Secretary of State (Chapters 2 and 5 of this submission);

\(^{38}\) PPG Para: 001 Reference ID: 21b-001-20140306.

\(^{39}\) Taken from the application form.
b) The ES is currently inadequate and needs to be supplemented with additional information on the likely significant effects of the proposed development in order to reach a reasoned conclusion (Chapter 3);

c) Determination of this major application with wide ranging national and local implications is premature (Chapter 4);

d) The development is contrary to the provisions of the development plan, and national policy; it is not sustainable development (this Chapter);

e) The proposals will have major adverse impacts on local communities and the environment, including but not limited to surface access infrastructure, air quality, climate change and noise impacts, and will not have the claimed economic benefits (Chapter 8 onwards);

f) The motive for UDC to ward off ‘call-in’ by the Secretary of State, and itself grant planning permission, appears to be to enhance the soundness of the Emerging Local Plan (‘ELP’) – which ironically does not give support for the Stansted Airport proposals – by attracting funding from STAL for strategic highway improvements that would also serve other major developments proposed in the Plan.

6.3 Principal planning consents to date

6.3.1 Stansted Airport was established by planning permission granted by the Secretary of State in 1985, with a single runway, in two phases with passenger limits of 8mppa (phase 1) then 15mppa (phase 2). The airport opened in 1991.

6.3.2 Aircraft movements p.a. were restricted by Government Orders to 78,000 (1987), 120,000 (1996) and 185,000 (1999).

6.3.3 In 2003 UDC granted planning permission which increased passengers to 25mppa with 241,000 aircraft movements.

6.3.4 In 2008, on appeal, the Secretary of State granted planning permission raising annual passenger numbers to 35mppa and annual aircraft movements to 264,000, including 20,500 cargo plane movements (condition ATM1) plus 10,000 other aircraft movements.

6.3.5 In 2017 UDC granted planning permission for a new arrivals building. Construction is expected to begin in 2019.\textsuperscript{40}

6.4 National policy

\textit{Air Transport White Paper (‘ATWP’)}

6.4.1 When first published in 2003 ‘\textit{The Future of Air Transport}’ White Paper (‘ATWP’) was heralded by the Secretary of State who claimed that it “\textit{Sets out a framework for the future development of air transport over the next 30 years}”. But it did not stand the test of time. \textit{The STAL Planning Statement} notes that in the years since the ATWP “\textit{much has changed in terms of Government policy, the economy, the aviation market and the needs of passengers and airlines}\textsuperscript{41}.” We very much agree with this.

\textsuperscript{40} Planning Statement, para 3.18.

\textsuperscript{41} Planning Statement para 5.51.
6.4.2 The ATWP proposed that a second runway should be built at Stansted "as soon as possible (we expect around 2011 or 2012)" and this policy was confirmed in the 2006 ATWP Progress Report but it proved undeliverable: 'Governments don't build runways'. It is also worth noting that the ATWP envisaged that the full capacity of the existing Stansted runway would be 35mppa compared to Stansted's 2003 throughput of 19mppa.

Aviation Policy Framework ('APF')

6.4.3 The 2013 APF replaced the ATWP as "Government's policy on aviation, alongside any decisions Government makes following the recommendations of the independent Airports Commission". The key APF references to Stansted are as follows:

"Stansted Airport, which today has considerable spare capacity, is forecast to be full by the early 2030s".

"For many years, Heathrow, Gatwick and Stansted Airports have been designated for these purposes, and we will continue to maintain their status. These airports remain strategically important to the UK economy and we therefore consider that it is appropriate for the Government to take decisions on the right balance between noise controls and economic benefits, reconciling the local and national strategic interests. The future of these airports is also under consideration as part of the work of the Airports Commission and it would not be appropriate to change their regulatory status at this time".

6.4.4 It is clear that the Government considered that further capacity at Stansted Airport would not be required until 2030, and that this should be a matter to be considered "as part of the work of the Airports Commission", and the Government also made clear in the APF:

"Before taking decisions on any future new airport capacity, the Government will want to have a thorough understanding of the local environmental impacts of any proposals."

6.4.5 The interaction between land-use planning and aviation policy is explained as follows:

"In preparing their local plans, local authorities are required to have regard to policies and advice issued by the Secretary of State. This includes the Aviation Policy Framework, to the extent it is relevant to a particular local authority area, along with other relevant planning policy and guidance. The Aviation Policy Framework may also be a material consideration in planning decisions depending on the circumstances of a particular application."

6.4.6 This is mainly aimed at the preparation of Local Plans, in which UDC is engaged, and the APF may be a material consideration in the consideration of planning applications. UDC has stated that in relation to the current airport planning application the APF will be a "relevant material planning consideration".

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42 ATWP, DfT, Dec 2003, para 11.11.
43 APF, Mar 2013, Executive Summary, para 1.
44 Ibid, 'Key facts', p7.
46 APF, Mar 2013, para 5.6.

6.4.7 The Executive Summary includes the following:

“The Airports Commission short-listed three options for this new capacity: one new northwest runway at Heathrow Airport; a westerly extension of the northern runway at Heathrow Airport; and one new runway at Gatwick Airport. It conducted a robust, integrated and transparent process to assess these options, considering a range of economic, social and environmental factors and engaging extensively with interested parties through formal consultation, public evidence sessions and a programme of meetings and visits.

Each of the three schemes shortlisted was considered a credible option for expansion, capable of delivering valuable enhancements to the UK’s aviation capacity and connectivity. Each would also have environmental impacts, which would need to be carefully managed.

The Commission has nonetheless unanimously concluded that the proposal for a new Northwest Runway at Heathrow Airport, in combination with a significant package of measures to address its environmental and community impacts (see box below), presents the strongest case.”

6.4.8 The Airports Commission also examined the potential for a second runway at Stansted and Gatwick, saying as follows:

“Future assessments of the case and options for increasing airport capacity should be carried out through an independent, integrated and collaborative approach. It would be appropriate to begin the process early, but no decisions should be taken until the impacts of the new runway at Heathrow and the wider policy and industry context can be evaluated and considered.” [our emphasis] 48

6.4.9 Specifically, the Airports Commission concluded as follows on Stansted Airport:

“The Commission considers that there may be a case for reviewing the Stansted planning cap if and when the airport moves closer to full capacity. Its forecasts indicate that this would not occur until at least the 2030s, although the airport has seen rapid growth since its purchase by MAG, which if sustained over a longer period would bring this forward. The Commission does not have any view as to the outcome of any such review, but is clear that it should be carried out on the basis of a full detailed assessment and consultation process, taking into consideration the environmental and other issues that supported the imposition of the original cap, as would be expected for any planning application of this nature and scale. The independent aviation noise authority could be involved in such a review.” 49

Future aviation strategy

6.4.10 The MAG Planning Statement (para 5.65) describes a process for further publication of Green Papers [a proposed process which has now been superseded – see 6.4.15 below] followed by publication of a final White Paper setting out a new Aviation Strategy.

Together, the Aviation Strategy and the Airports National Policy Statement (‘ANPS’) will provide the Government’s policy in respect of the aviation sector.

6.4.11 In July 2017 the Government published ‘Beyond the horizon, The future of UK aviation, A call for evidence on a new strategy’. The Executive Summary set out the purpose of the document:

"The strategy will have a particular focus on consumers and cover the whole country. It will look at where government could, and should, make a difference. The government has identified a range of issues to be looked at in a series of themed consultation papers. These consultations will take place during 2017 and 2018. A final Aviation Strategy will then be published by the end of 2018 [now delayed until early 2019]. This call for evidence document is asking for your views on the approach the government is proposing to take and the issues that it has identified. The government wants to hear from the widest possible range of people and organisations. This includes the consumers of aviation services (from passengers to businesses), airports and airlines, industry organisations, private fliers, environmental groups and communities. The feedback it receives will help the government to decide on the direction and final content of the Aviation Strategy."

6.4.12 This document is heavily relied upon in the MAG Planning Statement and in ES Volume 1 (‘ES1’), Chapter 4 (Aviation Forecasts). In particular, the following two paragraphs in the DfT ‘call for evidence’ document have been emphasised by the Applicant:

“...is minded to be supportive of all airports who wish to make best use of their existing runways including those in the South East.” [para 7.20]

“Due to the recent rise in growth, the government believes that this issue cannot wait until the publication of a new Aviation Strategy.” [para 7.21]

6.4.13 In responding to the DfT call for evidence in October 2017 SSE pointed out that it was highly unusual for this type of statement to be published before a consultation had even begun and, in this case, it was directly contrary to the extant Government policy, as set down in the APF, as follows:

“Before taking decisions on any future new airport capacity, the Government will want to have a thorough understanding of the local environmental impacts of any proposals.”

6.4.14 The initial DfT ‘call for evidence’ paper has now been superseded by the formal consultation paper on the new aviation strategy published by the DfT on 7 April 2018: 'Beyond the horizon. The future of UK aviation: next steps towards an Aviation Strategy’. Significantly this does not repeat the points made in paras 7.20 and 7.21 of its earlier paper and there is now no mention of any need for urgency.

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51 APF, DfT, Mar 2013, para 3.54.
6.4.15 Again, contrary to what is assumed in the Planning Statement the recent DfT consultation paper announces that detailed policy proposals will be published in a Green Paper in **autumn 2018** followed by the final Aviation Strategy document in **early 2019**.

6.4.16 In the 'Beyond the horizon' consultation document the DfT provides guidance on the different roles of the ANPS and the new Aviation Strategy, as follows:

> "The development of the revised draft Airports NPS has set out the proposed policy framework and the government carried out a further consultation on the revised draft NPS last year. This will be subject to ongoing parliamentary scrutiny ahead of an anticipated vote in the summer. The government hopes that this will result in a clear way forward in order to address the identified capacity needs to 2030 in the southeast.

> The Aviation Strategy will look to address what should constitute a framework for future sustainable growth throughout the country beyond 2030. It will consider how the UK can balance environmental costs with the economic benefits of aviation growth."

**Airports National Policy Statement (‘ANPS’)***

6.4.17 The MAG Planning Statement comments at some length (paras 5.69 - 5.72) on the February 2017 version of the Draft ANPS before (correctly) stating:

> “The draft Airports NPS was subsequently withdrawn on 24 October 2017 and superseded by the Revised Draft Airports NPS (October 2017).”

Paras 5.69 - 5.72 are therefore redundant, yet the Planning Statement fails to address any relevant sections in the revised Draft ANPS.

6.4.18 The revised Draft ANPS was published in October 2017, and included the following:

> "1.39 **The Airports NPS does not have effect in relation to an application for development consent for an airport development not comprised in an application relating to the Heathrow Northwest Runway, and proposals for new terminal capacity located between the Northwest Runway at Heathrow Airport and the existing Northern Runway and reconfiguration of terminal facilities between the two existing runways at Heathrow Airport. Nevertheless, the Secretary of State considers that the contents of the Airports NPS will be both important and relevant considerations in the determination of such an application, particularly where it relates to London or the South East of England. Among the considerations that will be important and relevant are the findings in the Airports NPS as to the need for new airport capacity and that the preferred scheme is the most appropriate means of meeting that need.**” [our emphasis]

> "1.40 **As indicated in paragraph 1.37 above, airports wishing to make more intensive use of existing runways will still need to submit an application for planning permission or development consent to the relevant authority, which should be judged on the application’s individual merits.** However, in light of the findings of the

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Airports Commission on the need for more intensive use of existing infrastructure as described at paragraph 1.6 above, the Government accepts that it may well be possible for existing airports to demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow. …" [our emphasis]

6.4.19 There is a clear inter-relationship between the Draft ANPS (anticipated to be subject to a parliamentary vote in the summer) and the new 'Beyond the horizon' aviation strategy, which is expected to be published in a White Paper in early 2019. Whilst the Draft ANPS states that it has no effect on any other proposal except Heathrow North-East Runway, the current draft does comment on the issue of airports wishing to make more intensive use of existing runways, stating “the Government’s policy on this issue will continue to be considered in the context of the call for evidence on a new Aviation Strategy”. 54 It is therefore – at best – premature for any such proposal to claim Government policy support.

6.4.20 The DfT website summarises the policy on airport capacity as follows:

"The draft Airports National Policy Statement sets out:

- the need for additional airport capacity in the south-east of England
- why government believes that need is best met by a north-west runway at Heathrow Airport [our emphasis]
- the specific requirements that the applicant for a new north-west runway will need to meet to gain development consent

The draft Airports National Policy Statement is subject to public consultation and Parliamentary scrutiny."

6.4.21 It is clear that the centrepiece of Government policy for increasing airport capacity in the south-east of England is Heathrow. STAL’s one-time ambition of becoming a major hub airport is no longer even on the Government’s radar. Meanwhile, increasing capacity at Stansted Airport beyond the permitted 35mppa prior to the delivery of a third Heathrow runway could risk undermining the business case for the Government’s outright priority of a third Heathrow runway.

6.4.22 In this context it should be noted that the extensive work carried out by the Airports Commission on the market demand for, and of financial viability of, a third Heathrow runway (and of a second Gatwick runway) assumed that Stansted was capped at its permitted capacity of 35mppa.

6.4.23 The Airports Commission concluded that it would not be financially viable to support the development of two additional runways in the south east at the same time, which is why a choice had to be made between the shortlisted options: Heathrow or Gatwick. Similarly, the Commission considered that any further capacity at Stansted should be held back. 55 The MAG Planning Statement does not and cannot claim any support from either the Airports Commission or the Government for bringing forward an application for additional capacity at Stansted Airport in 2018.

54 Draft ANPS para 1.40.
Moreover, with regard to any proposals for any additional capacity, the Draft ANPS states that airports would need to:

"...demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow".  

This test is quoted in the MAG Planning Statement (para 5.74), but it then makes no response. 'Need' is a common test applied to planning applications for many forms of development. 'Need' for the application's additional capacity at Stansted Airport (whether it is 'additional' or 'different') is simply not addressed in the MAG Planning Statement.

The aviation forecasts in ES1, Chapter 4 produced by consultants ICF on behalf of MAG, also fail to address the essential question of demonstrable need and rely upon a relatively optimistic forecast for the UK economy by Oxford Economics ('OE') undertaken in July 2016, just a month after the Brexit referendum. The OE report did not look specifically at the aviation sector and is at odds with almost all mainstream economic forecasts published since July 2016.

The ICF forecasts do not even acknowledge that Brexit has created significant uncertainty for the future of the UK aviation sector, not least non-UK airlines in the EU such as Ryanair, although ICF does acknowledge that Ryanair accounted for 82% of all Stansted passengers in 2016.

Moreover, the ICF forecasts are based on the improbable assumption that all of Stansted's competitor airports in the south east remain capacity constrained right through until 2028. For example, Luton which serves broadly the same market as Stansted is assumed to be limited to its existing planning cap of 18mppa throughout the forecast period (i.e. to 2028). There is no explanation by ICF as to why that should be so, nor even an acknowledgement that Luton has grown at a significantly faster rate than Stansted over the past five years (without a change of ownership).

As will be seen in Chapter 8 (Table 8.8) of this submission, Luton is significantly closer to its 18mppa planning cap than Stansted is to its 35mppa cap, and DfT studies leading up to the 2003 ATWP estimated the potential capacity of Luton at up to 30mppa. The ICF assumption that Luton will continue be constrained to 18mppa for at least the next 10 years seems to be contrived to boost the case for lifting the cap at Stansted.

The most recent DfT forecasts for UK aviation were published in October 2017. The central DfT forecast for Stansted is for 31mppa in 2030 and 35mppa in 2033 (see chart below). Moreover, with a third runway at Heathrow, the DfT projects that demand at Stansted will actually decline to 22mppa in 2030, and that even by 2040 the airport would still only be handling 32mppa, i.e. less than the present cap, which would not be reached until 2043. ICF makes no reference to any of this.

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56 Draft ANPS para 1.40.  
57 ES1, Fig 4.6.  
59 Ibid Table 32 and Fig 7.4.
7.23 The timeline shown in Figure 7.4 gives more detail of London airports filling.

![Timeline of London airports' capacity filling, central demand, baseline capacity](image)

6.4.31 The inability of MAG and its consultants ICF to address the essential test of 'demonstrable need' posed in the draft ANPS is a fundamental failing. Chapter 8 of this SSE submission deals more fully with the relevant air traffic forecasts for Stansted.

6.5 Transport policy

6.5.1 Government Transport Policy in the ‘Highways England (‘HE’) Strategic Road Network Initial Report (2017) makes no mention of improvements to the M11 in the vicinity of Stansted Airport, specifically J8, which would be essential for any further growth of the Airport.

6.5.2 HE has also produced the ‘East of England Route Strategy’ (March 2017) which says nothing that would positively support growth at Stansted, but mentions the A120:

"The A120 is also strategically important to the local and regional economy, on account of its connection to the shipping industry. It is considered that the lack of capacity on the route leads to longer trips between the A133 and A1232, which is negatively affecting growth in the surrounding area."

6.6 Regional and county policy context

6.6.1 The statutory East of England Regional Spatial Strategy was revoked in 2013 and Local Enterprise Partnerships (‘LEPs’) have now been established which produce Strategic Economic Plans, for example, South East (including Essex) 2014, Hertfordshire (2017) and Cambridge (2013). These are non-statutory economic ‘strategies’ which are generally supportive of Stansted Airport but have no weight in planning decisions.

6.6.2 Essex CC also produces a non-statutory ‘Economic Plan’ (2014) which is also supportive of Stansted Airport but also has no weight in planning decisions.
6.6.3 Essex Local Transport Plan (2011) has no specific proposals which would support growth of Stansted Airport.

6.7 Comments on non-airport policy

6.7.1 There are no non-airport policy documents which provide any specific support for the planning application’s proposals.

6.8 Sustainability, the NPPF and assessment of claimed benefits

6.8.1 The National Planning Policy Framework (‘NPPF’) 2012 is currently being revised with a Draft published in March 2018. This does not make any substantive changes to the relevant texts quoted below from the 2012 NPPF document, which has little to say about airports, and does not specifically mention Stansted.

- para 31 – "local authorities should work with others to provide infrastructure necessary to support sustainable development, and transport investment for the growth of airports." (But the NPPF does not presume that growth of airports is itself sustainable.)

- para 33 – "planning for … airports … which are not subject to national policy statements should take account of their role and the Framework for UK Aviation as well as the NPPF." (This does not say anything of particular consequence.)

6.8.2 Other paragraphs of the NPPF refer to climate change:

- para 30 – “Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport”. [our emphasis]

- para 93 – "Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development." [our emphasis]

- para 94 – “Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, (in line with the objectives and provisions of the Climate Change Act 2008) taking full account of flood risk, coastal change and water supply and demand considerations.” [our emphasis]

- para 96 – "To support the move to a low carbon future …" [our emphasis]

6.8.3 This planning application would, if approved, not reduce carbon emissions nor greenhouse gas emissions generally, nor congestion. On the contrary, it would have adverse impact in these areas. In Chapter 14 it is shown that, over the period to 2050, the additional CO₂ emissions generated if the application were to be approved would be in the region of 6 million tonnes, as compared to the do minimum scenario.

6.8.4 This total is extremely similar to the total emissions that would have been generated over the lifespan of the proposed open cast mining operation at Hithorn, Northumberland. The Secretary of State rejected this application, overturning the decision of a Planning
Inspector, principally on the grounds of its effect on greenhouse gas emissions and the need to combat climate change. The Secretary of State’s decision letter of 22 March 2018 states:

“Given that cumulative effect, and the importance to which the Government affords combatting climate change, he concludes that overall the scheme would have an adverse effect on Green House Gas emissions and climate change of very substantial significance, which he gives very considerable weight in the planning balance.”

6.8.5 Chapter 14 of this submission deals more fully with carbon emissions and climate change.

6.8.6 Not even the MAG Planning Statement makes any claim that the proposed development would in any way be helpful to the need to reduce or mitigate the problem of climate change. The proposed development involves significant increases in CO₂ emissions and, in this respect, increasing the capacity of an airport is ‘unsustainable’ and would exacerbate the problem of climate change.

6.8.7 The application fails to address this and does not even attempt to balance the adverse impacts on climate change with the benefits of air travel. ES1, Chapter 13 (Climate Change) focuses only on the risks to Stansted Airport in the event of climate change and not the risks caused by its aircraft movements.

Claimed benefits

6.8.8 The Planning Statement claims that the development ‘will deliver’ socio/economic objectives and claims the following ‘benefits’ of the proposals:

- “improved access to overseas markets;
- meeting a higher share of local/regional aviation demand;
- improved potential for attracting inward investment and productivity growth;
- promoting trade and tourism;
- providing increased numbers of jobs; and
- improving skills and opportunities in the local labour market.”

6.8.9 The essential case in the Planning Statement is that expansion will have economic benefits locally and nationally. These claims are examined in more detail in Chapter 13 of this submission. All planning proposals have to be judged as a balance between ‘benefits’ and ‘impact’ but MAG has failed to explicitly do that, for example:

- The Planning Statement states that “The proposed development will enable an additional 1.2 million business passengers to travel through the airport” and it says that the benefit of this to the UK varies from £1.2bn to £5.6bn. This wide range suggests the figures should be treated with caution.

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60 Planning Statement, para 6.23.
62 Ibid.
The remaining 6.8m out of the forecast extra 8.0m passengers (85%) would be leisure passengers and the great majority of these (69%) would be outbound UK leisure travellers. However, the Planning Statement only focuses on the extra 2.2m foreign visitors and (correctly) equates this to an additional 1.1m visits. The Planning Statement estimates that at a spending of £700 per head, this would be worth £799m to the UK economy in 2028. However, no mention is made of the additional 2.3m overseas visits that would be made by UK holidaymakers on a foreign holiday taking an additional £1.61 billion out of the UK, based on the same estimate of £700 per head.

**Sustainable Development**

6.8.10 The NPPF 2012 sets down three dimensions of sustainable development - economic, social and environmental. The new Draft NPPF (March 2018) maintains the same 3-dimensional approach although it makes minor revisions to the definitions.

6.8.11 SSE fully endorses the NPPF’s three dimensions of sustainable development and it addresses each of these ‘dimensions’ in subsequent chapters of this submission, by critically examining the evidence presented by MAG in the ES and by presenting other relevant evidence which has been disregarded by MAG in the ES.

6.9 Development plan

6.9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application falls to be considered against the relevant policies of the development plan unless material considerations indicate otherwise.

6.9.2 The Development Plan comprises the saved policies of the UDC Local Plan 2005. There is also an Essex County Council Minerals Plan (original 1997, new 2014) but this is not generally of relevance to the consideration of this application.

6.9.3 Other material considerations for this planning application include:

- Regulation 18 Local Plan (2017)
- PPG and NPPF guidance
- APF (2013)
- UK Aviation Forecasts, DfT, October 2017
- Government climate change policy
- Night Flying Restrictions at Heathrow, Gatwick and Stansted (2017)
- Emerging national aviation policy including the Draft ANPS and the new UK 'Beyond the horizon' aviation strategy.

**Adopted Local Plan (2005) (‘ALP’)**

6.9.4 None of the specific ‘airport’ policies in the ALP (i.e. S4, S8 and AIR1 to AIR7) have any material bearing on this planning application. However, the following policies in the ALP are relevant:

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63 Ibid, para 6.27.
64 The Office of National Statistics (‘ONS’) produces tourism spend data in its annual ’Travel Trends’ publication and £700 per visit is a reasonable (broad) estimate for both outbound and inbound spend.

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• **Policy ENV10** – Noise Sensitive Development and Disturbance from aircraft
  "Housing and other noise sensitive development will not be permitted if the occupants would experience significant noise disturbance. This will be assessed by using the appropriate noise contours for the type of development and will take into account mitigation by design and sound proofing features."

• **Policy ENV11** – Noise Generators
  "Noise generating development will not be permitted if it would be liable to affect adversely the reasonable occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated."

• **Policy GEN4** – Good Neighbourliness
  "Development and uses, whether they involve the installation of plant or machinery or not, will not be permitted where:
  a) noise or vibrations generated, or
  b) smell, dust, light, fumes, electro-magnetic radiation, exposure to other pollutants; would cause material disturbance or nuisance to occupiers of surrounding properties."

6.9.5 Policy GEN4 makes a similar point to Policy ENV11, which is the corollary of Policy ENV10. In considering relative aircraft noise impacts a key yardstick is that under the 'do minimum' scenario for 2028 there would be 248,820 aircraft movements\(^{66}\) whereas the proposed development would generate 274,00 movements, a 10% increase, and there would be larger planes. As pointed out in paras 6.4.24 to 6.4.31 above, the 'need for the development' has not been demonstrated.

**Emerging Local Plan ('ELP')**

6.9.6 The ELP was published as a Regulation 18 Draft in August 2017. A 'Pre-Submission' Regulation 19 Draft is programmed to be published in 'summer 2018' with submission to the Secretary of State planned for in 'autumn 2018' and examination in 'winter' 2018/19\(^{67}\).

6.9.7 The ELP states as follows in relation to the development of Stansted Airport, under the heading "Objective 2c – London Stansted Airport":

  "To accommodate development by:

  Utilising the permitted capacity of the existing runway and provide for the maximum number of connecting journeys by air passengers and workers to be made by public transport; [our emphasis]

  and

  Ensuring that appropriate surface access infrastructure and service capacity will be provided without impacting on capacity to meet the demands of other network users."

\(^{65}\) NPPF, Mar 2012, para 7.
\(^{66}\) ES1, Table 12.10.
\(^{67}\) Local Development Scheme Jul 2017.
6.9.8 The ‘permitted capacity’ means the 2008 planning permission which is 35mppa. Clearly the application proposals are not in accordance with this objective.

6.9.9 Para 3.76 reinforces what ‘permitted capacity’ means as follows

"London Stansted Airport is a busy growing airport currently operating at approximately 24.5 million passengers per annum (mppa) with a capacity to manage up to 35mppa, and with planning consent in 2008 allowing the airport to grow to this operating capacity. Planning permission has been granted for a new arrivals terminal with construction commencing in 2018 and is programmed for completion by 2021. The planning permission will be implemented over the Local Plan period so the Local Plan needs to accommodate the development that will be needed to service this increase in passenger numbers. By the time the airport serves 35mppa, around 19,000 people are expected to be working on the airport or off airport in either direct or indirectly related jobs. These airport-related jobs have an importance to the wider economy.” [our emphasis]

6.9.10 It is clear that the ELP does not envisage, much less support, any increase in passenger throughput or capacity beyond the “latest permission” of 35mppa of the 2008 permission granted by the Secretary of State.

6.9.11 The policy which pulls together the objective and defining paragraph (above) is SP11. An extract is as follows: [our emphasis]

"Policy SP11 - London Stansted Airport
The growth of London Stansted Airport will be supported and it is designated as Strategic Allocation in the Local Plan. The Strategic Allocation (see Policies Map) includes land within the existing airport operational area and incorporates the North Stansted Employment Area. The allocation serves the strategic role of London Stansted Airport and associated growth of business and industry, including aviation engineering, distribution and service sectors which are important for Uttlesford, the sub-regional and national economy.
Proposals for the development of the airport and its operation, together with any associated surface access improvements, will be assessed against the Local Plan policies as a whole. Proposals for development will only be supported where all of the following criteria are met:

a. They are directly related to airport use of development;
b. They contribute to achieving national aviation policies;
c. They are in accordance with the latest permission and the Airport Master Plan published by Manchester Airport Group and adopted by Uttlesford District Council;
d. Do not result in a significant increase in Air Transport Movements that would adversely affect the amenities of surrounding occupiers or the local environment (in terms of noise, disturbance, air quality and climate change impacts);
e. Achieve further noise reduction or no increase in day or night time noise in accordance with any imposed planning condition or otherwise cause
excessive noise including ground noise at any time of the day or night and in accordance with the airport’s most recent Airport Noise Action Plan;

f. Include an effective noise control, monitoring and management scheme that ensures that current and future operations at the airport are fully in accordance with the policies of this Plan and any planning permission which has been granted;

g. Include proposals which will over time result in a significant diminution and betterment of the effects of aircraft operations on the amenity of local residents and occupiers and users of sensitive premises in the area, through measures to be taken to secure fleet modernisation or otherwise;

h. Incorporate sustainable transportation and surface access measures in particular which **minimise use of the private car**, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Stansted Sustainable Development Plan;

and

i. Incorporate suitable road access for vehicles including any necessary improvements required as a result of the development."

6.9.12 It is not clear what is meant in the ELP by an Airport Master Plan (‘AMP’) in criterion ‘c.’ above because the last formal AMP for Stansted was published in 2006 when STAL was still a part of BAA. After acquiring STAL in 2013, MAG published a Stansted Airport ‘Sustainable Development Plan’ (‘SDP’) in 2015 but was careful not to describe this as an AMP. The Stansted SDP is a largely aspirational non-statutory document and cannot bind a decision on the planning application. The Scoping Opinion makes clear that the Stansted Airport SDP has not been adopted by UDC.68

6.9.13 With regard to criterion ‘d’ above, whilst the application does not seek an increase in the 274,000 aircraft movements currently permitted, only 248,800 aircraft movements can be achieved by 2028 with a 35mppa cap.69 The proposed development represents a 44% increase on 2017 aircraft movements of 189,919, whereas this would be limited to a 31% increase (to 248,800 movements) in the Base Case. Thus, by applying criterion ‘d’, the effect of this application would be a 44% increase in the number of flights rather than a 31% increase. This translates to an additional 70 flights a day. This would certainly be a “significant increase”, contrary to criterion ‘d’.

6.9.14 Criterion ‘h’ above requires the minimisation of car travel. An increase of 8mppa passengers (23%) will generate the same percentage increase in car movements unless the 50% public transport target is raised. This is clearly not a proposal which would “minimise use of the private car”. Chapter 10 of this submission addresses this issue in more depth.

6.9.15 Regarding criterion ‘i’, we question whether the requirement to incorporate "suitable road access for vehicles including any necessary improvements" has been satisfied given that there is no provision for additional car parking and no mitigation for the many roads nearby which would become stressed.

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68 UDC Scoping Opinion, Appendix A, para 15.
69 For example, ES1, Table 12.10.
6.9.16 Objective 3b in the ELP, under the heading 'Climate Change and Use of Resources', includes a more general reference to sustainable travel: "Ensuring new development promotes the use of sustainable travel". Neither Government policy nor any of the planning application documents express a view, or much less claim, that air travel is 'sustainable'. The NPPF tests of sustainability are dealt with in Section 6.8 above and Chapter 14 of this submission deals with the evidence on carbon emissions and climate change in more depth.

6.10 Wider relationship between the ELP and the Stansted Airport proposals

6.10.1 This submission has already established that the growth proposed in the application finds no support in either the ALP or the ELP.

6.10.2 The ELP has an overall strategy for growth which is principally comprised of three major new settlements: at Easton Park, Little Easton; West of Braintree (in association with the Braintree Local Plan); and ‘North Uttlesford’, near Great Chesterford.\(^70\) Two of these new settlements are located along the A120 corridor to the east of M11 J8 and are described in the ELP as follows:

**Easton Park** – The whole garden community will comprise 10,000 new dwellings, of which a minimum of 1,800 homes will be built by 2033, and a range of local employment opportunities and services and facilities including schools, health, retail and leisure. This garden community will take advantage of its proximity to London Stansted Airport both for employment and as a transport hub in the A120 corridor. There are opportunities for sustainable transport links to the Airport.

**West of Braintree** – This garden community straddles the District boundary with Braintree District Council. The whole garden community, within both districts, will comprise 10,000 new dwellings, of which a minimum of 970 homes will be built by 2033, and a range of local employment opportunities and services and facilities including schools, health, retail and leisure. Located close to the A120 this garden community will be conveniently located to Braintree and London Stansted Airport for employment opportunities. The Council will work closely with Braintree District Council to ensure that this garden community is jointly master planned and delivered.\(^71\)

6.10.3 The importance of improvements to the A120 and M11 J8 is emphasised:

*Policy SP6 - Easton Park Garden Community*

Permission will be granted for a new garden community at Easton Park following approval of a detailed development framework. The new garden community at Easton Park will:

…

1. Deliver 10,000 new dwellings, of which a minimum of 1,800 will be delivered by 2033. A mix of housing sizes and types of housing will be delivered in accordance with housing needs including affordable homes and homes for older people, residential care and nursing home. Specific provision will be made for self and custom build housing.

…”

\(^70\) ELP, Key Diagram Map, Appendix 1, p18.

\(^71\) Ibid, para 3.15.
5. Provide the main vehicular access from the A120, including improvements to the A120 and M11 Junction 8.\textsuperscript{72}

\textit{\ldots
Policy SP8 - West of Braintree Garden Community

Permission will be granted for a new garden community at land West of Braintree following approval of a detailed development framework jointly by Uttlesford and Braintree District Councils. All criteria in this policy relate to the part of the garden community to be delivered in Uttlesford. The new garden community at West of Braintree will:

\textit{\ldots
1. Deliver 3,500 new dwellings in Uttlesford, of which 970 will be delivered by 2033. A mix of housing sizes and types of housing will be delivered in accordance with housing needs including affordable homes and homes for older people. Specific provision will be made for self and custom build housing.

\textit{\ldots
5. Reconfiguration of and improvements to junctions on the A120, allowing access in all directions. Contributions to improving M11 Junction 8 will also be sought. \textsuperscript{73}

6.10.4 It is clear from the above that – as they develop – the proposed new settlements will put increasing pressure on M11 J8 at the same time as there would be growing pressure from airport passengers and staff if the airport planning application were to be approved. Moreover, M11 J8 is already under stress.

6.10.5 The preparation of the New Local Plan follows a failure of the 2014 version which was withdrawn after a critical Inspector’s Report following an initial Examination. Although the following extract was concerned with a major new settlement at Elsenham, it has relevance to Stansted Airport and M11 J8, as follows:

"Reference is made to improvements which may become necessary at some stage if Stansted Airport expands beyond its present cap and which may bring in additional resources for J8 improvements. However, the timing of that is uncertain and could be subject to wide variation from the Airport’s present aspirations.

My initial soundness concerns (EX101) summarised the representations on this matter, together with relevant material in the Duty to Co-operate statement, and observed that these prompted the question: \textit{is the present state of evidence sufficient to demonstrate that (when the models under development have been run) the Uttlesford allocations, taken together with those in nearby Districts, will be sound in the sense of being compatible with the capacity of the road network?} I am unable to conclude that this question has been answered sufficiently positively. ULP is not constructed on the kind of contingent basis which appears to be suggested in para 25 of the SoCG\textsuperscript{74} and in any case \textit{Local Plans are intended to convey certainty that their proposals can

\textsuperscript{72} Ibid, p34.
\textsuperscript{73} ELP p38.
\textsuperscript{74} Statement of Common Ground.
be implemented within their timespans. This is an essential element of their effectiveness.

Taken together, my soundness concerns about the OAN and Elsenham policy lead to my not being able to recommend adoption of the plan as submitted. Nor, given the extent of change that would be likely to be required to the overall strategy, can I recommend Major Modifications under S20 of the Act to overcome these soundness issues.” 75 [our emphasis]

6.10.6 The Highways Agency (HA) and the two County Councils (Herts & Essex) were clearly unprepared for the identification and evaluation of the improvements required to the strategic highway network, such that any consideration of a major new settlement at Elsenham (access A120, M11 J8) and the uncertainty over any growth at Stansted Airport rendered the 2014 version of the UDC Local Plan fatally flawed.

6.10.7 The position is little different today. After years of trying to devise a spatial strategy for Uttlesford (preparation of a new Local Plan began in earnest in 2012) the current version of the ELP has two new major settlements along the A120 corridor, but no credible strategy for delivering the necessary strategic road improvements.

6.10.8 Highways England (‘HE’), formerly the HA, is still studying what and when improvements are required to M11 J8, and the County Highway Authorities are still pondering what improvements are required to the A120. Although the ELP expects only some 3,000 homes will be delivered in Uttlesford by 2033, a further 19,000 homes are planned for the two A120 garden communities. In addition, very substantial new housing development is planned in parallel, in EHDC and other neighbouring Districts.

6.10.9 UDC would be unwise to submit another Local Plan to the Secretary of State for examination without a strategic highway strategy, yet Government are pressurising LPAs to submit new Local Plans in situations, such as UDC, where adopted LPs are significantly out-of-date, with penalties to intervene where necessary.

6.10.10 It is unlikely that the new ‘garden communities’ will make any planning applications in advance of the adoption of the new Local Plan, and no commitments for strategic highway improvements will be offered by the developers beforehand.

6.10.11 Growth of Stansted Airport beyond 35mppa is not provided for in the ELP but MAG has indicated that it would be prepared to make some contribution, by way of a section 106 agreement, towards some improvements to M11 J8 which could relieve the pressure on the junction in the short term, pending the far more substantial junction improvement scheme that is needed. MAG has also indicated that it would be prepared to make a Section 106 contribution to a “Local Roads Fund … to deliver localised improvements, traffic management and enforcement measures in conjunction with the Local Highway Authorities.” 76

6.10.12 This may be seen as providing the opportunity, if enacted with a planning permission, for UDC to assert that it has found a way of ‘pump priming’ funding for M11 J8 and A120 improvements in the Local Plan put forward for Examination. UDC otherwise risks going

76 Planning Statement, Appendix D.
before another Examination with little to say about the provision of strategic highway infrastructure to serve the proposed new garden communities.

6.10.13 This may explain why UDC appears to be intent on granting MAG planning permission for the 43mppa application, even to the extent of seeking to avoid any delay by resisting calls for the application to be dealt with by the Secretary of State. It would however be a very controversial and unjustified strategy for UDC to approve the planning application in order to provide credibility to the new Local Plan, with all the harm it would cause to the local community, the local environment and beyond. It would also risk triggering a judicial review.

6.11 Summary of the planning policy objection

Introduction

6.11.1 This Chapter sets out the overarching planning policy objections to the proposed expansion of Stansted Airport. In later sections of this submission SSE deals with individual topics such as surface access and environmental impacts and economics and employment effects.

6.11.2 The application was submitted on 22 February 2018 and the Planning Performance Agreement ('PPA') signed and agreed between UDC and MAG has set a deadline at 18 July 2018 for "consideration and resolution of the application" by UDC Planning Committee.

Proposals

6.11.3 The application seeks permission to increase the capacity of the Stansted Airport runway by constructing an additional rapid access taxiway ('RAT') and an additional rapid exit taxiway ('RET'). Nine additional aircraft stands are also applied for.

6.11.4 The application also seeks an uplift in the permitted passenger throughput from 35mppa to 43mppa against the 2017 Baseline of 25.9mppa, representing increases of 23% and 66% respectively. The Applicant also seeks a unified cap for aircraft movements rather than the existing separate caps for PATMs (243,500), CATMs (20,500) and 'Other movements' (10,000). No increase above the currently permitted overall aircraft movements limit of 274,000 is proposed but the Applicant accepts that only 248,800 aircraft movements are achievable under the current permission.

6.11.5 The Applicant acknowledges that a maximum of 249,000 aircraft movements could be achieved with a 35mppa cap.77 The proposed development would therefore lead to a 10% increase in aircraft movements compared to the 35mppa base case and a 44% increase compared to the 2017 Baseline of 189,919 aircraft movements.

Government Airports Policy

6.11.6 Airports policy is currently under review. The ATWP was replaced in 2013 by the APF. In this Stansted Airport is one of the 'regulated airports' where "the future of these airports is under consideration". This was a reference to the Airports Commission which had been set up by the Government in November 2012:

77 ES1, Table 12.10.
“To examine the scale and timing of any requirement for additional capacity to maintain the UK’s position as Europe’s most important aviation hub, and [to] identify and evaluate how any need for additional capacity should be met in the short, medium and long term.”

6.11.7 The Airports Commission published its final report in July 2015 recommending an additional runway at Heathrow rather than Gatwick, these being its shortlisted options. Stansted was not on the shortlist and the Commission had this to say about Stansted in its final report:

“The Commission considers that there may be a case for reviewing the Stansted planning cap if and when the airport moves closer to full capacity. Its forecasts indicate that this would not occur until at least the 2030s … The Commission does not have any view as to the outcome of any such review …” 78

6.11.8 Future Government policy will be set out in two documents:

- **Airports National Policy Statement.** The Government intends to present this to Parliament for approval in **summer 2018.** This will set down the planning policy framework which the applicant for a north-west runway at Heathrow Airport would have to comply with in order to get development consent. The ANPS may also set down some ground rules for airport development generally.

and

- ‘**Beyond the horizon … Next steps towards an aviation strategy.**’ Still at the early stages of consultation, this will replace the APF. The Government intends to publish a Green Paper in **autumn 2018** and the final version of its new aviation strategy as a White Paper in **early 2019.** A Draft ANPS was published in October 2017, but the Planning Statement mainly refers to the withdrawn February 2017 version. The latest Draft states:

> “1.39 The Airports NPS does not have effect in relation to an application for development consent for an airport development not comprised in an application relating to the Heathrow Northwest Runway,

1.40 Government accepts that it may well be possible for existing airports to **demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow.** As indicated in paragraph 1.37 above, the Government’s policy on this issue will continue to be considered in the context of the call for evidence on a new Aviation Strategy.” [our emphasis]

6.11.9 ES1 Chapter 4 (Aviation Forecasts) makes extensive reference to the July 2017 ‘Beyond the horizon’ paper, which was the ‘Call for evidence’. An updated ‘Beyond the horizon’ paper was published by the DfT in April 2018 for consultation. Significantly, the references cited in ES1 Chapter 4 are omitted from the updated paper.

6.11.10 There must be strong doubts as to whether further development of Stansted Airport at this time meets Government Policy. The Draft ANPS is strongly focused on the Government’s over-riding priority of delivering a third Heathrow runway, to the extent that it seems to be saying that any other proposals should be put on hold for the time being. The final version of the APNS must be awaited, but the Draft states that other proposals must “demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a Northwest Runway at Heathrow”. The current planning application does not address that.

The timing of the application

6.11.11 There are many unanswered questions as to why this planning application has been brought forward at a time when the local and national policy framework is unsettled, and when there is, quite plainly, no pressing need for an uplift in the present 35mppa cap. SSE has addressed these matters in depth in Chapter 4 of this submission and there is no need to repeat them here.

Sustainability, the NPPF and claimed benefits

6.11.12 Mitigating climate change is a national and international priority. There are several references in the NPPF (including the new Draft) which make this clear, for example:

“Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.” 79

6.11.13 The planning application makes no claim, nor could it, that the proposed development would do other than have an adverse impact on the mitigation of climate change. In fact, ES1, Chapter 14 (Climate Change) is bizarrely about the impact of climate change on Stansted Airport not about the impact of Stansted Airport, and the proposed growth, on climate change.

6.11.14 The NPPF has three ‘dimensions’ or ‘objectives’ for sustainability: economic, social and environmental. The essential case in the Planning Statement is that expansion will have economic benefits locally and nationally. These claims are critically examined in Chapter 13 of this submission.

6.11.15 It is difficult for the planning application to claim that it satisfies the NPPF’s environmental objectives. In subsequent topic-specific chapters of this submission, SSE will demonstrate that – contrary to the Applicant’s contention – the proposed development, if approved, would result in significant adverse environmental impacts.

The Development Plan

6.11.16 The statutory test for determining the planning application is Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that the application falls to be considered against the relevant policies of the development plan unless material considerations indicate otherwise.

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79 NPPF, Mar 2012, para 93.
6.11.17 The ALP contains little of airport policy relevance for consideration of this application. However, Policy ENV11 ‘noise generators’ would certainly include Stansted Airport. Noise generators will only be approved where ‘need’ has been demonstrated. There is no convincing demonstration of need, just what is little more than an assertion that the expansion of Stansted Airport would benefit the economy.

6.11.18 The ELP is of more relevance and the proposals are clearly contrary to the ELP at Objective 2c, paragraph 3.76 and Policy SP11 – all of which limit Stansted Airport to the 2008 permission. Moreover, Policy SP11 lists nine criteria and any development at Stansted must meet them all. The proposed development fails three at least, as spelt out in paras 6.9.13 to 6.9.16 above.

6.11.19 Objective 3b of the ELP is to “mitigate and adapt” to climate change. Substantial growth of Stansted Airport will not achieve that. Chapter 14 of this submission considers carbon emissions and climate change in some detail.

6.11.20 There is, lastly, a direct linkage between growth at Stansted Airport and UDC’s wider ambitions in the ELP, which cannot be achieved without resolving the problem of M11 J8. In 2014, an earlier version of the UDC Local Plan was rejected by the Inspector because there was no demonstrable means of securing the improvements needed to this key junction in order to support the proposed level of new housing development, particularly at Elyenham.

6.11.21 The current ELP proposes two new settlements in the A120 corridor, east of M11 J8, and it risks meeting the same fate as the earlier plan unless the capacity problem with this key junction is resolved. MAG has promised a financial contribution to assist the funding of improvements to M11 J8. UDC may be trying to secure this ‘pump priming’ by permitting growth at the airport in advance of another Local Plan Examination.

6.11.22 This may well also be the reason why both the Applicant (in the hope that UDC will swiftly grant permission) and UDC (in the hope of securing a Section 106 commitment from MAG on M11 J8) are so keen to have this application determined at local level rather than dealt with as a NSIP, or otherwise, by the Secretary of State.

6.11.23 If this application were to be approved by UDC in such circumstances, despite: the conflicts with the Development Plan, the substantive objections from the local community, the current uncertainty with regard to Government policy, and the unnecessary urgency with which the application has been brought forward and is being pursued, the decision would almost certainly be challenged – on multiple grounds, including abuse of process.

6.12 Reasons for refusal

6.12.1 Notwithstanding that the application should be called-in for Secretary of State consideration and decision, this Report submits that UDC should refuse planning permission for the following reasons:

(1) The proposals are contrary to Government airport policy as expressed in:

- The Draft ANPS (Oct 2017) – because no ‘additional or different’ need for the extra capacity at this time has been demonstrated,
having regard *inter alia* to the most recent DfT Aviation Forecasts (Oct 2017); and

- The Airports Commission Final Report 2015: no case has been made for rejecting the Commission's view “that there may be a case for reviewing the Stansted planning cap if and when the airport moves closer to full capacity. Its forecasts indicate that this would not occur until at least the 2030s”.

(2) The proposals are contrary to the NPPF’s objectives for sustainable development – the economic case has not been adequately made; and environmental impact, including the adverse impact on climate changes, is an unavoidable consequence of increased aircraft travel.

(3) The proposals are contrary to the ELP Objective 2c and Policy SP11

- which limit the capacity of the airport to its 2008 permitted level
- the effective increase in ATMs above those required for the passenger limit of 35mppa is a ‘significant’ and unacceptable increase
- the substantial increase in car trips without any increase in the modal share percentage target will not ‘minimise use of the private car’.

6.12.2 This is a major development which affects the Local Plan’s spatial strategy and should be evaluated alongside other major developments in accordance with the NPPF’s ‘plan-led system’ as part of the ELP rather than an application decision, especially as there is no operational urgency for early determination in advance of that process.

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80 NPPF, Mar 2012 para 17.
7 Historical Background

7.1 Introduction

7.1.1 The history of Stansted Airport has been long and troubled, and the early years are appropriately recounted in the first case study in ‘Great Planning Disasters, London’s Third Airport’ by the late Sir Peter Hall. Until recently it was marked by a determination in Whitehall to make Stansted London’s Third Airport after Heathrow and Gatwick, complete with a second runway or even a third or fourth, countered by the even more determined resistance of the local community, led first by the North West Essex and East Herts Preservation Association (‘NWEEHPA’) and now SSE.

7.1.2 Whenever the proposition of a further runway or runways has been subjected to independent scrutiny it has been totally rejected – by the Chelmsford Inquiry in the 1960s, by the Roskill Commission in the 1970s, by the Eyre Inquiry in the 1980s, and most recently by the Airports Commission in the 2010s.

7.1.3 While a second runway has repeatedly been rejected, there has been a creeping incrementalism of a steadily growing throughput on the existing runway, from 1mppa in the 1980s to upper limits of 8mppa (1991), 15mppa (1999), 25mppa (2003) and now 35mppa (2008). MAG’s present application, to increase this cap to 43mppa, is a continuation of that incrementalism.

7.1.4 In 1984, more than 30 years ago, Inspector Eyre said that “the belaboured population’ around Stansted Airport, was entitled to ‘a degree of certainty and immutability’. They should "at least and at last’ know where they stood”.

7.2 Early history

7.2.1 In 1949 Stansted Airport, previously an American airbase in WW2, came under the control of the Ministry of Civil Aviation. There was very little traffic, but in 1963 an inter-departmental committee of Government officials recommended that Stansted, with two runways, should be London’s third airport. In response to the ensuing outcry an independent inquiry was set up. It was conducted by Inspector G.D. Blake and became known as the Chelmsford Inquiry. In his report, dated May 1966, Blake concluded:

“It would be a calamity for the neighbourhood if a major airport were placed at Stansted. Such a decision could only be justified by national necessity. Necessity was not proved by evidence at this inquiry.”

7.2.2 One of the organisations that had given evidence to Blake was NWEEHPA, which had been set up in 1964 to fight the threat of major expansion at Stansted. In the judgement of Peter Hall, NWEEHPA had produced

“…an excellently reasoned, technically competent, counter-case. It was skilfully based not on opposition to the Stansted development per se, but

82 1981-83 Airports Inquiries: Inspector's Report to the Secretary of State, 1984, Chapter 1, p54 and p89, and Chapter 48, para 11.10.
on the need for a prior independent inquiry into a national airport policy, which was demonstrably lacking."  

7.2.3 The Government had given clear undertakings that it would not overrule the Chelmsford Inquiry, but in its White Paper of 1967 it adhered to its earlier decision to make Stansted London’s third airport. Not only that, it also raised the possibility that in due course Stansted could become an airport with four runways. This provoked further strong opposition, and eventually – as NWEEHPA had advocated – a new independent inquiry was set up, the Roskill Commission, with the remit of finding the most suitable site for a four-runway airport.

7.2.4 The Roskill Commission lasted two and a half years, from May 1968 to December 1970. It examined 78 sites, and after seven months’ work whittled this number down to a shortlist of four. Stansted was not one of them. Eight other sites were considered more suitable. The Commission recommended Cublington in Buckinghamshire, but one member, Collin Buchanan, recommended Maplin in the Thames Estuary. In his view, "It would be nothing less than an environmental disaster if the airport was to be built in any of the inland sites."  

7.2.5 It was Maplin that the Conservative Government chose in 1971. This, however, was an expensive option, and it was mainly because of the cost, and because of the oil crisis in 1973/74, that Maplin was abandoned by the incoming Labour Government. In the light of revised forecasts of demand the Government decided that there was no need for the time being to select a third major airport in the South East, and in its White Paper of 1978 it announced what it described as a step by step approach.

7.2.6 The 1978 White Paper accepted that local people had a right to expect that there should be limits on the development of airports, and it decided that this could best be achieved by limiting the number of terminals. It gave undertakings that there would be no more than four terminals at Heathrow and two at Gatwick, but it gave no assurances about Stansted. It saw no objection to permitting Stansted to handle 4mppa but acknowledged that an increase to 16mppa would raise wider issues. Including major changes in planning policies.

7.2.7 In effect, however, the Government had given the green light to further development at Stansted, and the British Airports Authority (as BAA was then known, before privatisation), which owned Stansted as well as Heathrow and Gatwick, and had consistently advocated its development, applied for an increase to 15mppa.

7.2.8 BAA's planning application was considered by Inspector Graham Eyre, who recommended that expansion to 15mppa should be allowed. Looking further ahead, as the Government had asked him to do, he indicated that, in due course, Stansted should be allowed to expand to 25mppa, which was then regarded as the full capacity of the existing runway. To accommodate these developments, he recommended that the airport should be expanded from 366 hectares to 957.5 hectares, an increase of 591.5 hectares.

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84 Ibid, p25.
85 Ibid - quoted by Hall - p37.
7.2.9 Eyre firmly rejected a second runway at Stansted and, in this context, he meant an airport capable of handling more than 25mppa because that was assumed at the time to be the maximum capacity of one runway.

"A major two-runway airport with an ultimate capacity of up to 50mppa should never be developed at Stansted ... and whether such a project represents a commitment, a proposal, a probability or a mere possibility, there is no justification for pursuing it." 86

7.2.10 The terms in which Eyre dismissed a two-runway airport could hardly have been stronger. It would be an "environmental catastrophe", he wrote, "a major environmental and visual disaster". He wrote feelingly of the attractiveness of the Essex countryside, and declared emphatically that "such a monster cannot and must not be inflicted on this precious landscape".87 It would be "an unprecedented and grotesque invasion of a large area of pleasant countryside." It would be "wholly unacceptable".88

7.2.11 Many of those who made representations warned Eyre of the dangers of the step by step approach – that granting permission for 15mppa would lead inevitably to an application for 25mppa and this in turn would lead to an application for a second runway.

7.2.12 In response to these representations Eyre was emphatic that planning permission for 15mppa should be granted only if the Government gave an unequivocal declaration of intention not to go beyond 25mppa and not to establish a second runway. In the absence of such a declaration he would recommend "unequivocally" that the application be refused.

7.2.13 In their decision on the application the Secretaries of State for Environment and Transport declared their agreement with Eyre’s view that

"The environmental and other effects of expansion of Stansted beyond 25mppa would be of a quite different order from the effects of the development currently proposed. They consider on the evidence before them, that there is no case for the provision of a second main runway at Stansted and wish to make it clear that they have no intention of pursuing such a course of action." 89

7.2.14 In the 1985 White Paper the Government again recorded its agreement with Eyre’s recommendations. It gave approval for development to 15mppa with a review being conducted at 8mppa. But it accepted "unreservedly" that there should be no development beyond the existing runway.

7.2.15 The new terminal building with a dedicated train station was opened in 1991.

7.3 Airport growth 1991-2010

7.3.1 In April 1997 the Government raised the upper limit from 8mppa to 15mppa with almost no opportunity for public debate and in 2003 UDC granted planning permission for further development at Stansted subject to upper limits of 25mppa and 241,000 ATMs.

87 Ibid, Chapter 50, para. 6.17.
88 Ibid, Chapter 28, para. 2.29.
89 Ibid, Chapter 1.
7.3.2 In the meantime, there had been a sharp increase in the demand for air travel because of the rise of the low-cost airlines, notably Ryanair and EasyJet at Stansted, and in July 2002, shortly before the 25mppa planning permission was granted, the Government published its Consultation Document in which it put forward a series of options for the development of air travel in the South East. Among the options for Stansted were, in various configurations, the development of the existing runway to its maximum use, the building of a second runway, the building of a third runway, and the building of a fourth runway.

7.3.3 Remembering the Government’s unequivocal declaration in 1985 that it had no intention of promoting a second runway and, faced with the possibility of being blighted by a four-runway airport twice the size of Heathrow, the reaction of the local community was one of profound shock and anger. Large protest meetings were held, and a new campaigning body was set up, Stop Stansted Expansion (‘SSE’), as a working group of NWEEHPA.

7.3.4 Chaired by the much-respected Norman Mead of Great Hallingbury, a veteran campaigner with NWEEHPA, and by Peter Sanders when Norman Mead retired in 2004, SSE was a powerful group in itself, able to call on experts in every field, and it worked in close association with local MPs, local councils and, under the umbrella organisation of Airport Watch, other campaigning bodies such as those at Heathrow and Gatwick. Local support was overwhelming. In 2003 UDC conducted a referendum on whether or not there should be any additional runways at Stansted. In a 69% turnout, more than for a general election, 89% voted against a second runway.

7.3.5 In response to the Government’s Consultation Paper, SSE produced a powerful statement – ‘Stansted – the Case against Irresponsible Growth’, but to little avail. In the 2003 Future of Air Transport White Paper (‘ATWP’) the Government came down in favour of the development of the existing Stansted runway to its full capacity followed by the building of a second runway “to be completed around 2011 or 2012”.

7.3.6 The unequivocal declaration of intent given by the Government in the 1985 White Paper, that there would be no second runway, was ignored. When challenged on this in the House of Commons by local MP Mark Prisk, the Secretary of State (at that time Alistair Darling) made no attempt to argue against Eyre’s judgement that a two-runway airport at Stansted would be an environmental catastrophe but asserted that it had been overtaken by events and, because of the increase in demand for air travel, it could be set aside. Because circumstances had changed, the Government’s ‘unequivocal declaration’ fell away.

7.3.7 Legal proceedings, some successful, some unsuccessful, delayed the process, but in 2006 BAA submitted its application to increase the use of the existing runway, raising the number of ATMs from 241,000 to 264,000 and removing the limit on passenger movements entirely. UDC rejected this application and BAA then appealed to the Secretary of State for Communities and Local Government who established a Public Inquiry under Inspector Alan Boyland. In the course of the inquiry BAA modified its application, no longer applying to remove the limit on passengers, but to increase the permitted limit from 25mppa to 35mppa.

90 ATWP, Executive Summary and paras 11.11, 11.27, 11.40, and Annex E.
91 Commons Hansard, 16 Dec 2003, Col 1443.
7.3.8 SSE argued that Inspector Eyre had only agreed to increase the limit to 25mppa on the understanding that there would be no increase beyond that point. BAA argued that Eyre had only stipulated 25mppa because that was the capacity of Stansted’s single runway, and that otherwise the figure had no significance. In other words, Eyre had rejected a second runway and had stipulated a limit of 25mppa only because that was the capacity of the existing runway. Boyland, wrongly in our view, took the same view as BAA.

7.3.9 In October 2008, therefore, acting on Boyland’s recommendation, the Secretaries of State for Transport and for Communities and Local Government determined that the upper limit for passenger movements at Stansted should be raised from 25mppa to 35mppa and that the permitted total number of aircraft movements should be raised to 274,000. SSE’s appeal against this decision was turned down by the High Court in March 2009.

7.3.10 Meanwhile in March 2008 BAA had submitted its application for a second runway at Stansted, and arrangements were set in train for another major public inquiry. However, in August 2008 the Competition Commission announced its ‘Provisional Findings’ report concluding that BAA must sell two of its three London airports, and this was subsequently confirmed in its final report. It was inconceivable that BAA would willingly sell Heathrow which meant that Stansted (and also Gatwick) would need to be sold.

7.3.11 The Competition Commission ruling led to a protracted legal challenge by BAA which was ultimately unsuccessful. SSE argued strongly that it would be inappropriate to go ahead with the public inquiry until the question of Stansted’s ownership had been settled. In March 2009, the Secretary of State finally accepted SSE’s position and the public inquiry was put ‘on hold’ just six weeks before it was due to begin.

7.3.12 The public inquiry was still 'on hold' when the May 2010 general election brought about a change in Government and one of the first statements made by the new Coalition Government was that there would be no new runways at Stansted, Gatwick or Heathrow. Thereupon BAA withdrew its application for a second runway at Stansted and the proposed public inquiry was abandoned.

7.4 2010 to date

7.4.1 In May 2010, after eight years’ campaigning it seemed that SSE had at last won, and that the finality for which Inspector Eyre had argued so powerfully and passionately had at last been achieved. But almost at once the aviation industry mounted a campaign to overturn the Government’s decision, and, falling back on the argument that a Government could not bind its successors, the Government opened up the issue once again. In September 2012 it established the Airports Commission with the remit of recommending to the Government how the UK could maintain its status as a global aviation hub.

7.4.2 The Airports Commission was given three specific tasks:

- to recommend how to make best use of existing capacity;
- to decide whether there was a need for more capacity; and
- if it decided that there was a need for more capacity, to recommend where this should be.

63
7.4.3 In December 2013 the Airports Commission published its Interim Report in which it stated that one new runway would be needed by 2030 and that it should be at either Heathrow or Gatwick. Stansted did not even make the short-list. However, the Commission concluded that a further runway might be needed in the UK by 2050, in which case a second runway at Stansted *"may however be a plausible option for any second additional runway in the 2040s"*.\(^{92}\) In its final report the Commission recommended that there should be an extra runway at Heathrow, and the Government has accepted this recommendation.

7.4.4 In January 2013, BAA announced that it had agreed to sell Stansted Airport to the Manchester Airports Group (‘MAG’) for £1.45 billion. The sale was completed on 28 February 2013.

7.4.5 In April 2017 UDC granted planning permission for a dedicated arrivals building at Stansted Airport. SSE did not object in principle to this proposal primarily because it was in lieu of an extension to the main terminal of equivalent floorspace for which Stansted Airport already had planning approval. Construction is expected to begin in 2019.

7.4.6 In February 2018, MAG submitted the current planning application to expand Stansted Airport to 43mppa. The details of the current application are described elsewhere in this submission and need not be repeated here.

\(^{92}\) Airports Commission Interim Report, Dec 2013, Executive Summary, para 46.
8 Aviation Forecasts

8.1 Introduction

8.1.1 The forecasts provided by the Applicant (MAG), or rather by ICF on behalf of MAG, are thin on detail and we have had to rely upon information gleaned from other chapters of the Applicant's ES in order to try to complete the 'jigsaw'. There are however a number of inconsistencies in the data from one chapter to another and so it has been necessary in some cases to form a judgment as to which figures to rely upon.93

8.1.2 The Applicant's forecasts extend only to 2028 (having originally been provided to 2029) and so there is no indication of the outlook for 2030, 2033 and beyond. This may suit the Applicant's purpose but it not an acceptable basis for an ES. UDC advised MAG that its approach to the ES should be consistent with the airport's Sustainable Development Plan (‘SDP’) which extends to 2030, but it appears that request fell on deaf ears. Furthermore, the Uttlesford Emerging Local Plan (‘ELP’) extends to 2033, and, as we have stated in section 3.2 above, the Applicant's forecasts also should extend to 2033.

8.1.3 By way of overview, the Applicant submitted a Scoping Report on 2 June 2017 with the forecasts in Table 8.1 below and, in October 2017, submitted revised forecasts as shown in Table 8.2 below.

<table>
<thead>
<tr>
<th>Table 8.1: Original MAG forecasts (June 2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Annual Passengers and Aircraft Movements '000</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Passengers</td>
</tr>
<tr>
<td>PATMs</td>
</tr>
<tr>
<td>CATMs</td>
</tr>
<tr>
<td>Other (incl. GA)</td>
</tr>
<tr>
<td>Movements</td>
</tr>
</tbody>
</table>

*Source – MAG Scoping Report, June 2017.*

<table>
<thead>
<tr>
<th>Table 8.2: Revised MAG forecasts (October 2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Annual Passengers and Aircraft Movements '000</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Passengers</td>
</tr>
<tr>
<td>PATMs</td>
</tr>
<tr>
<td>CATMs</td>
</tr>
<tr>
<td>Other (incl. GA)</td>
</tr>
<tr>
<td>Movements</td>
</tr>
</tbody>
</table>

*Source – MAG revised Scoping Report, October 2017.*

8.1.4 The forecasts above are wildly different from the latest DfT forecasts (October 2017) as well as the forecasts produced by the Airports Commission (July 2015) and both MAG

93 We asked the Applicant to provide an errata list and on 17 April were advised that this was being finalised. However, as at the date of this submission, an errata list has not been provided.
and STAL have a history of consistently producing forecasts which turn out to have been extraordinarily optimistic.

8.1.5 In this chapter of our response the above forecasts are considered in some detail, both in terms of their credibility and their effect.

8.2 Earlier STAL/MAG forecasts

8.2.1 The following examples indicate a consistent tendency by both STAL and its parent company MAG to over-estimate the future passenger demand and the number of airport jobs that will be provided. The degree of over-estimation is fairly consistent at about 30%-40%:

- The 2003 Stansted planning consent was predicated upon STAL forecasts of 25mppa and 16,000 on-airport jobs by 2012. The actual out-turn was 17.5mppa and 9,500 on-airport jobs in 2012 – i.e. a 30% shortfall in passengers and a 41% shortfall in on-airport jobs;

- The 2008 Stansted ('G1') planning consent was predicated upon STAL forecasts of 35mppa and 16,800 on-airport jobs by 2015. The actual out-turn was 22.5mppa and 11,000 on-airport jobs in 2015 – i.e. a 36% shortfall in passengers and a 35% shortfall in on-airport jobs;

- The 1997 permission for a second runway at Manchester Airport was predicated upon a forecast need for the airport to be able to handle 50mppa by 2005/06. The actual out-turn was 22.5mppa in 2005 and 22.1mppa in 2006, less than half of what MAG predicted. Even today, more than 20 years after permission was granted, the second runway at Manchester Airport is still surplus to requirements, noting that last year Manchester Airport handled ‘just’ 27.9mppa;

- MAG's 2007 Masterplan for Manchester Airport provided a forecast of “between 37 and 39 million passengers annually by 2015”. The actual out-turn was 23.1m in 2015, a shortfall of between 38% and 41%.

8.3 Airports Commission forecasts

8.3.1 The Airports Commission was established in November 2012

"... to examine the scale and timing of any requirements for additional capacity to maintain the UK’s position as Europe’s most important aviation hub and identify and evaluate how any need for additional capacity should be met in the short, medium and long term."

8.3.2 The Commission produced an interim report in December 2013 at which point it removed Stansted from consideration for an additional runway, shortlisting only the Gatwick and Heathrow options. In relation to Stansted, the Commission said only that “Stansted may however be a plausible option for any second additional runway in the 2040s.” The Commission remarked in similar terms about Birmingham Airport. In all four of the Commission’s modelled scenarios, Stansted was the last of the London airports to become full.

94 Data sources: Forecast Stansted employment numbers are from STAL planning applications; out-turn numbers are from STAL employment surveys and numbers reported by STAL to STACC, Passenger numbers are from CAA airport statistics. Note that we do not have reliable jobs data for Manchester Airport.
8.3.3 The Commission’s final report was published in July 2015. The main recommendation was that Heathrow should have a third runway, and it implied that Gatwick would be next in line. In relation to Stansted, the Commission confirmed its earlier view that Stansted was likely to be the last of the London airports to become full, and it added:

“The Commission considers that there may be a case for reviewing the Stansted planning cap if and when the airport moves closer to full capacity. Its forecasts indicate that this would not occur until at least the 2030s, although the airport has seen rapid growth since its purchase by MAG, which if sustained over a longer period would bring this forward. The Commission does not have any view as to the outcome of any such review but is clear that it should be carried out on the basis of a full detailed assessment and consultation process, taking into consideration the environmental and other issues that supported the imposition of the original cap, as would be expected for any planning application of this nature and scale.”

8.3.4 The Airports Commission produced forecasts at 10-year intervals to 2050. However, for the purposes of comparison to the Applicant’s forecasts in this planning application, we need only look at the years 2020 and 2030. The Commission considered two main scenarios (carbon-capped and carbon-traded) which are explained further in Chapter 14 of this submission (Carbon emissions and climate change). The Commission also tested a range of macroeconomic sensitivities and so produced a forecast range rather than a single number – all as summarised below:

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Carbon Capped</td>
<td>Carbon Traded</td>
</tr>
<tr>
<td>Base Case</td>
<td>23-27</td>
<td>23-28</td>
</tr>
<tr>
<td>With Heathrow R3 (northwest runway option, as chosen)</td>
<td>23-27</td>
<td>23-28</td>
</tr>
</tbody>
</table>

Source: Forecasts for Stansted (final), Airports Commission, Jan 2015.

8.3.5 It can be seen from the above that the Commission’s forecast is for Stansted to handle up to 28mppa in 2020 and up to 35mppa by 2030. MAG’s forecasts do not match these years; the nearest comparisons that can be made are with MAG’s forecast of 36.4mppa in 2023 and 43.0mppa in 2028. These are clearly very much more optimistic numbers than produced by the in-depth and independent examination of the outlook for the London airports market carried out by the Airports Commissions.

8.4 Department for Transport forecasts

8.4.1 The DfT updates its outlook for the UK aviation sector every few years and only quite recently (October 2017) published its latest forecasts. These show that even assuming no third runway at Heathrow, Stansted is not expected to reach 35mppa until 2033. With a third runway at Heathrow, Stansted is not expected to reach 35mppa until the

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96 ‘UK Aviation Forecasts’, DfT, Oct 2017, Fig.7.4.
2040s. Thus, the DfT’s assessment is very similar to the assessment made by the independent Airports Commission.

Table 8.4: DfT forecasts for Stansted - central case (mppa)

<table>
<thead>
<tr>
<th></th>
<th>2028</th>
<th>2030</th>
<th>2040</th>
<th>2050</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseline Case</td>
<td>28.0</td>
<td>31.0</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>With Heathrow R3</td>
<td>22.0</td>
<td>32.0</td>
<td>35.0</td>
<td></td>
</tr>
</tbody>
</table>

Source: UK Aviation Forecasts, DfT, Oct 2017, Tables 32 and 34.

8.4.2 Compared to the DfT’s forecast of 28mppa for Stansted in 2028, and 22mppa if a third runway has by that time been built at Heathrow, MAG predicts that Stansted will need to be capable of handling 43mppa by 2028.

8.5 Third Heathrow runway

8.5.1 It is important to note that the Applicant assumes that a third runway will not be built at Heathrow until 2030. This is to second guess both the Government and Heathrow Airport who consider that the proposed third Heathrow runway (Northwest option) is capable of being delivered by 2026. This is the date shown in the Revised Draft Airports National Policy Statement (‘ANPS’) published in October 2017.\(^{97}\) The ANPS is almost all about the delivery of a third runway at Heathrow.

8.5.2 Between December 2017 and March 2018 the Revised Draft ANPS was subject to detailed scrutiny by the House of Commons Transport Committee. The Chief Executive of Heathrow Airport, John Holland-Kaye, gave evidence to the Transport Committee on 5 February 2018 and was asked whether it was “... really feasible to expect that 2026 will be the time when it [the third runway] will be delivered?” He replied as follows:

"It is completely achievable, and we need to do it. These are the early years of Brexit and we need to be getting on with it. We have the experience of doing this, and we will get on and make it happen."

8.5.3 His reply leaves no room for doubt that it remains the firm intention of Heathrow Airport to deliver the third runway by 2026. We are not clear what evidence the Applicant has relied upon in concluding that it would not be delivered until 2030. At the very least the Applicant should provide a sensitivity analysis to show the impact on its Stansted forecasts in the event that Heathrow delivers the third runway by 2026, as it insists it will.

8.5.4 We understand that the Government intends to publish an updated version of the Draft ANPS by the end of June 2018 and to seek Parliamentary approval before the start of the summer recess on 24 July 2018. We further understand that a clear majority of MPs are expected to approve the ANPS and, in so doing, approve the third Heathrow runway.

8.6 Forecasting methodology and assumptions

Lack of Transparency

8.6.1 MAG’s consultants, ICF, say very little about the methodology and assumptions that underpin its forecasts. By contrast the Airports Commission and the DfT explained their methodology and assumptions in some detail. Amongst the most important assumptions

\(^{97}\) Revised Draft ANPS, DfT, Oct 2017, para 3.46.
for forecasting the future demand for air travel are GDP growth (UK and foreign), oil prices, the sterling exchange rate and the price of carbon. Apart from some limited information about GDP assumptions (see below) the ICF is silent on all these other key forecasting assumptions.

8.6.2 Knowing what assumptions have been made enables a view to be taken as to their reasonableness. It also facilitates sensitivity analysis. Both the Airports Commission and the DfT provided a range of variations for their forecasts: the Commission modelled ten scenarios (five macroeconomic scenarios for each of the two carbon scenarios) and the DfT modelled three different scenarios (Low, Central, High) with assumptions clearly stated in each case.

8.6.3 Transparency of forecasting assumptions and methodology is also important because it enables the validity and robustness of forecasts to be reviewed. This ability for others to ‘audit your numbers’ is a powerful incentive for the forecaster to ensure an objective, evidence-based approach. The forecasts provided by MAG are the antithesis of that.

8.6.4 The only assumption which ICF provides any information about is for UK GDP growth, where ICF says only that:

“The economic forecasts that underpin the ICF traffic forecast were provided by Oxford Economics in July 2016, following the Brexit Referendum result. The economic forecasts were predicated on Oxford Economics’ central case” 98 [our emphasis]

8.6.5 The 2016 Oxford Economics (‘OE’) report has not been provided but we have been able to review its key findings. It predicts UK GDP growth ranging from a ‘worse case’ of 0.1% to a best case of +3.9%. 99 However, the OE report does not provide country by country GDP projections for the EU, nor regional GDP projections for the rest of the world (as in the case with the Airports Commission and DfT forecasts). Moreover, ICF does not actually say whether or not it has adopted the OE central case as its forecast for UK GDP growth. It is difficult to avoid the conclusion that the lack of transparency is intentional so as to obstruct informed scrutiny of the forecasts.

8.7 The London airports market

8.7.1 The Applicant seeks to portray Stansted as ‘the only show in town’ in terms of meeting the need for growth in the London airports market over the next ten years. However, this is a misrepresentation of the true position.

8.7.2 The London airports ‘system’ includes six airports and accounts for over 60% of the total UK market. The relative size of the London airports is as follows:

98 ES1, para 4.45.
99 The OE report identifies the Republic of Ireland – one of Stansted’s main markets – as the most vulnerable EU economy so far as Brexit is concerned, facing a potential loss of real GDP of up to 2.2%.
Table 8.5: London airports market 2017

<table>
<thead>
<tr>
<th>Airport</th>
<th>Passengers in 2017 (mppa)</th>
<th>Share of London Market</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heathrow</td>
<td>78.0</td>
<td>45.6%</td>
</tr>
<tr>
<td>Gatwick</td>
<td>45.6</td>
<td>26.7%</td>
</tr>
<tr>
<td>Stansted</td>
<td>25.9</td>
<td>15.1%</td>
</tr>
<tr>
<td>Luton</td>
<td>16.0</td>
<td>9.4%</td>
</tr>
<tr>
<td>London City</td>
<td>4.5</td>
<td>2.6%</td>
</tr>
<tr>
<td>Southend</td>
<td>1.1</td>
<td>0.6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>171.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

*Source: CAA Airport Statistics, 2017.*

8.7.3 Comparing the 2017 position above to the DfT’s projected position for 2028, as shown in Table 8.6 below, enables the degree of optimism inherent in the ICF forecasts for Stansted to be shown more clearly.

Table 8.6: DfT forecast for London Airports 2028

<table>
<thead>
<tr>
<th>Airport</th>
<th>Baseline Case</th>
<th>With Heathrow R3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mppa</td>
<td>Share of market</td>
</tr>
<tr>
<td></td>
<td>Share of market</td>
<td></td>
</tr>
<tr>
<td>Heathrow</td>
<td>85.3</td>
<td>46.6%</td>
</tr>
<tr>
<td>Gatwick</td>
<td>44.6</td>
<td>24.4%</td>
</tr>
<tr>
<td>Stansted</td>
<td>28.0</td>
<td>15.3%</td>
</tr>
<tr>
<td>Luton</td>
<td>17.9</td>
<td>9.8%</td>
</tr>
<tr>
<td>London City</td>
<td>6.5</td>
<td>3.5%</td>
</tr>
<tr>
<td>Southend</td>
<td>0.8</td>
<td>0.4%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>183.1</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*Source: ‘Passenger demand and air transport movements data for each modelled airport’ – supporting document (Excel spreadsheets) to UK Aviation Forecasts, DIT, Oct 2017.*

8.7.4 Key points to note are:

- The DfT expects the London airports market to grow from 171.1 mppa in 2017 to 183.1 mppa without a third Heathrow runway, and to 217.6 mppa with a third Heathrow runway, increases of 7.0% and 27.2% respectively;
- Without a third Heathrow runway by 2028, the DfT expects Stansted to grow to 28 mppa and grow its market share from 15.1% to 15.3%;
- With a third Heathrow runway by 2028, the DfT expects Stansted to decline to 22 mppa and see its market share fall from 15.1% to 10.3%;
- The Applicant's forecast (based on no third Heathrow runway until 2030) is for Stansted to grow to 43 mppa by 2028. On that basis the Applicant's
forecasts require Stansted to grow its market share from 15.1% in 2017 to 23.5% in 2028. This seems highly implausible.

8.7.5 The chasm that lies between the DfT’s outlook for Stansted (broadly shared by the Airports Commission) and the far more optimistic picture painted by the Applicant must call into question the credibility of the Applicant’s forecasts. Credibility is further undermined because the Applicant has chosen not to provide details of its forecasting methodology or of many of the key assumptions made. One must also be mindful of the Applicant’s history of making highly optimistic forecasts which are typically underachieved by 30%-40%.

**Consideration of competitors**

8.7.6 The Applicant appears to have made the following assumptions in relation to Stansted’s market competitors. Our comments are shown in the right-hand column below.

<table>
<thead>
<tr>
<th>Airport</th>
<th>Applicant’s comment</th>
<th>SSE comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heathrow</td>
<td>Limited to 480,000 ATMs per annum.</td>
<td>True until R3 delivered but it is mppa capacity, not ATM capacity, that matters. Heathrow can increase mppa with larger aircraft and higher load factors. Can grow up to 2% per annum. DfT predicts growth from 78mppa in 2017 to 85mppa in 2028 without R3 and to 129.5mppa by 2028 with a third runway.</td>
</tr>
<tr>
<td>Gatwick</td>
<td>Limited to 290,000 ATMs</td>
<td>Gatwick handled 286,000 ATMs last year and will have capacity to handle 300,000 ATMs by 2028. This could translate into 50mppa capacity. Longer term, DfT projects Gatwick capacity of 55mppa on one runway. However, DfT expects Gatwick to handle only 44mppa in 2028 assuming Heathrow R3 in 2026</td>
</tr>
<tr>
<td>Luton</td>
<td>Applicant assumes Luton is limited to current 18mppa cap</td>
<td>Luton handled 16mppa last year and plans to grow to 36-38mppa. We comment further on Luton below.</td>
</tr>
<tr>
<td>London City</td>
<td>Applicant assumes limit of 6.5mppa</td>
<td>No comment.</td>
</tr>
<tr>
<td>Southend</td>
<td>Applicant assumes limit of 2.0mppa</td>
<td></td>
</tr>
</tbody>
</table>

8.7.8 Not mentioned by the Applicant, or taken account of in its forecasting, is Birmingham Airport which by 2026, is planned to have a 38-minute HS2 journey time to Euston, ten minutes less than the journey time from Liverpool Street to Stansted.

8.7.9 It is not clear what further passenger growth the Applicant’s forecasts have allowed for at Heathrow and Gatwick in the period to 2028, but we suspect very little. London City and Southend airports are of no great significance but the Applicant’s clearly stated

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100 43mppa v total market of 183.1mppa, noting that ICF have not challenged the DfT’s overall UK forecasts but only the airport-specific forecasts for Stansted.

assumption (one of the few occasions where an assumption has been clearly stated) is that Luton has been capped at 18mppa.

Table 8.8: Comparative growth rates Stansted v Luton 2012 to 2017

<table>
<thead>
<tr>
<th>Airport</th>
<th>2017 mppa</th>
<th>2012 mppa</th>
<th>% increase 2012-2017</th>
<th>Planning Cap (mppa)</th>
<th>Utilisation of planning cap %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stansted</td>
<td>25.9</td>
<td>17.5</td>
<td>48%</td>
<td>35.0</td>
<td>74%</td>
</tr>
<tr>
<td>Luton</td>
<td>16.0</td>
<td>9.6</td>
<td>66%</td>
<td>18.0</td>
<td>89%</td>
</tr>
</tbody>
</table>

Source - CAA Airport Statistics.

8.7.10 The above table, which is also included at para 6.4.28 of our submission, shows that:

(a) Luton has grown at a faster rate than Stansted over the past five years with a CAGR\(^{102}\) of 10.6% compared to 8.2% at Stansted;

(b) Luton is far closer to its planning cap than is Stansted, with just 2.0mppa (11%) headroom at the end of 2017, compared to 9.1mppa (26%) headroom at Stansted.

8.7.11 In view of the above it is illogical for the Applicant to assume that Luton Airport will stand still over the next ten years. Indeed, Luton has already embarked on an ambitious development programme which includes a £200m investment in a Direct Air to Rail Transit (‘DART’) system which will transport passengers 24/7 between Luton Airport and Luton Parkway rail station, taking just five minutes. It will be operational in 2021.

8.7.12 It came as no great surprise to anyone in the industry (except perhaps MAG) when, in December 2017, Luton published its 'Vision for Sustainable Growth' which advises that the airport intends to begin a public consultation around the middle of 2018 about its plans to expand to a throughput of between 36mppa and 38mppa.

8.7.13 Luton is Stansted's closest direct competitor, serving broadly the same geographical catchment area and broadly the same short-haul, low cost market segment. Assuming that Luton is capped at 18mppa until 2028 will, of course, produce a higher demand for Stansted, as also is the case when it is assumed that the third Heathrow runway will be delivered four years later than stated by the Government and the Heathrow CEO.

8.8 Ryanair dominance at Stansted

8.8.1 In seeking to evidence the need for an uplift in the passenger cap from 35mppa to 43mppa MAG attaches much weight to the recent growth of Stansted, for example:

"... the airport has been one of the fastest growing airports in the London system, growing by a CAGR of 6.1% between 2011 and 2016."\(^{103}\) [our emphasis]

It can be noted that the term "one of the fastest growing" amounts to an acceptance that Luton has grown at a significantly faster pace in recent years.

8.8.2 In the October 2017 'UK Aviation Forecasts' the DfT noted as follows:

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\(^{102}\) Compound Annual Growth Rate.

\(^{103}\) ES1, para 4.10.
"Ryanair continues to dominate at Stansted, carrying 68% of the passengers in 2011 and 82% in 2016."  \[our emphasis\]

8.8.3 Applying the above percentages to the total number of Stansted Airport passengers in 2011 and 2016 shows as follows:

**Table 8.9: Ryanair dominance at Stansted**

<table>
<thead>
<tr>
<th></th>
<th>2016</th>
<th></th>
<th>2011</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mppa</td>
<td>Share of total</td>
<td>mppa</td>
<td>Share of total</td>
</tr>
<tr>
<td>Ryanair</td>
<td>19.9</td>
<td>82%</td>
<td>12.2</td>
<td>68%</td>
</tr>
<tr>
<td>All other airlines</td>
<td>4.4</td>
<td>18%</td>
<td>5.8</td>
<td>32%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>24.3</strong></td>
<td><strong>100%</strong></td>
<td><strong>18.0</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>


8.8.4 It can be seen from Table 8.9 above that Stansted’s growth over the period 2011-2016 has been entirely due to Ryanair. Moreover, Stansted has grown despite the fact that the number of passengers carried by all other airlines at Stansted has declined from 5.8mppa in 2011 to 4.4mppa in 2016 – a drop of 24%. This is a startling statistic and shows the vulnerability of Stansted to the business policy of just one of its customers. There is no other major UK airport with anything approaching this level of dominance by a single airline.

8.8.5 The DfT has very recently (April 2018) announced that it is concerned about an airport having a single dominant airline and intends to look at this in more detail:

“There is intense competition between airports and airlines and this brings benefits to consumers. However, there are some areas identified in the call for evidence that the Aviation Strategy will look at in more detail. Firstly, whether the development of a single dominant carrier at airports could harm consumer interests in the future. While BA has been a dominant carrier at Heathrow for a number of years (52% of flights in 2016), since 2000 other airlines have established a larger market share at some of our other largest airports (easyJet with 42% at Gatwick and Ryanair with 78% at Stansted in 2016)”. \[105\]

(Note that the 78% Ryanair share quoted immediately above relates to PATMs whereas the 82% share shown in Table 8.9 relates to passengers.)

8.8.6 Ryanair’s dominant position at Stansted does not only give rise to competition concerns, over-dependence also raises concerns about risks to the local economy and jobs. The current uncertainties about Brexit are an example of this, especially when these uncertainties are being highlighted by Ryanair itself, for example, in the wake of the Brexit vote, the Ryanair CEO announced that the airline would “pivot” growth away from UK airports as a result of the Brexit vote which he said would cause “significant economic damage”. \[106\]

8.8.7 It cannot at this stage be predicted what action the DfT may propose to deal with the issue. We should learn the answer to that when the DfT publishes its new aviation

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\[104\] 'UK Aviation Forecasts': DfT, Oct 2017, p.68.

\[105\] 'Beyond the horizon. Next Steps towards an aviation strategy', DfT, Apr 2018, para 5.7.
strategy in the early part of 2019. In the meantime, the Applicant should be required to provide sensitivity analysis for the Stansted forecasts, in the event that Ryanair reduced the scale of its operations at Stansted by (say) 25%.

8.9 Cargo forecasts

8.9.1 According to para 4.59 of ES1, cargo tonnage is predicted to grow from 209,000 tonnes in 2016 to 376,000 in 2028, an uplift of 80%. Since all of this moves in and out of Stansted by road it will have a highly significant impact on airport-related HGV movements. We can find no evidence of the Applicant having specifically assessed the impacts of this.

8.9.2 CATMs are predicted to grow to 16,000 in 2028 (para 4.59) and the Applicant, incorrectly, states the 2016 Baseline to be 12,000 CATMs, implying an increase of 33% by 2028. In fact, there were 11,246 CATMs at Stansted in 2016, according to the official CAA statistics (Table 6) and 10,126 CATMs in 2017. The outlook is therefore for an increase in CATMs of 58% compared to today's level.

8.9.3 Growth in CATMs is a particular concern at Stansted because a high proportion (about 40%) are night flights and much of the cargo business is long haul, where the type of aircraft used are generally larger, older and noisier than a typical Stansted PATM. The Applicant has not however provided any specific assessment to enable the CATM impacts to be clearly understood.

8.10 Aircraft replacement

8.10.1 Central to the Applicant's assessment of noise, air quality ('AQ'), carbon and health impacts is the Applicant's assumption that new, quieter, cleaner aircraft types will account for more than 80% of Stansted's aircraft movements by 2028. This assumption is described in para 4.58 of ES1:

“The next 10-15 years will also see a significant transition from current generation aircraft to next generation aircraft. From a 2016 baseline of virtually no ‘next generation’ aircraft, the proportion of these new jets (primarily A320neo and B737Max family aircraft) is forecast to exceed 80% by 2028. This trend is particularly relevant to the calculation of aircraft noise, which is discussed in ES Chapter 7 (Air Noise).”

8.10.2 This assumption ideally suits the Applicant's purpose of portraying the environmental impacts of the proposed development as insignificant, particularly in relation to noise, AQ, carbon and health impacts. However, it is wholly unrealistic as becomes clear when looked at in more detail. Table 8.10 below shows the Applicant's assumptions for aircraft types and Table 8.11 shows the same information, expressed as percentages:

The dominant Category 2 above is almost entirely comprised of the Ryanair fleet, noting that Ryanair accounted for 82% of Stansted's passengers in 2016 and 78% of PATMs\textsuperscript{107}. Ryanair operates a single aircraft fleet of about 427 Boeing 737-800 aircraft with an average age of about seven years. The company has an order book for a further 65 of the present aircraft type and for 110 of the new 'cleaner' MAX variant of the B737-800. Ryanair is not scheduled to take delivery of its first B737-800 MAX until April 2019 and expects to receive the remainder of its order (placed in 2014) by early 2024. By 31 March 2024, Ryanair expects to have a fleet of 585 aircraft, of which less
than one fifth will be the MAX variant. The company has options for a further 100 B737-800 MAX aircraft but, even if these were to be confirmed, and delivered by 2028 (the order book is currently seven years), Ryanair will by that time have a fleet of at least 650 aircraft, less than one third of which will be the new variant. Meanwhile the Applicant's modelling assumes that 56% will be the cleaner variant. This is absurdly optimistic.

8.10.4 A similar analysis applies to the Applicant's modelling assumptions for the A319 – the mainstay of the easyJet fleet – and the newer, ‘cleaner’ A320neo. easyJet is Stansted's second biggest carrier accounting for about 10% of its passengers and PATMs.

8.10.5 The DfT estimates the average lifespan of a scheduled passenger aircraft to be 22 years and 25 years for charter aircraft. This indicates that less than half of Stansted aircraft are likely to be replaced by 2028. However, taking the above example of the replacement of A319s by A320neo aircraft, the Applicant's modelling assumes that the A320neo, which currently accounts for 0.6% of the combined total of A319s and A320neo aircraft, will account for 66% of the combined total by 2028. Again, this is absurdly optimistic. It is clearly contrived to indicate that the proposed development would have negligible noise, AQ, carbon and health impacts.

8.10.6 It can be seen from the above that no allowance appears to have been made for long-haul PATMs and yet the Applicant stresses that a key objective of the application is to "boost international long-haul routes to fast-growing markets like China, India and the US." The only long-haul aircraft modelled above are CATMs. Moreover, the model assumes the most modern variants of each of the CATM aircraft types. The CATMs operating from Stansted are very often the older variants, which are noisier and produce higher levels of emissions.

8.11 Concluding remarks

8.11.1 The Applicant's forecasts only extend to 2028 which is not an adequate basis for the ES when the relevant ELP extends to 2033.

8.11.2 In presenting air traffic forecasts which are wildly at variance with the DfT and Airports Commission forecasts, the Applicant is effectively saying that both the DfT and the Airports Commission have got it wrong. And yet the Applicant provides very little evidence to substantiate its forecasts and the Applicant has a history of producing forecasts which are typically underachieved by 30%-40%.

8.11.3 By assuming (so as to inflate the forecasts) that a third Heathrow runway will not be built until 2030 when the Government and Heathrow Airport Ltd insist it will be built by 2026, the Applicant, again, is effectively saying that the others have got this wrong, and that MAG knows better than the CEO of Heathrow Airport.

8.11.4 By dismissing the competitive potential of Luton Airport and (by 2026) also Birmingham Airport – and by assuming that Heathrow and Gatwick have no further scope to increase passenger throughput on their existing runways over the next ten years, MAG is being delusionary, but it suits its purpose to portray Stansted 'as the only show in town'.


8.11.5 It also suits MAG’s purpose to gloss over the dominance of Ryanair at Stansted and the fact that all other airlines at Stansted carried 24% fewer passengers in 2016 than five years previously. MAG does not want to highlight the vulnerability of Stansted to the business decisions of a single customer which it has no control over.

8.11.6 Finally, it also suits the Applicant’s purpose to predict wholesale replacement of the Stansted fleet with new cleaner, quieter aircraft by 2028, but this is absurdly optimistic. Moreover, the assessments of noise, AQ and health impacts, and of carbon emissions, are all based on the fleet mix assumptions. Thus, these fundamental elements of the ES are neither reliable nor credible.
9 Noise

9.1 Introduction

9.1.1 The Aviation Policy Framework (‘APF’), March 2013 states:

“The Government recognises that noise is the primary concern of local communities near airports and we take its impact seriously. As a general principle, the Government therefore expects that future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce and mitigate noise as airport capacity grows”.

9.1.2 Additionally, the APF states:

“Before taking decisions on any future new airport capacity, the Government will want to have a thorough understanding of the local environmental impacts of any proposals.”

9.1.3 People hear aircraft noise as a discrete number of noisy events with associated noise levels, durations and noise characteristics as well as the frequency of occurrence of these noisy events compared to the background or ambient noise levels. People do not perceive aircraft noise as equivalent average noise levels over 16 hours in the day and 8 hours at night.

9.1.4 Stansted Airport is situated in rural surroundings where people have chosen to live to enjoy the quality of life and tranquillity afforded by low background noise levels. The planning application will give rise to a 52% increase in aircraft movements and a 77% increase in passengers compared with the 2016 Baseline year.

9.1.5 It is clear that this will increase the adverse noise environment around the airport and under the flight paths. The planning application relies heavily on very optimistic assumptions about the future introduction of less noisy aircraft, and even where new, less noisy aircraft are introduced, the reduction in noise intensity of each aircraft as heard by people around the airport and under flight paths would be hardly perceptible and swamped by the increase in numbers.

9.2 Government policy and emerging policy

9.2.1 Since the March 2013 APF, Government policy on aviation noise has been undergoing significant changes both for Airspace Policy and Aviation Strategy leading to a revised Aviation Policy Framework expected in early 2019. These changes are designed to increase community protection against aviation noise harms and are summarised as follows:

- The introduction of improved noise metrics and appraisal guidance;
- Lower threshold levels for the onset of community annoyance;
- The number of flights have to be taken into account, not just average noise levels;

110 Ibid, para 3.54.
• Noise reduction becomes a priority up to 7,000ft – raised from 4,000ft;
• Health impacts and Quality of Life factors are now included.

9.2.2 Of particular significance is the lowering of threshold levels and the inclusion of the number of flights in assessing the harms caused. The DfT now accepts that "recent evidence suggests people are becoming more sensitive to noise at lower levels and that the number of flights overhead can be a more significant factor than the average noise level". ¹¹¹

9.2.3 In addition, the Secretary of State for Transport as early as December 2013 recognised the shortcomings of daytime average noise levels when he said "However, the APF also recognises that people do not experience noise in an averaged manner and that the value of the LAeq indicator does not necessarily reflect all aspects of the perception of aircraft noise. This may be especially true for rural airports such as Stansted where the ambient or background noise levels are relatively low." ¹¹²

9.3 Noise annoyance

9.3.1 Noise is generally defined as unwanted sound that is loud or unpleasant or that causes disturbance. Aircraft are inherently noisy machines. A jet aircraft 50 metres away emits 140dB of noise which is twice as loud as the threshold of pain. This 140dB level of aircraft noise is about 130 times louder than a busy office or a loud radio (around the 70dB level). Aircraft noise is not only loud; it also has a large low frequency content. Low frequency noise encounters less absorption than higher frequencies as it travels through the air, so it persists for longer distances. Additionally, the amount of noise transmitted from the outside to the inside of buildings is greater at lower frequencies than at higher frequencies. Furthermore, modern high ratio bypass turbofan aircraft engines are characterised by a tonal (whine) feature which increases the likelihood of annoyance.

9.3.2 Additionally, the area around Stansted Airport is predominantly rural in nature and people do not experience noise in an averaged manner – as recognised by the Secretary of State for Transport referred to in para 9.2.3 above.

9.4 Impact assessment

9.4.1 Comparison must be made between the 2016 Baseline Year and the 2028 43mppa Development Case (‘DC’). This gives a fair representation of the impacts that would arise from expansion.

9.4.2 When comparing noise exposure contours and levels of noise, account must be taken of the latest guidance outlined below.

9.4.3 The Department for Transport (‘DfT’) has developed the following levels from World Health Organisation (‘WHO’) definitions to describe the effects of noise:

- **NOEL** – No Observed Effect Level – this is the level below which no effect can be detected.
- **LOAEL** – Lowest Observed Adverse Effect Level – this is the level above which adverse effects on health and quality of life can be detected.

¹¹² Secretary of State for Transport letter MC91522 dated 10 Dec 2013 to Sir Alan Haselhurst MP.
• **SOAEL – Significant Observed Adverse Effect Level** – this is the level above which significant adverse effects on health and quality of life occur.

9.4.4 In 2014, the DfT commissioned a research paper Survey of Noise Attitudes (‘SoNA’), designed to investigate attitudes towards aviation noise and how these have changed over time. This was published in February 2017\(^\text{113}\) and builds on the levels outlined in the Department for Environment, Food and Rural Affairs (‘Defra’) Noise Policy Statement for England (‘NPSE’).\(^\text{114}\) The SoNA paper says that significant community annoyance previously observed around 57 dB LAeq is now observed from 54 dB LAeq. This finding is supported by another study by Defra which suggests a LOAEL for aviation is now likely in the range of 50-54 dB LAeq\(^\text{115}\), well below the current 57 dB LAeq benchmark for the onset of significant annoyance.

9.4.5 In August 2017, the DfT published an Impact Assessment (‘IA’) for Assessing Aviation Noise Impacts\(^\text{116}\) where the intention is to set 51dB LAeq for daytime and 45dB LAeq for night time as the LOAEL threshold.

9.4.6 For night noise, the WHO recommends that “considering the scientific evidence on the thresholds of night noise exposure indicated by Lnight as defined in the Environmental Noise Directive (2002/49/EC), an Lnight of 40 dB should be the target of the night noise guideline (NNG) to protect the public, including the most vulnerable groups such as children, the chronically ill and the elderly”\(^\text{117}\).

9.4.7 Appendix C at the end of this submission sets out the reasons why the 16-hour day and 8-hour night LAeq average noise metrics are not wholly appropriate to assess all aspects of aircraft noise, as recognised by the Secretary of State for Transport in his letter referred to in para 9.2.3 above.

9.5 Air Noise (ES1, Chapter 7)

**Air Noise Assessment Metrics**

9.5.1 The air noise assessment metrics (ES1, para 7.34, Table 7.1) for the Number of ‘Highly Annoyed’ People is taken from Table 25 of the SoNA 2014 survey\(^\text{118}\) which compares the percentage of respondents highly annoyed in the ANIS 1982 survey with the SoNA 2014 survey. The Government had previously used the ANIS 1982 survey to establish the 57 dB LAeq,16-hour threshold as the level for the onset of significant community annoyance. This was used in the previous G1 Stansted Airport planning approval for expansion to 35mppa.

9.5.2 The SoNA 2014 results clearly show that the same percentage of respondents said by ANIS to be highly annoyed at 57 dB LAeq 16-hour now occurs at 54 dB LAeq,16-hour. This has resulted in 54dB LAeq,16-hour being adopted as the Significant Observed Adverse Effect Level (‘SOAEL’).

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\(^\text{113}\) CAP 1506 Survey of Noise Attitudes. 2014: Aircraft (SoNA 2014).  
\(^\text{119}\) CAP 1506 Survey of noise attitudes 2014: Aircraft (SoNA 2014).
Future aircraft

9.5.3 ES1, para 7.80, refers to the introduction of new generation aircraft and gives figures for reductions in noise emissions. It has given rise to the aviation industry claim that “new aircraft are 50% quieter” which is based upon how aircraft noise is measured when certified on manufacture. Noise is measured as pressure levels (noise energy) whereas what the human ear hears is loudness (noise intensity). The two are quite different.

9.5.4 Additionally, noise is measured in decibels using a logarithmic scale which introduces complications compared with a simple arithmetic comparison. When MAG claims that “new aircraft are 50% quieter” it is referring to a reduction in pressure level. A 50% reduction in noise pressure level (i.e. a halving) is 3dB and a 3dB change is the minimum perceptible by the human ear. It would take a 10dB reduction in noise pressure levels to achieve a 50% reduction in loudness. The human ear hears loudness and so it is less than honest of the aviation industry to imply that a 50% reduction in noise pressure levels means that “new aircraft are 50% quieter”. They are not.

9.5.5 The way that aircraft noise is measured by noise monitors introduces an A-weighting factor (see Appendix C) which attenuates lower frequency components and in turn underestimates the actual noise intensity or loudness actually heard by the human ear.

9.5.6 The largest operator at Stansted Airport is Ryanair which in the Baseline year 2016 operated 78% of all aircraft movements at the airport. Ryanair uses B737 aircraft and the adjustments to aircraft noise levels given in Table 7.6 of the ES for the introduction of the new generation B737-MAX8 are stated as being 3.0dB on departure and 2.2dB on arrival. These reductions would be effectively imperceptible since a change of 3dB is the minimum perceptible under normal conditions.

Cumulative effects

9.5.7 The assessment does not attempt to assess cumulative noise effects and ES2 Appendix 7.3 ignores the effects of the London Airspace Management Programme (‘LAMP’) which it incorrectly asserts “has been abandoned”.

9.5.8 LAMP is being implemented in two phases and Phase 1 at Stansted was implemented in February 2016 and similar Phase 1 changes were made at other UK airports. Phase 2 is a much larger programme known as LAMP2 FASI(S) covering the southern/central England route network from the Midlands to the Flight Information Region boundaries. In the LAMP2 FASI(S) programme NATS expects to set requirements for higher level airspace and UK airports for lower level airspace. The lower level airspace changes below 7,000ft are classified by the Government as Level 1 Airspace Changes. These changes are typically large-scale changes which alter aircraft tracks or dispersion, or reduce aircraft height over land below 7,000ft over a populated area.

9.5.9 There would be cumulative effects of the LAMP2 changes together with changes to routes for traffic operating from other airports in the south east of England. No account has been taken of the impacts of this cumulative effect.

119 ‘Beyond the horizon. Next steps towards an aviation strategy’, Apr 2018, para 5.7.
120 ES Appendix 7.3, para 9.1.19.
Review of Scoping and Consultation

9.5.10 The assessment of noise impacts does not provide 100% single mode LAeq contours, asserting that they "will not assist in an overall assessment of noise effects as it is unclear exactly what those contours will signify". The contours given in ES2, Appendix 7.3, para 9.5 represent an average of the two runway directions and do not represent the noise associated with a single runway direction.

9.5.11 100% single mode noise contours address this omission by depicting the summer average day flight operations for a single operating mode. Since a runway can only be used in one of two directions at any one time, there will be two 100% mode noise contours, one for each runway direction. Stansted Airport’s runway is orientated south-west (runway 22) and north-east (runway 04) and the long-term average summer day runway use is 73% runway 22 and 27% runway 04.

9.5.12 The significance of 100% single mode contours is that they slightly better represent the real-world situation where aircraft can only use one runway direction depending on wind direction. The 100% single mode contours more closely represent the actual operational environment that people living around the airport would experience. 100% single mode contours should be provided for a proper assessment to be carried out.

Study Area

9.5.13 The assessment study area (ES2 Appendix 7.3, para 11.2.1) of 25km x 30km centred on the midpoint of the runway is insufficient in size having regard to the area of noise complaints and the effect of the implementation of satellite-based Performance Based Navigation ('PBN') on the Clacton departure routes. The area of daytime noise complaints map in 2016 is shown in ES2, Appendix 7.5, Complaints Analysis, Figure F2. This area is about 30km x 40km and no similar map is provided for the complaints at night which may be larger. The study area should cover 30km x 40km to provide a satisfactory assessment of all the noise impacts including those arising from the PBN departure routes further out to the east of the airport.

Background Noise Levels

9.5.14 The measurement of background noise levels (LA90) together with maximum noise levels (LAmx) (ES2 Appendix 7.4) at a number of locations around Stansted Airport provides a more effective assessment of likely noise annoyance in the daytime and night time than just the 16-hour day and 8-hour night average noise metrics. The difference between the maximum noise level and the background noise level gives a much better indication of what people actually hear. Every 10dB difference is equivalent to a doubling of the loudness and the scale is logarithmic. If the background noise was 40dB and the LAmx was 60dB then the maximum noise level is four times that of the background noise; if the LAmx was 70dB then the maximum noise level is eight times that of the background noise and if the LAmx was 80dB then the maximum noise level is 16 times that of the background noise, and so forth.

9.5.15 It can be seen from the measurement results at all 16 locations given in ES2 Appendix 7.4 that there is a significant difference in noise levels between the LAmx and LA90 measurements, particularly at night. Each aircraft noise event was clearly audible above
background noise levels and the difference in dBS indicates that the noise disturbance is of a considerable magnitude.

9.5.16 It should be remembered that Stansted Airport is already allowed 13,700 night flights which is more than twice as many as the 5,800 night flights allowed at Heathrow. Furthermore, night flights are set to be completely banned at Heathrow within the next ten years as a condition of expansion.

Complaints Analysis

9.5.17 In ES2 Appendix 7.5. para 9.1 it is asserted that "complaints are a poor indicator of the degree of noise exposure experienced by people". This is a totally disingenuous assertion since the fundamental reason for their complaints is noise from aircraft operating at Stansted Airport. Furthermore, the ES states that “The majority of complaints about aircraft noise originate from locations that are some distance from the airport and which are therefore exposed to moderate or low levels of aircraft noise”. The reason why so many complaints originate from locations some distance away from the airport is simply because these people are clearly annoyed or suffer sleep disturbance due to aircraft noise. The background noise levels are low in these locations; against which people compare the noise disturbance of overflying aircraft. While the applicant may consider the noise exposure to be “moderate or low”, it is clearly the case that people in these locations are experiencing high levels of aircraft noise disturbance in otherwise tranquil countryside areas.

9.5.18 It is noteworthy that these locations “that are some distance from the airport” are generally overflown by aircraft between 4,000ft and 7,000ft and, as referred to in para 9.2.1 above, the Government says that the reduction of aircraft noise is a priority up to 7,000ft having raised the level from 4,000ft. Additionally, the noise disturbance at these locations is exacerbated by increases in the number of flights and, as referred to in para 9.2.1 above. the Government has also said that the number of flights have to be taken into account. The conclusion of noise complaints originating “from locations at some distance from the airport” is simply that adverse aircraft noise impacts are now additionally and increasingly being experienced at locations further away from the airport. The ES tries to dismiss the importance of complaints as a tool for assessing the impacts.

9.5.19 The aviation industry is clearly concerned about the increasing sensitivity of communities to the adverse impacts of aircraft noise and the Royal Aeronautical Society hosted a conference in October 2017 entitled 'Aircraft Noise - How Can we Build Community Tolerance?' for which the keynote speaker was the Aviation Minister. The title of and contributions to this conference were perceived by community representatives attending as an tacit admission that the industry does not expect to reduce its noise impacts. This is counter to the intent of Government policy given in paragraph 9.1.1 above where it says “This means that the industry must continue to reduce and mitigate noise as airport capacity grows”.

9.5.20 The number of complaints at Stansted Airport since MAG became the owner has significantly increased, especially in the last two years, as shown in Table 9.1 below:

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122 ES2, Appendix 7.5, para 9.1.
Table 9.1: Noise complaints

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>907</td>
</tr>
<tr>
<td>2014</td>
<td>1,022</td>
</tr>
<tr>
<td>2015</td>
<td>747</td>
</tr>
<tr>
<td>2016</td>
<td>4,170</td>
</tr>
<tr>
<td>2017</td>
<td>8,411</td>
</tr>
</tbody>
</table>

9.5.21 The tables of complaints in ES2 Appendix 7.5 only provide the numbers of communications received by the airport concerning noise complaints. This is not the same as the number of aircraft noise events being complained about since many communications report more than one, and in many cases several, noisy aircraft events – as admitted in the ES2 Appendix 7.5 Record Keeping, para 1.2. So, the number of noisy aircraft complained about is a much higher figure than the numbers given above and in the analysis in ES2 Appendix 7.5.

9.5.22 The area enclosed by the 57dB LAeq 16-hour noise contour at Stansted Airport was limited by planning condition AN1 to 33.9 km². However, the area affected by aircraft noise is far greater than this 57dB LAeq 16-hour contour limit area. The area affected is shown in ES2 Appendix 7.5 Figure F2: 2016 daytime complaints map which is approximately 30km x 40km.

9.5.23 The 57dB LAeq 16-hour contour limit area at Stansted Airport bears very little relationship to the area where people are actually complaining about aircraft noise.

9.6 Ground Noise (ES1, Chapter 8)

Noise Metrics

9.6.1 The ground noise assessment metrics are solely based on the equivalent average LAeq noise levels over 16 hours in the day and 8 hours at night. As a result, for the reasons given in Appendix C of this submission, the assessment of the noise harms is less than adequate and the adverse impacts are understated. No account has been taken of aircraft maximum ground noise levels (LAmax) or the frequency of their occurrence which is what people actually hear.

9.6.2 Furthermore, atmospheric conditions such as an inverse temperature gradient and wind speed and direction have a not insignificant effect on the noise level of every aircraft operating on the ground and heard by communities close to the airport. No account has been taken of these effects other than merely stating that “Moderate downwind conditions are assumed, which represents a reasonable worst case because it means that in the model there is effectively a light wind from source to receptor in every case”.125 No figures are provided for “moderate downwind conditions”. The ES then effectively contradicts itself by saying “Clearly this is not possible in reality”.126 In reality,
downwind adjustment for the maximum noise level of an aircraft on the ground is an increase of 10dB which is a doubling of loudness.

9.6.3 The absence of LMax noise measurements and a vague and unspecified adjustment for downwind conditions are significant flaws in the assessment methodology. For people living close to the airport, the real-world situation for a reasonable worst case is for situations where an inverse temperature gradient and particularly downwind conditions are taken into account. An increase of 10dB to the maximum noise levels is a reasonable worst case for downwind conditions and this would be a significant increase of each noise event against the background noise level measurements that are given in ES2 Appendix 7.4.

100% Single Mode Contours

9.6.4 The assessment does not provide 100% single mode LAeq contours. It aggregates arrivals and departures for both runway directions over the 16-hour daytime and 8-hour night time periods. The significance of 100% single mode contours is that they better represent the real-world situation where aircraft can only use one runway direction at any time depending on wind direction. The 100% single mode contours more closely represent the actual operational environment that people living around the airport would experience. 100% single mode contours should be provided for a proper assessment to be carried out.

Comparison to Threshold

9.6.5 The ES refers to the WHO Guidelines for Community Noise for suitable thresholds. The ES states that 55dB LAeq,16-hour in the daytime and 45dB LAeq,8hour in the night time are “suitable thresholds applicable to community annoyance as a whole.” The ES then asserts that “Therefore these thresholds, which reflect those applied in other such assessments of aircraft ground noise, have been applied in this assessment”.127

9.6.6 The WHO Guidelines for Community Noise provide values for moderate (50dB) and serious (55dB) annoyance over the 16-hour day period as well as maximum noise levels at night.128 The ES ignores the WHO guideline value for moderate annoyance level of 50dB LAeq and additionally ignores the WHO Night Noise Guidelines where it recommends an Lnight level of 40dB.129 The assessment also does not any provide any maximum noise levels at night where WHO provides the value of 60dB LMax.130

9.6.7 Significantly the ES takes no account of the lower levels in the WHO Guidelines and the DfT guidance material referred to in section 9.4 above.

Future Aircraft

9.6.8 As already commented upon in paras 9.5.3 to 9.5.6 above, the assessment relies on the introduction of new generation aircraft and gives figures for reductions in noise emissions. The largest operator at Stansted Airport is Ryanair which in the Baseline year 2016 operated 78% of all aircraft movements at the airport.131 Ryanair uses B737 aircraft and the adjustment to aircraft noise levels given in Table 8.2 of the ES for the introduction of the new generation B737-MAX200 is stated as -3.0dB. This reduction

127 ES1, para 8.28.
would be virtually imperceptible since a change of 3dB is the minimum perceptible under normal conditions.

9.7 Surface Access Noise (ES1, Chapter 9)

9.7.1 The impacts of surface access noise are addressed separately in Chapter 9 of ES1 and will be an additional contributory factor to the cumulative impacts of ground noise due to increased passenger throughput. This further increase of ground noise disturbance would be experienced for people living around the airport and the cumulative impacts are not shown to have been assessed in the ES.

9.7.2 Specifically, we highlighted the failure to allocate additional car or taxi movements by air passengers to roads other than the M11 and the A12, thereby understating the traffic and noise (and AQ) impact on other local roads.

9.7.3 In Chapter 10 of our submission dealing with 'Surface Access – Road', we set out the reasons why the assessment is flawed, misleading and contradictory, fails to provide clear and adequate justification and support for assumptions, and fails to adhere to appropriate guidance. We said that the evidence that is available suggests that the level of transport and highways impact of the proposals will be significantly higher than predicted\textsuperscript{132}. This has a direct consequence on the surface access noise impacts which will be worse than indicated in the ES.

Assessment Methodology

9.7.4 The assessment is based upon an 18-hour day from 6.00am to midnight. This completely ignores the fact that the airport operates on a 24-hour basis and local road traffic starts to increase as early as 4.00am and is significant well past midnight.\textsuperscript{133} There is also a significant volume of HGV traffic throughout the night in support of the airport's cargo operations, and we note that MAG's forecasts indicate an 80% increase in cargo tonnage as well as a 58% increase in CATMs, compared to today's levels.

9.7.5 The assessment does not include the normal methodology of including absolute noise level thresholds and only bases its assessment on changes compared with the 2016 Baseline year and 2028 Do Minimum for which it says the increases are negligible.

9.7.6 The assessment disguises the high noise levels currently experienced on all the 38 link roads surveyed around the airport.

9.7.7 ES2 Appendix 9.1 provides dBA values at all the 38 link road locations for the 2016 Baseline year, the 2028 35mppa 'Do Minimum' and the 43mppa 2028 'Development Case'. The results are given in columns A, B and C respectively. It can be clearly seen that all 38 locations currently exceed the WHO value for serious annoyance of 55dB LAeq.16-hour and many of these locations exceed the 55dBA value by a considerable margin. Additionally, all 38 locations would increase their noise levels in the forecast 2028 43mppa Development Case. The figure of 55dB is the WHO level for serious annoyance and is higher than the WHO level of 50dB for moderate annoyance.\textsuperscript{134}

\textsuperscript{131} DfT Analysis of CAA (2016): Airport/Airline data.
\textsuperscript{132} SSE submission, Chapter 10, paras 10.8.1 and 10.8.3.
\textsuperscript{133} ES3 (Transport Assessment), Table 4.7.
\textsuperscript{134} 'Guidelines for Community Noise', WHO, 1999, Table 4.1.
9.8 Helicopter Noise

9.8.1 UDC, in its December 2017 Scoping Opinion, pressed MAG to provide an assessment of helicopter noise, advising the Applicant as follows:

- "The proposed assessment of Air Noise shall include a table for all actual aircraft types using the Airport, and include an assessment for helicopters in relation to their particular flight path(s), and, as is here anticipated, also an assessment of the Forecast aircraft types. This is consistent with the inclusion in the environmental statement (2006), Volume 2 Appendix A2, the Actual and Forecast Air Transport Movements and, in Table A2.1, a distribution by Aircraft Type. Paragraph A4.2.29 of that Volume assessed the changing noise levels of individual aircraft types and the effect of this in relation to six appropriate locations."

and

- "Air noise generated by helicopters must be assessed as a separate source of air noise because the noise signature of helicopters is different to fixed wing aircraft. Initial results from the CAA’s current survey on aviation noise impacts (which closes in February 2018) is that noise from helicopters is one of the six main issues identified by residents affected by aviation noise. However, helicopters do not appear listed in Table A2.1: Distribution of Aircraft Types in Appendix A2 of Volume 2: Air Noise, of the environmental statement (2006), nor in the more recent ERCD Report 1703 nor represented in the contours shown in (for example) Appendix A, Figures 12-13."

9.8.2 However, nowhere in the ES are helicopters even mentioned let alone the adverse noise impacts of helicopter operations upon communities around the airport. The DfT recognises that helicopters have very different noise and vibration characteristics compared to fixed wing aircraft. Moreover, the impact of helicopter operations is concentrated upon specific communities to the west of the airport, who are mostly not significantly affected by fixed wing aircraft noise.

9.8.3 Helicopter noise characteristics not only differ markedly from type to type; they are also extremely sensitive to flight configuration, particularly during manoeuvres involving accelerations and turns. Furthermore, helicopters by the very nature of their operations generally fly low, which greatly increases the noise and vibration annoyance for the affected communities.

9.8.4 In June 2008, Defra published “Research into the improvement of the Management of Helicopter Noise (NANR235)135 which showed that helicopter annoyance was not well correlated with generally used noise measurement metrics. In addition to the unique character of helicopter noise not being fully addressed by noise metrics, there is a ‘virtual noise’ factor which encompasses community attitudes and fears towards operations. Additionally, as a general indication it was considered that helicopters can be perceived as up to 15dBA more annoying than fixed wing aircraft.

9.8.5 The Applicant must be required to remedy this shortcoming in the ES and provide an appropriate assessment of the additional helicopter noise that would arise from the proposed development compared to the 35mppa base case and the 2016 Baseline year.

9.9 Conclusions

9.9.1 The reliance of the ES on the LAeq.16-hour averaging metric disguises the amount of aircraft noise, especially the increasing frequency of noise events, and the adverse impacts upon the communities living around Stansted Airport. The inadequacies of the LAeq metric are described in Appendix C to this submission.

9.9.2 The Government now recognises that people do not experience aircraft noise in an averaged manner and significant changes – summarised in section 9.3 above – are expected both for Airspace Policy\textsuperscript{136} and Aviation Strategy\textsuperscript{137} in the ‘Beyond the horizon’ Aviation White Paper due in early 2019.

9.9.3 However, if an averaging metric were to be relied upon as a measure, SoNA says that significant community annoyance previously observed around 57 dB LAeq is now observed from 54 dB LAeq. Furthermore, the Government has now decided that health impacts and Quality of Life factors should now be included which has lowered both the Lowest Observed Adverse Effect Level (LOAEL) and the Significant Observed Adverse Effect Level (SOAEL) as described in section 9.4 above.

9.9.4 For air noise, a comparison between the 2016 Baseline year and the 2028 43mppa Development Case is given in the table below using average 54dB LAeq.16-hour contour figures in the ES.

<table>
<thead>
<tr>
<th>Table 9.2: Air Noise Impacts – Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case</td>
</tr>
<tr>
<td>2016 Baseline Year</td>
</tr>
<tr>
<td>2028 Development Case</td>
</tr>
</tbody>
</table>

9.9.5 A similar comparison for the night time of 45dB Lnight is given below bearing in mind that WHO guidelines recommend a lower target of 40dB Lnight.

<table>
<thead>
<tr>
<th>Table 9.3: Air Noise Impacts – Night</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case</td>
</tr>
<tr>
<td>2016 Baseline Year</td>
</tr>
<tr>
<td>2028 Development Case</td>
</tr>
</tbody>
</table>

9.9.6 These figures show a considerable rise in the areas and populations affected when the latest Government and WHO noise levels are used. In fact, the current AN1 planning condition, which limits the area enclosed by the 57dB(A) Leq 16-hour noise contour to 33.9km\textsuperscript{2}, is now clearly outdated since significant community annoyance previously observed around 57 dB LAeq is now observed from 54 dB LAeq.

\textsuperscript{136} DfT, Oct 2017.
9.9.7 The assessment relies on optimistic assumptions for the introduction of new generation aircraft for reductions in noise levels. The largest operator is Ryanair with 78% of all aircraft movements. Ryanair uses B737 aircraft and the reductions to aircraft noise levels for the introduction of the new aircraft are stated as being 3.0dB on departure and 2.2dB on arrival. In any event, these reductions would be effectively imperceptible since a change of 3dB is the minimum perceptible under normal conditions.

9.9.8 By restricting the ground noise assessment metrics to solely LAeq average noise levels, using higher threshold levels for annoyance than defined by WHO and DfT guidance, not taking proper account of atmospheric conditions and failing to provide maximum noise level LAmax measurements, the assessment metrics seriously underestimate the adverse impact that aircraft operations on the ground have upon the neighbouring communities. Even the limited comparison of the daytime and night time average LAeq values for the 43mppa Development Case with the 2016 Baseline Year measurements at the nine receptor locations shows that the noise environment would generally worsen.

9.9.9 All 38 link road locations surveyed around the airport currently exceed the WHO guideline value of 55dB for serious annoyance and many by a considerable margin. Furthermore, all locations would have increased noise levels in the Development Case.

9.9.10 The impacts of increased surface access noise are addressed separately from ground noise and would be an additional contributory factor to ground noise impacts. No figures are provided for the cumulative impacts which would be experienced by people living around the airport. It is therefore not possible to fully assess the cumulative impacts of ground and surface access noise since this information is not provided in the ES.

9.9.11 The Applicant has not even assessed helicopter noise despite UDC advice to do so and despite a recognition by the DfT that "helicopters can be perceived as up to 15dB or nearly three times louder than fixed wing aircraft" and the fact that helicopter noise has different characteristics compared to the noise footprint of fixed wing aircraft. There is also a different receptor population.

9.9.12 When assessing noise impacts due to the number of flights, as the Government has proposed, the increase of 51% in aircraft movements together with a 77% increase in passengers from the 2016 Baseline year would clearly increase the adverse noise environment around the airport for the 2028 Development Case. Furthermore, this adverse noise impact would be exacerbated in rural areas of low background noise levels close to Stansted Airport and beneath flight paths.

9.9.13 The 2013 APF made it quite clear that "the industry must continue to reduce and mitigate noise as airport capacity grows"\(^\text{138}\), whilst the Secretary of State for Transport’s December 2013 letter said “the APF also recognises that people do not experience noise in an averaged manner”\(^\text{139}\).

9.9.14 It is equally quite clear that the noise environment around Stansted Airport and under the associated flight paths would worsen with the increase of passengers and flights from the present levels when assessing the impacts by the extant guidance. The impact would be shown to be even worse if assessed against the Government’s expected new guidance referred to in section 9.4.

\(^\text{139}\) Secretary of State for Transport letter MC91522, 10 December 2013 to Sir Alan Haselhurst MP.
10 Surface Access - Road

10.1 Introduction

10.1.1 Planning application UTT/18/0460 was submitted by MAG to UDC on 22 February 2018 seeking permission for the expansion of Stansted Airport to a passenger throughput of 43mppa. The application was accompanied by an Environmental Statement ('ES') prepared by RPS. The environmental effects relating to surface access and transport are assessed in Chapter 6 of the ES and Volume 3 of the ES comprises a Surface Access Transport Assessment ('TA') prepared by Steer Davies Gleave ('SDG').

10.1.2 Railton TPC Ltd was instructed by SSE to review the TA as well as Chapter 6 of the Applicant's ES. The need for SSE to commission this work was a recognition that the TA lacked clear explanations and raised serious questions about the methodologies and assumptions used.

10.1.3 This chapter of SSE’s response reviews the road transport implications of the proposed development and includes the following sections:

- Staff and passenger movements
- Parking capacity
- Traffic growth
- Impact on the highway network
- Environmental Statement
- Conclusions

10.1.4 This chapter concludes that the transport work submitted in support of the proposed expansion of the airport is flawed, misleading and contradictory; it fails to provide clear and adequate justification and support for assumptions and fails to adhere to appropriate guidance. The conclusions drawn by the Applicant/SDG are therefore unjustified.

10.2 Context

10.2.1 Stansted Airport handled around 24.3mppa in 2016 which the applicant has treated as the Baseline for the TA. The airport is currently limited to a maximum of 35mppa.

10.2.2 The planning application identifies an increase from an existing full time equivalent ('FTE') 11,000 on-site employees to 16,500 employees (+50%) although the increase assumed for assessment purposes is from 11,600 to 16,200 (+40%).

10.2.3 Although the planning application is for an increase in passengers of 23% (from 35mppa to 43mppa), the NPPF requires that the impact of the development is assessed in the context of cumulative impact that includes the increase from the existing level of use to the existing permitted level of use.  

"Development should only be prevented or refused on highways grounds if the residual cumulative impacts on the road network or road safety would be severe."

10.2.4 Similarly, DfT Circular 02/2013, ‘The Strategic Road Network and the Delivery of Sustainable Development’ states:

“The overall forecast demand should be compared to the ability of the existing network to accommodate traffic over a period up to ten years after the date of registration of a planning application or the end of the relevant Local Plan whichever is the greater’.\(^{141}\) [our emphasis]

10.2.5 The Circular clarifies, in footnote 7, that “overall forecast demand” includes that associated with committed development. The cumulative increase in relation to airport traffic therefore comprises the increase from 24.3mppa to 43mppa (+77%).

10.3 Staff and passenger movements

10.3.1 The TA provides information about the existing number of staff and passengers, how they travel and, critically, how car movements are expected to change as staff and passenger numbers increase.

10.3.2 The assessments that are presented in the TA have been reviewed to check that they are accurate, consistent and based on reasonable assumptions, and that clear explanations have been provided where necessary.

10.3.3 The analysis in the TA is based on 2016 passenger numbers of 24.3mppa (para 4.3) and on staff numbers from the latest employee survey which indicates that the airport employed 10,963 staff in 2015 (para. 4.30).

**Existing Mode Share**

10.3.4 Existing mode share for passengers is derived from the 2016 CAA passenger survey (see para. 4.10) and the existing mode share for staff from the 2015 staff survey. The information is summarised in the following table:

<table>
<thead>
<tr>
<th>Mode of Travel</th>
<th>Passengers (2016)</th>
<th>Staff (2015)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car</td>
<td>15%</td>
<td>64.9%</td>
</tr>
<tr>
<td>Car passenger</td>
<td>22%</td>
<td>5.7%</td>
</tr>
<tr>
<td>Taxi/rental car</td>
<td>13%</td>
<td>-</td>
</tr>
<tr>
<td>Bus/coach</td>
<td>23%</td>
<td>26.9%</td>
</tr>
<tr>
<td>Rail</td>
<td>27%</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>2.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>


10.3.5 The passenger split in Table 10.1 above has been taken from TA Table 4.3. No explanation is provided as to what is meant by ‘Car’ and ‘Car Passenger’ or how the figures of 15% and 22% have been calculated, despite these percentages playing a key role in the calculations for deriving traffic flows in TA Appendices G1, G6, G7 and G8.

and for the overall assessment of highway impact. We have worked on the assumption that ‘Car’ means ‘Park & Fly’ and ‘Car Passenger’ means ‘Kiss & Fly’, i.e. passenger drop off. The Applicant should be required to clarify the terminology.

**Use of CAA Passenger Survey**

10.3.6 The relationship between passenger numbers and vehicle numbers has been informed by information derived from the 2016 CAA Passenger Survey.

10.3.7 Scrutiny of the CAA survey data reveals that the question relating to mode of travel distinguishes between private car, rental car, car hire, taxi and minicab. Another question asks, ‘Including yourself, how many people are travelling in your immediate group?’

10.3.8 If only one person responds from each group of travellers it is possible to calculate, with some confidence, the number of air passengers associated with the total respondents and the number of vehicle movements associated with those air passengers. If the sampling method adopted by those delivering the CAA questionnaire is driven by considerations other than ensuring a single response from each travelling group, the use of the data to derive vehicle occupancy is likely to be unreliable. The TA does not identify this potential problem and does not indicate whether the use of the CAA data in this way is statistically justifiable.

10.3.9 If the survey delivery has not been controlled by restricting response to one per group, the results will be biased towards larger groups and the total number of vehicles calculated for a given number of air passengers will be under-estimated. The results therefore give the absolute minimum number of vehicles associated with air passengers and if there has been no deliberate action taken to ensure that only one group member responds, the number of associated vehicle movements will be higher than assumed in the TA.

**Vehicle Occupancy**

10.3.10 Notwithstanding the issue of survey delivery described above, the CAA survey question on group size is clear and unambiguous. Despite this, the method for calculating car occupancy as set out in the Car Occupancy Technical Note attached as Appendix F of the TA assumes that a respondent who states that their group size is 0 is travelling by themselves, a respondent who identifies their group size as 1 is assumed to be travelling with one other person, a respondent who identifies their group size as 2 is assumed to be travelling with 2 other people etc. This is an unreasonable and unjustifiable assumption. Data from a passenger survey undertaken by the CAA for SSE between April 2017 and December 2017 with a total of 4,232 results includes only 4 respondents who answered that their group size was 0. It is clear that respondents have understood the question and there is no justification for assuming all groups include one more member than stated in the questionnaire responses.

10.3.11 It should be explained that the reason for SSE commissioning this survey was that STAL had presented evidence on average vehicle occupancy to the Stansted G1 Inquiry which SSE considered highly dubious but SSE did not have the necessary authoritative independent evidence for STAL’s claims to be meaningfully challenged. Hence, in early 2017, in anticipation of this planning application, SSE commissioned the CAA to carry out this survey (at a considerable cost to SSE).
Future Travel Demand: Passengers - Annual Variation in Demand

10.3.12 Figure 4.2 of the TA is entitled ‘Typical Annual Passenger Profile’. The graph is unclear since the boundaries between months are not marked and there is no scale on the Y axis (‘passenger profile’). It is not known whether the Y axis has an origin at zero. It is stated in para 4.22 that the Summer peak in demand ‘relates to school holiday periods and coincides with generally lower demands on off-site infrastructure’. No evidence is presented to support this assumption. It is the case, for example, that some motorways and trunk roads experience high levels of demand during holiday periods.

10.3.13 Despite the vagueness of the graph it is clear that the peak period of demand extends from May/June to October with a short trough around the beginning of September. This period is clearly significantly longer than the 6-week Summer school holiday period. It is not correct to assume that the impact of peak period airport activity is always offset by lower traffic flows on the surrounding highway network, even if it were the case that traffic flows on the surrounding network are lower during the August holiday period.

Daily Flow Variation

10.3.14 The profile of passenger movements has been derived from flight arrivals and departures aggregated as hourly totals and then offset by -2 hours (‘lead time’) in relation to departures (to allow for check-in) and +1 hour (‘lag time’) in relation to arrivals (to allow for baggage collection etc.). This is a crude approach to adopt for two reasons: the assumptions about off-set times are not based on any evidence presented in the TA and are, in any case, averages; the use of hourly totals produces a crude profile that ignores the variation in rates of arrivals and departures within these hours.

10.3.15 It is clear from Figure 4.5 of the TA that the application of these crude assumptions has the effect of producing a marked trough in activity in the 07:00-08:00 period. The level of activity in the preceding hour (06:00-07:00) is shown to be two and a half times as great and, in the following hour, almost double. In reality, the profile of arrivals and departures will be smoothed and the depth of the ‘trough’ during the 07:00-08:00 period will be reduced.

10.3.16 This issue is of fundamental importance since the 07:00-08:00 period is used as the assessment period for highways impact. Given the centrality of the issue to the outcome of the assessments it is unacceptable that such a crude mathematical model has been applied. This concern is echoed in the Rail chapter of SSE’s response.

10.3.17 Para 6.19 of the TA states that, “As airport operations expand, as well as a general increase in flight numbers, there will be a more even distribution of flights throughout the day as runway capacity is taken up”.

10.3.18 Figures 6.2 and 6.3 show that passenger movements during the assessed 07:00-08:00 hour are predicted to increase from around 1,600 in 2016 to around 3,100 with 35mppa and 3,900 with 43mppa.

10.3.19 Whilst a significant increase in landside passenger movements is attributed to the 07:00-08:00 period (+142% compared with existing), the level of movement in the 07:00-08:00 hour still remains the lowest of all daytime hours, being less than half the 16:00-17:00 peak. Not only this, but the ratio of lowest to highest hourly movements is around 1:2 in
2016 and remains 1:2 in the future year with 43mppa. This outcome is not consistent with the statement that there will be a levelling of demand throughout the day.

10.3.20 Existing person movements during specified hours of the day and those associated with the future year scenarios are set out in Tables 6.6 to 6.8 of the TA. The information is summarised in Table 10.2 below:

### Table 10.2: Passenger Movements by Hour

<table>
<thead>
<tr>
<th>Scenario</th>
<th>07:00-08:00</th>
<th>17:00-18:00</th>
<th>Overall increase in passengers v Base</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Increase</td>
<td>Number</td>
</tr>
<tr>
<td>2016 Base</td>
<td>1,609</td>
<td>-</td>
<td>5,357</td>
</tr>
<tr>
<td>35mppa</td>
<td>3,237</td>
<td>+101%</td>
<td>5,099</td>
</tr>
<tr>
<td>43mppa</td>
<td>3,890</td>
<td>+142%</td>
<td>6,650</td>
</tr>
</tbody>
</table>

*Source: TA, Tables 6.6–6.8.*

10.3.21 The above table shows an increase in movements during the 07:00-08:00 period although, as described above, the overall travel demand during this period appears to be under-estimated.

10.3.22 The summary indicates that with a 44% overall increase in passengers (35mppa), the number arriving and departing in the 17:00-18:00 assessment period is predicted to decrease. This outcome appears highly unlikely. No explanation is provided in the TA as to the reason for this illogical outcome.

10.3.23 Para 5.105 refers to data derived from car park barrier movements. These data have not been used in the TA to analyse the hourly variation in car park usage to either derive the associated passenger arrival and departure profile or validate the indirect method of calculating passenger movement. However, more details of car park arrivals and departures are reported in the TA Scoping Report attached as Appendix A of the TA. Figures 2.2 and 2.3 of the TA Scoping Report show total car park arrivals and departures. This shows that although the period of highest arrivals is before 07:00, the number of arrivals and departures during the 07:00-08:00 period is almost double that during the 08:00-09:00 period. This is in stark contrast to Figure 4.5 of the TA that shows the opposite pattern with the movements during the 08:00-09:00 period double those of the 07:00-08:00 period. The car park data provides further evidence that the method used in the TA to derive a profile of passenger movements is incorrect and misleading.

### Annual and Daily Passenger Movements

10.3.24 Whilst it has not been possible to follow the logic or calculations of Car Occupancy, they have somehow led to the following forecasts of total car and taxi movements, combining arrivals at the airport and departures from the airport by air passengers:
10.3.25 Para 4.23 of the TA presents an ‘average weekday’ profile of passenger movements. No information is provided to show how passenger numbers vary between weekdays. It is necessary for this information to be provided since the use of an average may conceal material variations between weekdays that may have significant implications in terms of the impacts on the surrounding highway network.

Peak Hour Passenger Movements

10.3.26 Notwithstanding the apparent under-estimation of passenger movement during the 07:00-08:00 and 17:00-18:00 periods described above, there appear to be numerous contradictions and inconsistencies in the data and calculations relating to future passenger movement.

10.3.27 Summary data showing passenger vehicle movements associated with the three scenarios (2016 Baseline, 35mppa and 43mppa) are set out in Tables 4.7, 6.6, 6.7 and 6.8 of the TA. Supporting calculations are provided in Appendices G1 (daily passenger link assignments), G3 (flow diagrams showing 24-hour flows on links), G4 (hourly passenger counts), G5 (tables showing daily passenger profiles), G6 (tables and flow diagrams showing 07:00-08:00 flows) and G8 (tables and flow diagrams showing 17:00-18:00 flows). The relevant data relating to vehicle travel set out in each of these sources is summarised in the Table 10.4 below:

### Table 10.3: Vehicle Movements (Passengers)

<table>
<thead>
<tr>
<th>Time Period</th>
<th>2016</th>
<th>35mppa</th>
<th>43mppa</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual</td>
<td>9.0m</td>
<td>13.3m</td>
<td>16.2m</td>
</tr>
<tr>
<td>Daily</td>
<td>24,734</td>
<td>36,420</td>
<td>44,458</td>
</tr>
</tbody>
</table>

*Source: TA, Appendix G1. (where headings and descriptions do not aid understanding)*
Table 10.4: Passenger Movement by Car

<table>
<thead>
<tr>
<th>Source (TA)</th>
<th>Description</th>
<th>Daily</th>
<th>07:00-08:00</th>
<th>17:00-18:00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 4.7</td>
<td>2-way passenger movements</td>
<td>33,342</td>
<td>804</td>
<td>2,678</td>
</tr>
<tr>
<td>Tables 6.6-6.8</td>
<td>2-way movements by car modes (car driver, car passenger and taxi)</td>
<td></td>
<td>810</td>
<td>1,629</td>
</tr>
<tr>
<td>Appendix G1 (tables)</td>
<td>2-way passenger vehicle movements</td>
<td>24,731</td>
<td>36,416</td>
<td>44,453</td>
</tr>
<tr>
<td>Appendix G3 (flow diagrams)</td>
<td>2-way vehicle movements</td>
<td>24,777</td>
<td>36,415</td>
<td>44,452</td>
</tr>
<tr>
<td>Appendix G4 (tables)</td>
<td>2-way person movements by car/taxi</td>
<td>33,342</td>
<td>48,570</td>
<td>59,672</td>
</tr>
<tr>
<td>Appendix G4 (tables)</td>
<td>2-way vehicle movements</td>
<td>36,510</td>
<td>53,042</td>
<td>65,166</td>
</tr>
<tr>
<td>Appendix G5 (tables)</td>
<td>2-way vehicle movements with mode shift and 2-way allowance</td>
<td>27,482</td>
<td>36,454</td>
<td>42,815</td>
</tr>
<tr>
<td>Appendix G6 (tables)</td>
<td>2-way vehicle movements</td>
<td>663</td>
<td>1,227</td>
<td>1,409</td>
</tr>
<tr>
<td>Appendix G6 (flow diagrams)</td>
<td>2-way vehicle movements</td>
<td>764</td>
<td>1,236</td>
<td>1,411</td>
</tr>
<tr>
<td>Appendix G8 (tables)</td>
<td>2-way vehicle movements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appendix G8 (flow diagrams)</td>
<td>2-way vehicle movements</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: **Bold** = vehicle movements (otherwise persons travelling by car mode)

10.3.28 Although the text of the TA does not make it clear, it appears that the numbers set out in Tables 4.7, 6.6, 6.7 and 6.8 represent persons travelling by car modes rather than vehicle movements. It is noted that Tables 4.7 and 6.6, that should show the same data, do not entirely agree. The figures in the tables in the text agree with those shown in Appendix G4 in some cases but not in others.

10.3.29 The figures in the tables in Appendix G4 that are entitled ‘vehicles’ are significantly higher than other sources of daily vehicle movements. There is no obvious explanation for this in the tables and the text of the TA offers no illumination on the apparent contradiction.

10.3.30 The peak hour vehicle flows in the tables and flow diagrams in Appendices G5 to G8 agree in some cases and disagree in others. In the 07:00-08:00 situation the 2016 figures in Appendix G5 agree with those shown in the tables in Appendix G6 (663 vehicle movements) but in the flow diagrams in Appendix G6 the number of vehicle movements is higher (764 vehicle movements). In the 35mppa and 43mppa situations there is (approximate) consistency between the three sources. The tables and flow diagrams for the 17:00-18:00 situation in 2016 are consistent between the tables in Appendix G5 and the tables and flow diagrams in Appendix G8 (2,208 vehicle movements).
movements per hour) but in the 35mppa and 43mppa scenarios the tables and flow diagrams in Appendix G8 show significantly higher flows.

10.3.31 The figures presented in Appendix G5 that are in some cases carried forward to the flow diagrams include some allowance for a change in mode. This allowance can be seen in the final tables in Appendix G5 that are entitled, ‘Inc. Mode Share shift and two-way allowance’. This allowance is contradicted by the statement in the section of the TA entitled, Air Passenger Mode Share’ that states, ‘... it is considered prudent for the purposes of assessing a robust case for potential highway impact, to assume that the current modal shares will remain constant’ (para. 6.13).

10.3.32 It is shown at the top of the Tables in Appendix G5 that 43% of passengers arrive by drop-off car modes that make two trips for every one passenger arrival or departure. This effect is shown, for example, by an increase in cars in the 07:00-08:00 period in 2016 from 464 vehicles shown on page 3 of the first 4 pages of the Appendix to 663 vehicles shown on page 3 of the second 4 pages of the Appendix, an increase of 43%. The proportion of passengers using drop-off is then shown to reduce from 43% to 32% in the 35mppa situation and 26% in the 43mppa situation. This results in significant reductions in the increase in vehicle movements in the future situations. No explanation has been provided to justify this significant alteration of passenger behaviour. Indeed, it appears that the statement that ‘current modal shares will remain constant’ is misleading.

10.3.33 The assumed significant switch from drop-off to car park use would increase parking demand. At present 57% of passengers arriving by car use the car parks. It has been assumed that this will increase to 74% in the 43mppa situation. This represents a 30% increase in parking demand. This figure is considered further in the section immediately below and in section 10.4 below in relation to parking capacity.

**Passenger Parking**

10.3.34 Table 5.15 of the TA identifies a total passenger car parking supply of 30,750 spaces. No information is provided on existing passenger demand for car parking spaces. It is not, therefore, possible to understand the existing balance of car parking supply and demand or to assess how this balance will change with airport expansion.

10.3.35 The TA makes it clear that parking does not form a part of the planning application. There appears to be no constraint on increasing parking supply. There is financial pressure to increase parking supply at least in line with predicted increases in demand since the airport secures a significant revenue stream from parking charges. There is therefore a conflict between financial pressure to maximise income and any efforts to reduce car travel to and from the airport. The omission of car parking from the planning application removes any opportunity to link parking provision with efforts to minimise traffic impact (and environmental impact).

**Future Travel Demand: Staff Predictions**

10.3.36 It is noted that a ‘robust’ level of staffing ‘agreed with STAL and its economic advisors’ (para 2.18 of Scoping Report attached as Appendix A of TA) for the 44.5mppa situation was 19,000 employees. This is 17% higher than the number used in the TA (16,200). The difference between the initial estimate and the later figure is not explained.
10.3.37 Confusion about staffing is increased by the information presented on the planning application form that identifies staff increasing by 50% from the 2016 situation to the 43mppa situation, from 11,000 to 16,500. In the TA it is stated that staffing increases by 40%, from 11,600 to 16,200. The two sources do not even agree on the existing level of staffing.

10.3.38 Staffing numbers used in the TA are also inconsistent with projections made in the airport’s 2015 Sustainable Development Plan (SDP) and which appear to be included in the Uttlesford ELP. The SDP forecast 10,000 additional employees by 2030, albeit for 45mppa.

10.3.39 STAL has a long history of overestimating employment growth – see paras 13.2.5 to 13.2.8 below – and in SSE’s view a more realistic projection is around 14,500 on-airport jobs in 2028 under the 43mppa scenario (see para 13.2.2).

**Daily Staff Attendance**

10.3.40 Para 4.50 of the TA states that for the purposes of assessment it has been assumed that average staff attendance is 0.5 employees per day. This appears to be a gross generalisation without any clear supporting evidence. The figure has a very important impact on the assessments and as such it needs a robust justification. This has not been provided.

**Staff Mode Share**

10.3.41 Para 7.32 of the TA states that the car occupancy applied to passengers (1.6 per vehicle) has also been applied to staff. Table 4.9 of the TA shows the 2015 staff car driver mode share as 64.9% and the staff car passenger mode share 5.7%. The average staff car occupancy is therefore less than 1.1. If a staff car occupancy of 1.6 has been assumed then the number of car trips associated with staff will have been under-estimated by over 30%.

**Peak Hour Staff Movements**

10.3.42 Figure 4.6 shows that the highest number of staff arrivals occurs between 08:00 and 09:00 (681 arrivals) and the highest level of departures occurs between 17:00 and 18:00 (740 departures).

10.3.43 Tables 6.12 to 6.15 identify the predicted staff arrivals and departures by mode for the existing, 35mppa and 43mppa situations. The information for the car drivers is summarised in the following table:

<table>
<thead>
<tr>
<th>Scenario</th>
<th>07:00-08:00</th>
<th>17:00-18:00</th>
<th>Overall Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Increase</td>
<td>Number</td>
</tr>
<tr>
<td>2016 Base</td>
<td>523</td>
<td>-</td>
<td>608</td>
</tr>
<tr>
<td>35mppa</td>
<td>519</td>
<td>-1%</td>
<td>603</td>
</tr>
<tr>
<td>43mppa</td>
<td>637</td>
<td>+22%</td>
<td>740</td>
</tr>
</tbody>
</table>

*Source: TA, Tables 6.12-6.15.*
10.3.44 It is important to note that the number of car movements associated with staff in the assessment hours (07:00-08:00 and 17:00-18:00) is of a similar order to the number of car movements associated with passenger movement. The assumptions that have been made about the level of attendance of staff, the modal share and the timing of staff trips are as significant as those that have been made about passenger travel.

10.3.45 The information presented in the table above begs some important questions that are not answered in the TA. It is immediately apparent that with a 14% increase in staff (and a 44% increase in passengers) it is predicted that staff car movements will reduce by 1% in both assessment hours. No evidence is presented in the TA to justify this irrational outcome.

10.3.46 A 10% reduction in car driver mode share has been assumed in deriving staff car movements. The existing car driver mode share target set out in the airport’s Sustainable Development Plan (‘SDP’) is, ‘Reduce single car occupancy for staff travel to no more than 65% by the end of 2019’ (see para. 4.36 of TA). The current (2015) staff car driver mode share is 64.9%. There is therefore no target to reduce staff car driver mode share to anything less than the existing level. The assumption of a 10% further reduction is not, therefore, based on any target. No information is provided that constitutes a convincing strategy to persuade one in six staff currently travelling by car to switch to alternative modes. Notwithstanding the lack of any substantial justification for assuming a 10% decrease in staff car driver mode share, even if a 10% decrease is assumed, the level of staff car movement in the assessment hours remains 5% lower than the overall increase in staffing.

10.3.47 The peak hour increase in staff movements between the 35mppa and 43mppa situations is a further 3% lower than the overall increase in staffing.

10.3.48 In para 6.28 of the TA it is suggested that staff car parking is restricted. Para 5.111 states that staff are currently allocated 2,230 car parking spaces. From the information presented in Figure 4.6 of the TA it is possible to estimate a peak staff attendance of 3,730. The car driver mode share is given in Table 4.9 as 64.9%. The application of this car driver mode share to the peak attendance of staff leads to a peak car accumulation of 2,421 car parking spaces. It is therefore the case that peak staff car parking demand currently exceeds staff parking supply (existing demand exceeds supply by 9%). The TA also states (para. 5.114) that 5,000 car parking spaces will be provided for staff in the future. The TA predicts that with 43mppa staff numbers will increase by 40% compared to the 2016 Baseline. The maximum parking demand, assuming no change in car driver mode share, is therefore 3,382 spaces (2,421 x {16,200/11,600}). A supply of 5,000 spaces will represent a significant over-provision of parking and have the effect of undermining efforts to reduce staff car driver mode share.

**Overall Change in Passengers and Staff**

10.3.49 The overall predicted changes in passengers and staff numbers are summarised in Table 10.6 below:
10.3.50 Combined passenger and staff movements are summarised in Tables 6.16 to 6.18 of the TA. The data for travel by car or taxi are summarised in Table 10.7 below:

### Table 10.7: Passenger and Staff Movements by Car and Taxi (2-way)

<table>
<thead>
<tr>
<th>Scenario</th>
<th>07:00-08:00</th>
<th>17:00-18:00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>Increase</td>
<td>Number</td>
</tr>
<tr>
<td>2016 Base</td>
<td>1,369</td>
<td>-</td>
</tr>
<tr>
<td>35mppa</td>
<td>2,209</td>
<td>+61%</td>
</tr>
<tr>
<td>43mppa</td>
<td>2,671</td>
<td>+95%</td>
</tr>
</tbody>
</table>

Source: TA.

10.3.51 In the 17:00-18:00 period with an increase to 35mppa overall movements are shown to reduce compared with the existing situation despite an overall 44% increase in passenger numbers, a 14% increase in staff and the 17:00-18:00 period being shown to be the peak period for employee departures. This result is intuitively wrong and no evidence is presented to justify it.

10.3.52 The level of increase in travel by car during the 07:00-08:00 period is shown to be higher but, as explained above, this increase does not properly reflect the likely increase in both passenger and staff car use during this assessment period.

### 10.4 Parking capacity

10.4.1 The airport currently has 30,750 car parking spaces for passengers (see Table 5.15 of TA). Para 5.111 states that staff are allocated 2,230 car parking spaces. We assume that all these parking spaces are needed for efficient operation of the airport at peak times. A 77% increase in passenger parking (in proportion to the overall increase in passenger numbers from the 2016 level) would result in demand for an additional 23,678 spaces (0.77 x 30,750) and total supply of 54,428 spaces for passengers. This assumes that the existing balance of drop-off and car park use remains constant. With the assumed 30% increase in parking demand (see para 10.3.33 above), the supply of passenger parking would increase by a further 16,233 to a total of 70,661 spaces. Provision for these 40,000 additional spaces appears not to have been properly considered elsewhere in this application, either within the planning application or within the assessments of environmental consequences.
10.4.2 Para 5.110 of the TA states that, ‘Overall, the quantum of car parking spaces on-site is anticipated to increase from around 30,000 at present to 45,000-55,000 at 43mppa’. The higher number, 55,000, would closely reflect a 77% increase in passenger parking, but fails to allow for the assumed shift from drop-off to car park use. The area required to accommodate an increase of 40,000 car parking spaces is around 100 hectares if all at ground level. The construction of this amount of car parking will have very significant impacts in terms of drainage and in terms of the movement of materials during construction.

10.4.3 The ES is incomplete in that it has not addressed the very large number of HGV movements that might be expected in bringing materials onto site and removing topsoil, or the consequential impact on noise and air quality. A full assessment should be provided.

10.4.4 The airport currently has permitted development rights for 40,300 passenger parking spaces. This indicates that permitted development rights will not allow parking within the airport to be expanded sufficiently to accommodate the level of demand predicted for passengers and staff. It is therefore necessary for MAG to apply for planning permission for additional car parking.

10.4.5 The 2015 SDP makes the point that land for car park expansion is limited and it may be necessary to construct multi-storey car parks (see page 55 of Surface Access SDP). This recognition increases the necessity for providing a clear and comprehensive reconciliation of parking supply and demand and for including parking within the current planning application. The provision of multi-storey car parks will also raise additional issues relating to visual impact and the associated cost may have a material impact on the pricing strategy adopted to manage parking.

10.5 Traffic growth

General

10.5.1 Traffic growth has been applied to surveyed traffic flows on the surrounding highway networks. Para 3.4 of the TA states that background traffic growth has been derived using TEMPro (v7.2) with allowance for ‘2016 passenger and employee information’. Further information on the approach to deriving traffic growth is provided in Section 7 of the TA. Para 7.6 and Figure 7.1 show that airport traffic has been removed from background flows. Background traffic growth has been applied to non-airport traffic and the prediction of increases in airport related movement have been applied to airport flows.

10.5.2 TEMPro growth factors are based on ‘all rural’ roads. It is possible to select growth factors for trunk roads. Given the fact that the key impacts of the proposals are on the A120 and M11, the selection of ‘all rural’ appears incorrect. It appears that growth has been derived for ‘average weekday’ although this is not made clear in the TA. The following table compares the results obtained using the ‘all rural’ option with the ‘rural trunk’ option:

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142 Derived from the Joint Statement by UDC and STAL, Jul 2012.
10.5.3 It can be seen that the application of the more relevant category of road type leads to higher growth factors, particularly in the 2023, 2028 and 2033 situations.

10.5.4 It is noted that most major development planned in the vicinity of Stansted Airport will access directly or indirectly onto the A120 and M11. It is therefore likely that Junction 8 of the M11 will experience a level of background traffic growth that is higher than the average for the surrounding areas.

10.5.5 For a major motorway junction such as Junction 8 of the M11 it is important to consider not only overall changes in traffic flows but changes in specific turning movements since these will have a direct influence on any assessment of whether the junction is able to operate safely and effectively. No such assessment of changes in turning movements associated with committed development or likely Local Plan allocations has been undertaken.

10.5.6 The following section 10.6 includes a review of work undertaken by WYG in 2016 on behalf of UDC in relation to the review of the Local Plan. This work indicates that traffic growth on the A120 and M11 will lead to significant adverse impacts within the Local Plan period even without the proposed expansion of the airport to 43mppa.

10.6 Impact on the highway network

10.6.1 Comment here has been limited to just a few issues where there appear to be specific errors or omissions. Further comment may be appropriate once these and more general issues have been resolved.

**Parsonage Road, Church Road, Bury Lodge Lane**

10.6.2 It has been assumed that all passengers arrive and depart via the A120 and Junction 8 of the M11. No passenger car trips are assigned to the Cooper's End roundabout on Parsonage Road and no passenger car trips are assigned to the Church Road, Stansted Mountfitchet and Bury Lodge Lane route. The Cooper's End roundabout provides direct and convenient access to the Red and Orange Zone parking and meet and greet facilities. Parsonage Road provides the most convenient route for passengers from the local area north-east and south-east of the airport and a reasonable or preferable route.
for those travelling to and from Hatfield Heath, Sawbridgeworth, Harlow and Chelmsford. Indeed, the Parsonage Road route is identified as the preferred route to the airport by Google Maps for some of these locations. The Church Road and Bury Lodge Lane route provides direct access to long stay parking. The Church Road route is the most direct and convenient route for those travelling to and from Stansted Mountfitchet, Saffron Walden and other areas served by the B1383. Given the existence and attractiveness of these routes, it is unjustifiable to assume that no passengers or taxis will use them.

10.6.3 Some staff car trips are assigned to Parsonage Road, Church Road and Bury Lodge Lane. This fact alone suggests that the routes are recognised as credible routes for those travelling to and from the airport. Despite Bury Lodge Lane being identified as a key route to the airport, the section north of Church Road, through the hamlets of Burton End and Tye Green, is entirely unsuitable for any significant increase in vehicle movements. The road is a narrow country lane with tight bends, restricted forward visibility and single lane working over some sections with passing places. The road is subject to a 6’ 6” width restriction except for access. The TA fails to acknowledge these severe constraints.

10.6.4 The Parsonage Road route is particularly attractive for staff since the majority of employment at the airport lies close to the Cooper’s End roundabout. Despite this, only 126 staff car trips are assigned to Parsonage Road per day (2016 situation). The implication is that the Cooper’s End roundabout only experiences 126 car trips associated with the airport per day. This implication does not appear to be credible and should be supported by empirical evidence. Para 5.87 of the TA states that 34% of vehicle movements at the Cooper’s End roundabout are associated with the airport. If 126 car trips represent 34% of daily flows, the total daily vehicles movements at the roundabout would be 371 movements. This would appear to be a ludicrously low number of vehicle movements. Indeed, traffic surveys undertaken at the junction in 2008 (in relation to planning application UTT/14/3463) showed that the roundabout handled over 1,442 vehicle movements entering or leaving the airport in just the peak hours (08:00-09:00 plus 17:00-18:00), almost four times the daily total number of movements suggested in the TA. It is concluded that the assessments set out in the TA severely under-estimate the impact of the proposals on Parsonage Road and on the very sensitive Four Ashes junction.

10.6.5 The assumptions underlying the assignment of car trips are set out in the various tables in Appendix G of the TA. It appears that assignment is based on subjective judgement. Given the sensitivity of local routes to changes in traffic flows and the overall volume of traffic movements associated with the airport, it would be more robust and appropriate to utilise the data held by MAG to accurately plot the distribution of staff home locations. This would avoid the use of subjective judgement and provide the most reliable information on the expected impact of airport expansion on sensitive local roads and communities.

10.6.6 The TA and ES Chapter 6 conclude that the proposals have negligible impact on local roads. Given the unreasonable assumptions that have been made about passenger assignment and the crudeness of the assumptions about staff assignment, these conclusions cannot be considered robust.
Impact on Junction 8 of M11

10.6.7 The impact of the expansion of the airport on Junction 8 of the M11 will be greater than currently anticipated for the following reasons:

- All assessments are based on average passenger numbers. Highways impact will be greater than this level during a significant proportion of the year, including periods that do not coincide with school holidays;
- The predicted ‘trough’ in passenger vehicle movement during the 07:00-08:00 period is contradicted by the fact that passenger movement will be ‘evened out’ as the runway operates at higher levels of capacity;
- The predicted ‘trough’ in passenger vehicle movements during the 07:00-08:00 period is contradicted by existing evidence of patterns of car arrivals and departures at the airport car parks;
- It is predicted that in the 17:00-18:00 peak hour the number of passenger car movements will reduce by 5% with a 44% increase in passenger numbers (to 35mppa). This result is not credible. Passenger vehicle movements will increase during this period and the overall increase with 44mppa is likely to be higher;
- Staff vehicle movements are based on an unjustified assumption that only 50% of staff are present on any one day. It is likely that more than 50% will work on any one day;
- Considerable uncertainty surrounds forecasts for staff numbers. For example, the predicted level of staff increase adopted for the purposes of impact assessment is less than that originally predicted in the Scoping Report and as set out on the planning application form. No justification is given for the reduced assumed level of staffing;
- It has been calculated that staff vehicle movements will decrease in the 07:00-08:00 and 17:00-18:00 periods with a 14% increase in staffing levels in the 35mppa situation despite these periods currently having some of the highest hourly staff arrivals and departures. This is not credible, particularly given that an increase is predicted as passenger numbers increase to 43mppa;
- The assumed 10% decrease in staff car driver mode share is contrary to current airport policy (that provides no incentive to reduce staff car driver mode share to anything lower than the current level) and is contradicted by the proposal to significantly increase staff parking;
- The level of background traffic growth has been under-estimated since it is based on ‘all rural’ roads rather than ‘rural trunk’ roads;
- No allowance has been made for the possible increased local impact of proposed development on the A120/M11 interchange resulting from the likely distribution of Local Plan development.

10.6.8 For these reasons, it is concluded that the predicted impact of the proposals on the operation of the M11 junction is currently significantly under-estimated.
10.6.9 Even with the flows that have been derived in the TA, the results of the modelling of the proposed improved Junction 8 show the junction to operate over capacity in the 35mppa situation and a further 10% (approx.) over capacity in the 43mppa situation. The cumulative impact of development is therefore severe and the impact of the proposed increased annual passenger numbers is also considered severe since the increased levels of saturation are likely to lead to significant increases in queues and delays for existing and new users of the junction.

10.6.10 Further alterations to the junction are proposed (see Appendix K of TA). An initial review of these drawings has highlighted a number of concerns:

- The proposed amendments to the A120 western arm of the junction do not appear to allow for the current proposed signalisation of the A120 roundabout west of the main motorway junction;
- The proposed 3-lane exit from the junction onto the northbound on-slip raises safety issues since lane discipline for drivers approaching from the A120 will be conflicted. A driver in the centre proposed approach lane, for example, may be turning left onto the M11 northbound on-slip but will collide with a driver in the nearside lane continuing onto the motorway overbridge. It therefore appears likely that the modelled increased capacity for drivers approaching from the west is illusory since the improvement is not feasible for safety reasons;
- The B1256 exit is proposed to be widened to three lanes. This again raises a safety issue in that the arm narrows to one lane over a distance of 50m. If the 3-lane exit were to be fully utilised, this very short merging length is likely to lead to additional safety concerns;
- The eastern ‘inner’ side of the junction is shown to be widened from three to four lanes. The section of the junction is fed by a maximum of three lanes. It is therefore doubtful that the level of additional capacity that is shown with the modelling will materialise in practice.

10.6.11 The TA suggests that the proposed ‘Further Improvement Scheme’ will provide significant benefits that will more than off-set the impact of the change in annual visitors from 35mppa to 43mppa. Given the issues raised above this statement would appear to be premature and will need to be subject to much greater scrutiny and justification if it is to be relied upon.

WYG Local Plan Transport Study

10.6.12 WYG has prepared the Uttlesford Local Plan Transport Study (WYG, December 2016) on behalf of UDC. The report seeks to identify the highways impact of possible Local Plan allocations and key parts of the highway network that constitute potential constraints to development. A further Addendum Report was produced for Uttlesford in June 2017 in recognition of changing circumstances including higher growth predictions.

10.6.13 The 2016 report refers to the withdrawal of the most recent Local Plan following concerns expressed by the Inspector about the impact of traffic growth on Junction 8 of the M11 and the lack of proposed or available mitigation at and around the junction.
10.6.14 A strategic model was used by WYG to assign traffic associated with possible development and then a spreadsheet was used to add this assigned traffic to observed flows on key links within the district. The Congestion Reference Flow (CRF) method was used to identify a percentage value for individual links representing the likelihood of unacceptable levels of peak period congestion. A value of 100% or over indicates that, ‘The link operates over capacity and is likely to experience flow breakdown on a regular basis’ (WYG, 2016, para. 6.1.8). It is also pointed out that journey time reliability is affected when the CRF exceeds 75%.

10.6.15 The 2017 report found that in the 2033 Reference Case, consisting of committed development only, the A120(T) between Junction 8 of the M11 and the airport operates at a stress level of 153%, well above the threshold for significant adverse impact. The A120 north of Takeley was found to operate at 96% and the A120 Bishop’s Stortford Bypass to operate at 130%. The M11 north and south of Junction 8 operates at 101% and 100% respectively.\textsuperscript{144}

10.6.16 The Reference Case includes committed airport growth to 35mppa. With further additional traffic associated with possible Local Plan allocations, the A120 between Stansted Airport and Great Dunmow is seen to operate over 90% in all cases and in the vast majority of cases, over 100%. With the additional Local Plan development, the CRF values on both the M11 and the A120 east and west of the M11 increase further from the values found in the Reference Case.

10.6.17 It is concluded that WYG has identified severe capacity constraints associated with the A120 and M11 in the vicinity of Stansted Airport within the Local Plan period. Despite this work, the impact of the proposed further expansion of Stansted Airport on the operation of these strategic links has been ignored.

\textbf{A120 Weaving Section}

10.6.18 The 2006 Transport Assessment supporting STAL's G1 planning application\textsuperscript{145} found that under the proposal to increase airport capacity to 35mppa, by 2023 the westbound three lane weaving section of the A120, between the airport exit and M11 J8 would be approaching its design capacity. This issue has not been addressed in the transport supporting work. Further, the TA does not include sufficient information to allow any comparison between the weave calculations set out in the TA supporting the 2006 planning application and the current planning application.

10.6.19 This is a serious deficiency since it is extremely likely that the current future year traffic flow projections will show that the design capacity of this weaving section will be exceeded in the future year assessment scenarios.

10.7 Environmental Statement

\textbf{Failure to Adhere to Guidance}

10.7.1 It is standard practice to assess transport environmental impact by considering the magnitude of effects in relation to sensitive receptors. Chapter 6 of the ES that deals with Surface Access and Transport refers to guidance set out in the Institute of Environmental Management and Assessment Guidelines (IEMA Guidelines) but fails to

\textsuperscript{144} WYG Transport Planning, Uttlesford Local Plan Transport Study: Addendum Report, Jun 2017, Table 2.

\textsuperscript{145} Stansted G1 Planning Application, ES Vol 1, Surface Access - TA, para 10.5.16.,
reference The Design Manual for Roads and Bridges (DMRB) Volume 11, ‘Environmental Assessment’ that constitutes the most important current guidance.

10.7.2 Both the IEMA Guidelines and DMRB Volume 11 make it clear that a key part of the process is to identify sensitive receptors or those groups who are most vulnerable and likely to experience adverse impacts as a result of changes in traffic conditions. Indeed, it is impossible to achieve any meaningful understanding of transport environmental impact without an understanding of the interaction of the level of sensitivity of receptors and the magnitude of changes in transport.

10.7.3 Chapter 6 displays a complete disregard of this fundamental principle of environmental assessment. No effort is made to identify sensitive receptors. The characterisation data listed in para 6.37 of the ES make no mention of sensitive receptors. The IEMA Guidelines provide a checklist of sensitive receptors including schools, hospitals, children, the elderly and disabled, people walking and cycling, open spaces, recreational sites etc. DMRB provides a similar checklist including, for example, impacts on pedestrians, other travellers and communities. DMRB states that in order to gain an appreciation of the likely effects on vulnerable groups it is necessary to identify routes, rights of way and important community facilities used by pedestrians. In stark contrast, Chapter 6 of the ES fails to identify a single sensitive receptor.

10.7.4 All conclusions drawn in Chapter 6 are based on an assessment of magnitude of effect whereas the aim of environmental assessment is to identify the significance of effects and significance can only be understood as an interaction between magnitude of effects and the sensitivity of receptors. A very large magnitude of impact is not significant if it does not affect sensitive receptors whereas a relatively small magnitude of effect may have a significant impact if it affects highly sensitive receptors such as primary schools.

10.7.5 If transport environmental assessment had been carried out in accordance with guidance, attention would have been focused on those local roads and communities around the airport where sensitive receptors are concentrated such as within Takeley (primary schools, high pedestrian movements, local shops etc.), Stansted Mountfitchet (primary and secondary schools, shops, community facilities, highly constrained road network (for example, Chapel Hill and Grove Hill on the B1051), variable footway provision, high pedestrian flows) and other sensitive areas such as Burton End and Tye Green where highway and pedestrian provision is of a very low standard.

Impact on Parsonage Road

10.7.6 The following summarises information extracted from the flow diagrams in Appendix G1 of the TA relating to changes in daily traffic flows on Parsonage Road:

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146 IEMA Guidelines, para 2.5.
147 DMRB, Vol1, Section 3, Part 8, Chapter 9, paras 9.3-9.4.
Table 10.9: Parsonage Road – Daily Traffic Flows

<table>
<thead>
<tr>
<th>Year</th>
<th>Vehicles per Day (‘vpd’)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>4,428</td>
</tr>
<tr>
<td>2016</td>
<td>126 employee car trips</td>
</tr>
<tr>
<td>2016</td>
<td>4,302 non-airport car trips</td>
</tr>
<tr>
<td>2016-2028</td>
<td>+768 non-airport (+18%)</td>
</tr>
<tr>
<td>2028</td>
<td>5070 non-airport traffic</td>
</tr>
<tr>
<td>2028</td>
<td>128 employee car trips (35mppa) (+2%)</td>
</tr>
<tr>
<td>2028</td>
<td>5198 (35mppa)</td>
</tr>
<tr>
<td>2028</td>
<td>157 employee car trips (43mppa) (+25%)</td>
</tr>
<tr>
<td>2028</td>
<td>5227 (43mppa)</td>
</tr>
</tbody>
</table>

Source: TA.

10.7.7 On the basis of the calculations set out in the TA, the proposed expansion of the airport will have a negligible effect on Parsonage Road since it is assumed that no passengers and only a small number of staff (126-157 staff car movements per day) will use this route. It has already been shown that the calculations of future impact on Parsonage Road are based on entirely spurious assumptions about who uses the Cooper’s End roundabout and in what numbers. It seems likely that the level of impact on Parsonage Road will be at least a factor of 10 greater than predicted in the TA and ES. The resulting impact on the Four Ashes junction and on the sensitive receptors within Takeley will therefore be very much higher than currently anticipated. The assessment work is seriously flawed in this respect.

10.7.8 Para 6.169 of the ES contradicts the information in the TA by stating that, ‘airport-related traffic on Parsonage Road is forecast to grow from 3,900vpd to around 5,500vpd (2028/35mppa) or 6,700vpd (2028/43mppa)’…Future total traffic in 2028 would hence be expected to be of the order of 14,300vpd (35mppa) or 15,600vpd (43mppa).’ The flow diagrams in Appendix G of the TA show total daily flows on Parsonage Road to be 5,198 with 35mppa and 5,227 with 43mppa, with the increase in airport related traffic being only 2 car trips in the 35mppa situation and 31 car trips in the 43mppa situation compared with 2016. Either the work presented in the TA or in the ES (or both) must be incorrect.

Impact on Bury Lodge Lane

10.7.9 Para 6.88 of the ES states that Bury Lodge Lane carries around 5,000vpd. Para 6.170 states that, ‘Airport traffic on Bury Lodge Lane is a lower proportion than on Parsonage Road and hence impact from growth will be lower’. This statement appears to be contradicted by the traffic flow information presented in Appendix G of the TA that shows no passenger car trips on either Parsonage Road or Bury Lodge Lane and over four times as many employee car trips on Bury Lodge Lane as on Parsonage Road (558 staff car trips on Bury Lodge Lane compared with 126 staff car trips on Parsonage Road on a
daily basis in 2016) whereas 2016 Baseline flows are of a similar order (5,179 vehicle movements on Bury Lodge Lane and 4,428 vehicle movements on Parsonage Road).

10.7.10 Figure 6.8 of the ES shows increases in traffic on Church Road (B) of over 40% in the 35mppa situation. The spreadsheets in Appendix G2 show that staff car movements are expected to increase from 1,085 in 2016 to 1,115 in the 35mppa situation on Church Road (+2.8%). The very significant percentage increase identified in 2028 with 35mppa makes no sense in this context (no passenger car trips are assigned to Church Road). The assessments set out in the ES contradict those set out in the TA.

Construction Traffic

10.7.11 The description of the works contained within Chapter 5 of the ES omit any reference to the provision of additional car parking. It is predicted that the works will necessitate many thousands of HGV movements. The committed and proposed development (together comprising the cumulative development) could therefore increase the level of HGV movement associated with construction works by a significant factor, increasing daily HGV movements currently expected to be ‘100-200’ during a limited period of construction.

10.8 Conclusions

10.8.1 We make no apology for the level of detail in this Chapter of our submission. It is often said that the devil is in the detail. We do not claim to have tested all the work in the voluminous Transport Assessment but where we have probed we have uncovered a surprising degree of unsatisfactory foundation beneath the glossy veneer.

10.8.2 Overall, on the basis of the technical review set out above it is concluded that the transport work submitted in support of the proposed expansion of the airport is flawed, misleading and contradictory, fails to provide clear and adequate justification and support for assumptions and fails to adhere to appropriate guidance. The conclusions that have been drawn are therefore unjustified.

10.8.3 Evidence that is available suggests that the level of transport and highways impact of the proposed development will be significantly higher than predicted.

10.8.4 These shortcomings, taken together with the shortcomings explained in the Rail chapter which follows, clearly demonstrate that the surface access assessment is simply unfit for purpose and not an appropriate basis for taking so important a planning decision.
11 Surface Access – Rail

11.1 Introduction

11.1.1 The current Stansted Airport planning application, like any other planning application, must be determined in accordance with the Development Plan unless material considerations indicate otherwise, and three of the most important components of the Development Plan at present are the NPPF, the APF and the ELP.

National Planning Policy Framework

11.1.2 The NPPF could not be clearer in terms of supporting the need for sustainable transport solutions. It devotes a full chapter to this objective, for example, as follows:

"4. Promoting sustainable transport

29. Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

…

32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether …

● the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;" [our emphasis]

Aviation Policy Framework

11.1.3 The APF includes the following:

"5.11 All proposals for airport development must be accompanied by clear surface access proposals which demonstrate how the airport will ensure easy and reliable access for passengers, increase the use of public transport by passengers to access the airport, and minimise congestion and other local impacts."

"4.20… We recommend that ATFs [Airport Transport Forums] produce airport surface access strategies to set out … ● targets for increasing the proportion of journeys made to the airport by public transport for both airport workers and passengers; ● the strategy to achieve those targets;"
Emerging Local Plan - Policy SP11 - London Stansted Airport

11.1.4 ELP Policy SP11 includes:

“Proposals for the development of the airport and its operation, together with any associated surface access improvements, will be assessed against the Local Plan policies as a whole. Proposals for development will only be supported where all of the following criteria are met:

… h. Incorporate sustainable transportation and surface access measures in particular which minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Stansted Sustainable Development Plan;”

11.1.5 Our assessment of the surface access strategy for the proposed development – including, in this chapter, the rail strategy – has therefore been undertaken with reference to the above key policies which are set down in the NPPF, the APF and the ELP. An underlying theme is the importance given to the promotion of public transport.

11.2 Transport Assessment (‘TA’) – Baseline

11.2.1 Table 4.3 in the Applicant’s TA shows an equal 50% split between private and public transport for 2016, with rail mode share at 27%. This means that, having dipped to around 22% in 2013, the rail share in 2016 was just about back to the 27.3% level it achieved in 2001. The most recent CAA data for 2017 (which SSE has obtained from the CAA) shows that rail mode share has now reached 29% as shown in the table below.

11.2.2 The recovery in the rail mode share in recent years has doubtless been helped by the new fleet of trains introduced in 2011/12 and the fact that the Stansted Express (‘STEX’) now has a regular clock face timetable148. With another new fleet of trains planned from 2020 (see below), the outlook is for further growth in rail mode share over the period to 2028. However, the recent growth in rail mode share has been at the expense of bus and coach travel and has not reduced the use of the car.

Table 11.1: Mode of travel to Stansted Airport

<table>
<thead>
<tr>
<th>Mode</th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car</td>
<td>15%</td>
<td>41%</td>
</tr>
<tr>
<td>Car passenger</td>
<td>22%</td>
<td></td>
</tr>
<tr>
<td>Taxi/rental car</td>
<td>13%</td>
<td>10%</td>
</tr>
<tr>
<td>Bus/coach</td>
<td>23%</td>
<td>20%</td>
</tr>
<tr>
<td>Rail</td>
<td>27%</td>
<td>29%</td>
</tr>
<tr>
<td>Other</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source TA, Table 4.3 (from CAA Passenger Survey Report (‘PSR’) with 2017 figures added by SSE, sourced from the latest CAA PSR data.

Note: the heading ‘Car’ is understood to denote ‘Park & Fly’ and ‘Car passenger’ is understood to denote ‘Kiss & Fly’. This breakdown is not yet available for 2017.

148 A clock face timetable is a term commonly used in the public transport industry to describe a standard interval timetable with departures every 15 minutes at 0,15,30 and 45 minutes past the hour.
Capacity of Rail Services

11.2.3 Section 5 of the TA describes current rail services and some prospective changes arising from the award of a new franchise contract to Abellio Greater Anglia (‘AGA’). The main point to note is that AGA intends to introduce an entirely new fleet of trains by 2020 including replacement of the existing Stansted Express (‘STEX’) fleet.

11.2.4 ES Table 5.1 sets out the capacity of the existing STEX (Class 379) and outer suburban (Class 317) fleets expressed separately as seating and standing capacity. Both classes of train can operate in combinations of four, eight or 12 carriages but at present only the Class 379 is rostered to do so.

11.2.5 The train capacities are those supplied by the operator. The seating capacities show that the Class 317 has the higher capacity – not surprisingly because it seats five passengers across in some parts of each carriage whereas the Class 379 is never more than four across. ES Table 5.1 suggests that the standing capacity of each type of train is an extra 65% of the seating capacity - including (wrongly) the first-class seating capacity – but this figure has been wrongly calculated.

11.2.6 The DfT publication ‘Rail passenger numbers and crowding statistics: notes and definitions’ (see extract at Appendix D of this submission) explains how ‘Passengers in Excess of Capacity’ (‘PiXC’) should be calculated. Briefly, no passenger should be expected to stand for more than 20 minutes and the normal basis of calculation is that the acceptable standing capacity for a carriage should be no more than 35% of its standard class seating capacity. The 65% uplift for standing capacity allowed in the TA for Class 317 and 379 trains is what is known as a ‘crush loading’ and, given the fact that these are not metro trains with very few seats and the 65% has been applied to all seats (including first class), it may well be physically incapable of being achieved. In any event a capacity uplift of 65% on the total seating capacity is not a realistic or acceptable assumption.

11.2.7 In para 5.20 of the TA, it is claimed that the critical loading on the route is between Tottenham Hale and Harlow which is timetabled to take about 18 minutes in the peak and under the PiXC rules would permit standing. However, the loadings for trains from Tottenham Hale which call at Bishop’s Stortford rather than Harlow are just as likely to be heavily loaded, and these are typically timetabled to take 23 minutes to Tottenham Hale – i.e. more than the 20-minute limit on standing. Under PiXC rules, every passenger on these trains will therefore be expected to get a seat.

11.2.8 ES Table 5.2 shows that Baseline (2016) loadings between Harlow and Tottenham Hale during the AM peak occupy 75% of seating capacity and 94% of seating capacity in the PM peak. The service can thus be considered nearly full and extra capacity will soon be needed both to cater for higher passenger throughput at the airport within its existing planning permission and for the substantial additional housing planned for Uttlesford and East Herts Districts over the next 10-15 years.

11.2.9 And congestion is already getting worse: the latest station usage statistics, published by the Office of Road and Rail Regulation (‘ORR’) in December 2017, show a ‘step change’ 27% increase in patronage at Stansted Airport station in 2016/17, and a 15%

increase in patronage at Tottenham Hale, compared to the previous year. Coincidentally, the statistics shown in Table 11.2 below are collated by Steer Davies Gleave (‘SDG’) on behalf of the ORR.

Table 11.2: Station Usage Data – 2016/17 v 2015/16

<table>
<thead>
<tr>
<th>Rail Station</th>
<th>2015/16</th>
<th>2016/17</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stansted Airport</td>
<td>6,012,526</td>
<td>7,632,108</td>
<td>26.9%</td>
</tr>
<tr>
<td>Tottenham Hale</td>
<td>6,926,144</td>
<td>7,939,000</td>
<td>14.6%</td>
</tr>
</tbody>
</table>


11.2.10 The solution proposed by the Applicant is to lengthen all trains to 12 coaches, a 50% increase in capacity except for those services which already operate a 12-coach formation. The new trains will have 80 more seats than the Class 379 12-coach formation (para 5.37) which, under the PiXC rules also means that more standing passengers would be permitted. The assumed standing capacity of the new trains is not stated explicitly but, from the data provided, appears to be about 45% – again well in excess of the PiXC rules. We return to the adequacy of this proposal at 11.3 below.

**Rail Infrastructure**

11.2.11 The TA describes the most relevant rail infrastructure at para 5.27 of the TA:

"The West Anglian Main Line is double track for most of its length with small sections of single track on the Stansted branch and at Ware and quadruple track between Hackney Downs and Liverpool Street."

11.2.12 MAG’s consultants, Steer Davies Gleave (‘SDG’), say that the West Anglia Main Line (‘WAML’) is "quadruple tracks between Hackney Downs and Liverpool Street" but, critically, the route does not have quadruple track all the way from Hackney Downs to Liverpool Street but only as far as Bethnal Green. At that point it becomes a two-track railway again, almost entirely in cutting or tunnel. A third track from Liverpool Street is sometimes used by West Anglia services, but only in an emergency and usually with the result that other services are then disrupted. Also, apart from the loop via Seven Sisters, the only passing places on the route are at Broxbourne and Harlow stations.

11.2.13 In terms of the frequency of services, this constraint is just as significant as the Stansted Airport tunnel (the single track on the Stansted branch referred to in para 11.2.11 above). The TA notes (para 5.29) that the theoretical capacity of the single-track section through the airport tunnel is seven trains per hour each way. However, the clock-face departure timetable for STEX services means that in practice only six trains per hour can be operated each way.

11.2.14 There are no spare paths into or out of Liverpool Street in the morning and evening peaks and so any additional services on the route would have to terminate at Stratford (as indeed is planned by Transport for London).

11.2.15 The nature of the infrastructure at the London end of the route also has a significant impact on journey times. North of Hackney Downs, there is another two-track section of route which is mostly in cuttings or tunnels. In the absence of prohibitively expensive
tunnelling works there is no possibility of adding extra tracks or improving line speeds to bring the journey time for the 7.1 mile stretch between Liverpool Street and Tottenham Hale below the current best time of 12 minutes.

11.2.16 The fastest journey time between Stansted Airport and Liverpool Street is currently 47 minutes and this can only be achieved outside peak periods. During the peaks the journey is timetabled for up to 57 minutes. The aspiration of the West Anglia Task Force (para 5.41) is to reduce the overall journey time to 40 minutes. This would mean that the 30-mile journey between Tottenham Hale and Stansted Airport would need to be done in 28 minutes rather than the present best time of 35 minutes, i.e. at least a 20% improvement. This would be extremely challenging in view of the curvature of the route, signal spacings and potential hazards, notably local stations and level crossings.

11.2.17 The DfT ‘SERAS’ studies in preparation for ‘The Future of Air Transport’ White Paper, 2003, concluded in regard to Stansted that:

“To cater for increased demand with the addition of one new runway (as is the case for the full use of the existing runway), a second rail tunnel between the airport and the West Anglia route would be needed. Further works on the line to London would be required including additional tracks. Works to provide additional capacity on the line to Cambridge and on to the East and West Midlands would be required to accommodate any increase in services necessary to support the airport and to allow more frequent airport expresses to overtake stopping trains.”

11.2.18 There is no easy short or medium-term cost-effective solution. The West Anglia Task Force called for the route between Broxbourne and South Tottenham to be four-tracked by the mid-2020s as a precursor to Crossrail 2 opening in 2033. However, this has not been included in Network Rail’s investment plan for CP6, the five-year control period: 2019-2024. It is also doubtful that it will be included in CP7 (2024-29) because the cost-benefit analysis does not currently support the necessary level of investment.

11.2.19 Furthermore, while a 2018 route study concluded that four-tracking the WAML between Tottenham Hale and Broxbourne could only be justified as an extension to Crossrail 2 and not as a free-standing project, there is as yet no funding commitment for Crossrail 2. This means that the four-tracking of this section of the WAML is 15 years away at the earliest as well as contingent upon Crossrail 2 being approved.

11.2.20 By way of comparison, after a decade of prevarication, the Hybrid Bill to authorise Crossrail 1 was tabled in Parliament in 2005, enacted in 2008 and will not lead to a full service until 2019, although a limited service is scheduled to begin in December 2018.

11.2.21 Crossrail 2, if it ever comes to fruition, will be well beyond the time horizon of this planning application and so too, therefore, will be any prospect of four-tracking the route from Broxbourne to Coppermill Junction, south of Tottenham Hale.

11.2.22 The proposed enhancement – lengthening all STEX services to 12 coaches – will create a significant increase in capacity for the benefit of both airport users and regular commuters, provided that the current service pattern is maintained. There may however

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150 South East Regional Airport Strategy.
be an adverse effect on punctuality and reliability. Rail passengers – even regular commuters – do not automatically spread themselves evenly along the length of the platform but tend to bunch near the station entrance or intended exit point. Thus, longer trains are likely to lead to slower boarding times. Whether it will be sufficient to meet the overall increase in demand remains to be seen.

11.2.23 Even with a complete re-signalling of the WAML between Stansted Airport and Liverpool Street, it is difficult to see how a seven-minute time saving could be achieved unless all intermediate stops apart from Tottenham Hale were cut out, a move which would be severely detrimental to the interests of commuters and other local residents.

11.2.24 STEX services are an integral part of the public rail service for Bishop’s Stortford and Harlow and also provide, at peak periods, a vital service for residents of Stansted Mountfitchet and Sawbridgeworth who commute to/from London. It would be wholly unacceptable to remove or reduce the rail service for local residents in order to accommodate airport growth, and there is considerable local concern that this could be proposed as the only way of reducing train journey times to Stansted Airport in the short-to-medium term.

11.2.25 Finally, the suggestion that an additional path in each direction may be available through the airport tunnel is not worthy of serious consideration. It would require the whole of the route to be operated to a level of meticulous punctuality which has not hitherto been achieved, and capacity constraints at the London end of the route would call into question the value of an additional service anyway.

**The Proposed Enhancement**

11.2.26 Section 6 of the TA sets out forecasts for passenger and employee surface access demand for the current limit of 35 mppa in 2028 compared to 43 mppa in 2028 and also compared to the Baseline (2016) data. It provides surface access mode share figures broken down between passenger and employee numbers on a daily basis.

11.2.27 The results show the projected impact on surface access networks for both the surface network travel peaks and the air passenger travel peaks which, typically, have a lead time for departing passengers and a lag time for arriving passengers so that the two do not coincide. The TA asserts, at para 6.19, that as the airport fills, the off-peak slots are taken up and passenger travel is spread more evenly across the day.

11.2.28 The results set out in tables 6.16 to 6.18 of the TA show some surprising features which are not explained by arriving and departing passengers becoming more evenly spread across the day. Compared to the 2016 (Baseline) passenger numbers, 35mppa represents a 44% uplift and 43mppa represents a 77% uplift.

11.2.29 For the morning surface access peak (0700 to 0800 hours) the key statistic is outbound (air arrival) passengers who will board the London bound STEX service. Since the rail market share is assumed to remain constant we quote the total figures which are: 456 for the Baseline; 1263 for 35 mppa; and 922 for 43 mppa. This can only be explained by a reduction in flight arrivals in the last case compared with 35 mppa.

11.2.30 Given the time lag, those arrivals would occur between 0600 and 0700 hours. The reason for this assumption is not explained. For the evening surface access peak (1700 to 1800 hours) the relevant figures are for inbound (air departure) passengers. They are
respectively 2844, 2794 and 3638. As might be expected, 43 mppa exceeds demand if the current limit remains unchanged. What is surprising here is that the 35 mppa figure is lower than the 2016 Baseline. Again, this is not explained.

11.2.31 In both cases these figures raise questions about whether the impact on peak demand for rail services has been adequately assessed. This concern is echoed and more fully addressed in paras 10.3.14 10.3.23 of our ‘Surface Access - Roads’ chapter, above. The figures will unquestionably be understated if rail mode share increases over the next ten years. Indeed, it is the explicit policy of both the Government and UDC to promote sustainable travel and rail travel is in the forefront of sustainability.

11.3 Sustainability tests

11.3.1 Table 6.3 of the TA assumes that by 2028 the proposed development would result in a reduced rail mode share of 26% and a reduced public transport mode share of 48% compared to the current position. This is attributed to a change in passenger mix (a relative decline in foreign leisure passengers) but it indicates passive acceptance rather than a pro-active approach towards increasing public transport mode share even when a change in the passenger mix makes this more difficult.

11.3.2 Bearing in mind that rail mode share has risen from 22% to 29% over the past four years, SDG should be asked to provide sensitivity tests to show how adequate the rail capacity would be if rail mode share increased to 30% and to 35%, again noting that this would be a desirable outcome when it is the explicit policy of both the Government and UDC to promote sustainable travel.

<table>
<thead>
<tr>
<th>Mode of passenger travel to airport</th>
<th>Actual 2016 %</th>
<th>Do Minimum 2028 %</th>
<th>Development Case 2028 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Car/Taxi/Rental</td>
<td>50</td>
<td>51</td>
<td>51</td>
</tr>
<tr>
<td>Public Transport</td>
<td>50</td>
<td>48</td>
<td>48</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: TA, Table 6.3.

11.3.3 There is no evidence in the TA that this planning application would promote sustainable modes of transport. Even leaving aside the environmental impacts of air travel, an application which results in a reduced public transport mode share and greater use of the car compared to today’s Baseline, and no improvement compared to the 35mppa base case, cannot be claimed to be promoting sustainable transport, which is a key objective of the NPPF.

11.3.4 Nor can the Applicant claim to satisfy the policy tests of the APF. Here is a reminder of the relevant text:

"5.11 All proposals for airport development must be accompanied by clear surface access proposals which demonstrate how the airport will ensure easy and reliable access for passengers, increase the use of public transport by passengers to access the airport, and minimise congestion and other local impacts."
"4.20... We recommend that ATFs [Airport Transport Forums] produce airport surface access strategies to set out ... ● targets for increasing the proportion of journeys made to the airport by public transport for both airport workers and passengers; ● the strategy to achieve those targets; and ● a system whereby the forum can oversee implementation of the strategy." [our emphasis]

11.3.5 Turning to the ELP, this states that proposals for development **must** "incorporate sustainable transportation and surface access measures in particular which minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets". Plainly, from the figures shown in Table 6.3, the proposal would not satisfy criterion ‘h’ in Policy SP11 of the ELP to "minimise use of the private car and maximise the use of sustainable transport modes" which is stated in the ELP to be a precondition before any development proposal will be supported.

11.3.6 Before any consideration could be given to approving the application, the Applicant should be required to commit to, and help finance, an eastward extension of the airport rail line to Braintree. This would make a positive contribution to improving rail mode share and thereby promoting sustainable transport. It would also bring the following benefits to the Applicant:

- Allowing the planned new settlements – and existing settlements such as Dunmow, Braintree, Chelmsford and Ilford and other parts of east London – to be served by rail to/from Stansted Airport rather than by road, for the benefit of employees and air passengers from those areas.
- Providing greater service reliability by having an alternative means of access to the airport when the WAML is blocked. WAML is not resilient because of the points noted in this submission, for example – only two tracks and many level crossings.
- Creating the opportunity to operate a service throughout the night (again because it would create two alternative access routes). Lead times for early air departures and lag times for late arrivals mean that there is a demand from air passengers for much of the night, as well as from employees, whose shift patterns require night travel to and from work.
- It would also make better uses of capacity on the approaches to Liverpool Street.

11.4 Conclusions

11.4.1 As has been demonstrated in this Chapter, the solution proposed in the TA for meeting increased rail demand (whether driven by passenger growth or mode shift) are oversimplified. In practice there are many hurdles to overcome, generally expensive if not impossible within the required timescale.

11.4.2 Without overcoming these hurdles, it can be concluded that – whether or not attributable to difficulties in relation to rail infrastructure and/or capacity – the proposed development would result in a modal shift away from rail (and away from public transport generally) and would result in greater use of the private car, in complete contradiction to local and national policy.
12 Air Quality

12.1 Introduction

12.1.1 Poor air quality (‘AQ’) as a result of pollution is associated with a number of adverse health impacts, including heart and lung disease and certain types of cancer. Moreover, air pollution has a disproportionate impact on vulnerable groups, particularly the very young and the elderly.

12.1.2 A 2016 report from the Royal College of Physicians\textsuperscript{152} estimated that around 40,000 deaths a year in the UK are attributable to exposure to outdoor air pollution, describing it as one of the major health challenges of our day.

\begin{quote}
“\textit{It has been linked to cancer, asthma, stroke and heart disease, diabetes, obesity, and changes linked to dementia. The health problems resulting from exposure to air pollution have a high cost to people who suffer from illness and premature death, to our health services and to business. In the UK, these costs add up to more than £20 billion every year.”}
\end{quote}

12.1.3 This planning application would give rise to significant increases in aircraft movements and airport-related road traffic, both of which would result in increased local air pollution. Having regard to the potential health consequences, the importance of carrying out a thorough and scrupulous assessment cannot be understated.

12.1.4 In Chapters 3 and 10 of this submission we identified our concerns in relation to the underestimation of cumulative road traffic impacts, when combining the effect of the proposed airport development with the effect of the substantial new housing developments included in the Local Plans for Uttlesford and the surrounding Districts for the period to 2033.

12.1.5 Additionally, the planning horizon for the ES should be 2033 so as to facilitate full and comprehensive assessment of the cumulative impacts of the development of the airport in parallel with the implementation of Local Plans. Regrettably, the Applicant has at this time provided only an assessment of the environmental impacts to 2028. The result is that the cumulative road traffic impacts and consequential AQ impacts are understated.

12.1.6 The application seeks permission for 43mppa which represents a 23% increase on the 35mppa Base Case and a 77% increase on the 2016 Baseline of 24.3mppa. However, because of a predicted mode-share switch away from public transport and towards greater use of the car\textsuperscript{153}, the increase in the volume of road traffic generated by the extra air passengers would be more than 23% compared to the Base Case, and more than 66% compared to the Baseline.

12.1.7 Employee car journeys are also a significant consideration when assessing air quality (‘AQ’) impacts and, as can be deduced from Table 12.1 below, the Applicant predicts that the number of employees would increase in direct proportion to the increase in the number of passengers, if the proposed development were to be approved\textsuperscript{154}.

\textsuperscript{152} ‘\textit{Every breath we take: the lifelong impact of air pollution}’, The Royal College of Physicians, Feb 2016.

\textsuperscript{153} TA, Table 6.3

\textsuperscript{154} That is not to say that SSE agrees with the Applicant's employment projections.
Table 12.1: Employee Forecasts for Stansted Airport

<table>
<thead>
<tr>
<th>Year</th>
<th>Employees</th>
<th>Jobs per mppa</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016 – Baseline (24.3mppa)</td>
<td>11,600</td>
<td>477</td>
</tr>
<tr>
<td>2028 – Do Minimum (35mppa)</td>
<td>13,200</td>
<td>377</td>
</tr>
<tr>
<td>2028 – Development Case (43mppa)</td>
<td>16,200</td>
<td>377</td>
</tr>
</tbody>
</table>

Source: TA Table 6.9. Note: The most recent Baseline we have for employee numbers is 2016. Elsewhere we use 2017 as a more up-to-date Baseline.

12.1.8 With regard to aircraft emissions, whilst the planning application does not seek an increase over and above the 274,000 aircraft movements currently permitted, it would nevertheless result in an additional 25,200 movements because, as the Applicant’s own projections show, only 248,800 aircraft movements are achievable by 2028 with a 35mppa cap. The proposed development would therefore lead to a 10% increase in aircraft movements compared to the 35mppa base case, and it would lead to a 52% increase in aircraft movements compared to the 2016 Baseline of 180,619 movements.

Table 12.2: Projected Number of Aircraft Movements

<table>
<thead>
<tr>
<th>Year</th>
<th>Aircraft Movements</th>
<th>Increase v Baseline</th>
<th>Increase v Base Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016 – Baseline</td>
<td>180,619</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>2028 – Do Minimum</td>
<td>248,800</td>
<td>31%</td>
<td>N/A</td>
</tr>
<tr>
<td>2028 – Development Case</td>
<td>274,000</td>
<td>52%</td>
<td>10%</td>
</tr>
</tbody>
</table>

12.2 Factors affecting local air quality

12.2.1 Reliable forecasts for the expected increase in emissions are essential which in turn can be converted into likely emission levels for the key polluting substances:

- NOx – Harmful to plant growth, including trees
- NO₂ – Has been shown to harm those suffering from chronic lung and cardiovascular conditions as well as being harmful to babies and children.
- PM₁₀ and PM₂.⁵ – Microscopic particles which are harmful to the human respiratory system. The cost to society of the adverse health impacts of particulate matter alone was estimated at c.£16 billion for 2013.¹⁵⁶

12.2.2 The main issues are adequately explained in ES1 Chapter 10 and are not contested. Air pollution is a national problem caused by the burning of mineral oils. UK legislation, based on EU Directives, prescribes the levels of pollution that should not be exceeded if harm to public health is to be largely avoided.

12.3 AQ impacts from aircraft emissions

12.3.1 The increase in the number of aircraft movements is shown in Table 12.2 above. There would also be a change in the mix of aircraft with fewer small aircraft such as

¹⁵⁵ ES1, Table 12.10.
business/private planes and significantly more long-haul aircraft, for cargo as well as for passengers.

12.3.2 A 10% increase in flights coupled with larger aircraft, would – other things being equal – result in more than a 10% increase in aircraft emissions. We are told that new ‘cleaner’ aircraft types will in the future replace current models but we have no firm evidence or guarantee of that in the period to 2028.

12.3.3 We have reviewed the aircraft type modelling assumptions and we find the assumptions to be absurdly optimistic in terms of cutting aircraft emissions. The following tables, extracted from EA2, Appendix 10.2, show the Applicant's aircraft-type modelling assumptions, used to assess aircraft emissions of nitrogen oxides:

**Fleet mix assumptions used for modelling**

### Table 12.3: Aircraft Movements Forecast

<table>
<thead>
<tr>
<th>Modelling Category</th>
<th>Aircraft Type</th>
<th>Base Year 2016</th>
<th>Base Case 35mppa 2028</th>
<th>Development Case 43mppa 2028</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BAE ATP/DH4</td>
<td>13,869</td>
<td>15,193</td>
<td>7,736</td>
</tr>
<tr>
<td>2</td>
<td>B738</td>
<td>128,211</td>
<td>81,461</td>
<td>94,200</td>
</tr>
<tr>
<td>3</td>
<td>B737 MAX8</td>
<td>0</td>
<td>98,779</td>
<td>117,724</td>
</tr>
<tr>
<td>4</td>
<td>A319</td>
<td>25,143</td>
<td>10,185</td>
<td>12,107</td>
</tr>
<tr>
<td>5</td>
<td>A320neo</td>
<td>145</td>
<td>20,561</td>
<td>23,673</td>
</tr>
<tr>
<td>6</td>
<td>B757</td>
<td>943</td>
<td>1,011</td>
<td>381</td>
</tr>
<tr>
<td>7</td>
<td>B777F</td>
<td>5,538</td>
<td>11,694</td>
<td>12,208</td>
</tr>
<tr>
<td>8</td>
<td>MD11F</td>
<td>1,102</td>
<td>1,178</td>
<td>1,163</td>
</tr>
<tr>
<td>9</td>
<td>B747-8F</td>
<td>2,071</td>
<td>4,787</td>
<td>4,473</td>
</tr>
<tr>
<td>10</td>
<td>Embraer 190</td>
<td>1,452</td>
<td>1,670</td>
<td>293</td>
</tr>
<tr>
<td></td>
<td>EC155 Helicopter</td>
<td>2,145</td>
<td>2,301</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td><strong>180,619</strong></td>
<td><strong>248,820</strong></td>
<td><strong>273,965</strong></td>
</tr>
</tbody>
</table>

*Source: ES 2, Appendix 2, Table 10.2.2. Note: Category 5 not used.*
The key points to note in relation to the above tables are:

- No allowance has been made for long-haul PATMs and yet the Applicant stresses that a key objective of the application is to "boost international long-haul routes to fast-growing markets like China, India and the US." The only long-haul aircraft modelled are CATMs and the model assumes the most modern variants of each of the aircraft types. In reality, CATMs tend to be the older variants, which produce higher levels of emissions.

- As we pointed out in Chapter 8, the Applicant's modelling assumes an unrealistically fast aircraft replacement programme at Stansted, bringing in new aircraft types which have lower NO\textsubscript{2} emissions levels. For example, the dominant modelled Category 2 above is almost entirely comprised of the Ryanair fleet. Ryanair accounted for 82% of Stansted’s passengers in 2016 and 78% of PATMs\textsuperscript{157}.

- Ryanair operates a single aircraft fleet currently of about 427 Boeing 737-800 aircraft with an average age of around seven years. The company has an order book for a further 65 of the present aircraft type and for 110 of the new ‘cleaner’ MAX variant of the B737-800. Ryanair is not scheduled to take delivery of its first B737-800 MAX until April 2019 and expects to receive the remainder of its order (placed in 2014) by early 2024\textsuperscript{158}. By 31 March 2024, Ryanair expects to have a fleet of 585 aircraft, of which less than one fifth will be the MAX variant. The company has options for a further 100 B737-800 MAX aircraft but, even if these are confirmed, and delivered by 2028 (the order book is currently 7 years), Ryanair will by that time have a fleet of at least 650 aircraft, less than one

\textsuperscript{157} 'UK Aviation Forecasts', DfT, Oct 2017, p66 and ‘Beyond the horizon. Next steps towards an aviation strategy’, DfT, Apr 2018, para 5.7.

\textsuperscript{158} Ryanair FY 2017 Financial Report, p98 et seq.
third of which will be the new variant. Meanwhile the Applicant's modelling assumes that 56% will be the cleaner variant. This is absurdly optimistic.

- A similar analysis applies to the Applicant's modelling assumptions for the A319 – the mainstay of the easyJet fleet – and the newer, 'cleaner' A320neo. easyJet is Stansted's second biggest carrier.

- The DfT estimates the average lifespan of a scheduled passenger aircraft to be 22 years and 25 years for charter aircraft. This indicates that less than half of Stansted aircraft are likely to be replaced by 2028. However, taking the above example of the replacement of A319s by A320 neo aircraft, the Applicant's modelling assumes that the A320neo, which currently accounts for 0.6% of the combined total, will account for 66% of the combined total by 2028. Again, this is absurdly optimistic. It is clearly contrived to indicate that the proposed development would have a negligible impact on local AQ.

12.3.4 Additionally, Stansted is a growing hub for dedicated cargo planes (CATMs) and these tend to be older, dirtier (and noisier) aircraft types. The closure of Manston in 2014 resulted in the relocation to Stansted of yet more elderly cargo aircraft. CATMs are forecast to grow to 16,000 at Stansted by 2028, compared to 10,126 last year, an increase of 58% compared to an increase of 43% for other aircraft types. This is bound to give rise to a significant increase in airport-generated local air pollution.

12.3.5 Emissions from aircraft activity stem mainly from the landing and take-off ('LTO') cycle. We accept that emissions released above 3,000 feet are not relevant to local air quality. The 3,000 feet level is set by the International Civil Aviation Organisation ('ICAO') but the Applicant has arbitrarily decided that its dispersion modelling assessment should only consider emissions up to 1,500 feet. This is unacceptable because it will clearly cause modelled AQ impacts to be underestimated.

12.3.6 Other emissions from aircraft likely to disperse into the local areas are mainly from taxiing and other activities within the airport boundary such as refuelling. AQ impacts from these activities will increase as the number of flights increases.

12.3.7 We note that there has been a significant improvement in the AQ monitoring results by both UDC and STAL just outside the airport, with all the results shown as satisfactory in the Baseline year (2016). The results of the AQ monitoring inside the airport boundary have not been disclosed but we do know that STAL measures the key AQ indicators inside the airport boundary and will have these results. These results should be made available, particularly for areas where taxiing occurs near the boundary of the airport.

12.3.8 While emission levels within the airport are not subject to the restrictions imposed by the AQ regulations, STAL has a duty to ensure that its own employees, and other airport-based employees such as hotel staff, are not exposed to excess harmful emissions. This also applies in regard to members of the public using airport hotels and other airport services.

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160 CAA Airport Statistics for 2017, Table 6.
12.4 Impacts from road traffic emissions

12.4.1 Despite the proposed increase in the number of flights, road traffic emissions will continue to be the main contributor to air pollution in the local area. The proposed development would result in a 10% increase in flights compared to the 35mppa base case and a 52% increase compared to the 2016 Baseline, but (even if the current 50% public transport mode share was maintained) it would result in far bigger increases in road traffic of approximately 23% and 77% respectively.\textsuperscript{161}

12.5 The AQ Survey

12.5.1 Baseline values are from the monitors installed around the airport by UDC in Essex and EHDC in Herts, specifically in Bishop’s Stortford, plus a few STAL monitors. At the present time, the main concern is in relation to NO\textsubscript{2} levels at Hockerill junction, Bishops Stortford, where there is an Air Quality Management Area (‘AQMA’).

12.5.2 The Bishop’s Stortford AQMA is protected from further local developments that might increase the air pollution by strict planning rules in the East Herts Local Plan, however traffic counts have apparently not been analysed for Stansted airport traffic numbers. This should have been done.

12.5.3 The need to protect AQMAs from traffic increases is paramount and the proposed development would clearly result in more road traffic to the airport passing through Bishop’s Stortford, much of it using the Hockerill Junction. This would include traffic generated by the increase in air passengers, the increase in airport employees and traffic to and from the local area supplying goods and services to the airport.

12.5.4 We would expect EHDC to have assessed the impacts of the proposed development on the Hockerill AQMA. We would like an opportunity to review the resultant report before commenting further.

12.5.5 Within Uttlesford, an exceedance of the NO\textsubscript{2} annual mean concentration limit of 40µg/m\textsuperscript{3} was recorded in the 2016 base year at the diffusion tube monitoring site at Burton End (43µg/m\textsuperscript{3}).\textsuperscript{162} This site is close to both the airport perimeter and the M11 motorway.

12.6 Approach roads to the airport

12.6.1 The diffusion tube monitoring site at ‘The Four Ashes’, Takeley, showed a result very close to the AQ limit with an NO\textsubscript{2} annual mean concentration of 35.2µg/m\textsuperscript{3} in 2016.\textsuperscript{163} This site is a busy road traffic junction about 1.5 miles from the operational airfield and to the side, rather than beneath a flight path. Thus, the air pollution is more likely to be traffic-related than aircraft-related. But this is inconsequential because, if the application were to be approved, there would be an increased road traffic impact at this junction, which is a residential area, and would be likely to cause an exceedance of the NO\textsubscript{2} limit.

12.6.2 There is similar concern regarding Chapel Hill, Stansted Mountfitchet where 36.2µg/m\textsuperscript{3} was recorded in 2016 and where airport-related road traffic would increase if the proposed development were to be approved.

\textsuperscript{161} With constant car mode share and no predicted employee productivity improvement (i.e. no change in the two main variables, airport-related road traffic would increase closely in line with the increase in passengers.

\textsuperscript{162} ES1, Table 10.7.

\textsuperscript{163} Ibid.
12.6.3 Estimates of future increases in emissions are stated to be based on Defra’s EFT tables\(^{164}\) and the Applicant contends that there will be no significant increase in levels of air pollutants following the increase in passenger numbers applied for. However, the EFT tables are based on DfT forecasts of the likely increase in road traffic on the surrounding roads. This brings us back to the same issue we have with the DfT TEMPro model (see para 3.3.5) namely that it does not adequately recognise the particular local impact of the substantial new housing development proposed for the area over the next 10-15 years.

12.6.4 We also note that the DfT forecasts appear to be optimistic regarding the future composition of road traffic, anticipating far fewer 'dirty' diesel vehicles. Similar assumptions were made at the time of the Stansted G1 application in 2006/07 but did not materialise. There is also an assumption that the recent exposures over doctored diesel engine emissions test results by vehicle manufactures will prevent any future recurrence.

12.6.5 Environmental legislation is currently based on EU law and cannot be modified in the UK until after the 'Brexit' transition period, i.e. until 2021. It has not yet been decided by Parliament whether these regulations can be changed by the relevant Minister or need to be referred to Parliament as a whole. There is therefore considerable uncertainty as to any new emission controls that might be introduced and any which might be rescinded.

12.6.6 The nature of the UK's emissions regulatory control regime post 2021 will directly affect the vehicle mix (i.e. diesel/petrol/hybrid/electric and size of engine) and thereby – most importantly – the projections for NO\(_2\) emissions. The Applicant should therefore provide sensitivity analysis with 'best case' and 'worst case' scenarios as well as a central forecast.

12.7 Effects on the natural environment

12.7.1 The same calculations are involved in assessing the possible effects on SSSIs including Hatfield Forest and Elsenham Woods. In the case of trees and vegetation NO\(_X\) is the main risk. This cannot be measured directly but can be calculated as well as the level of deposition of nitrogen compounds, the most important factor affecting plant life.

12.7.2 The north east corner of Hatfield Forest is directly under the flight path immediately at one end of the Stansted runway and East End Wood, part of Elsenham Woods SSSI, is directly under the flight path immediately at the other end of the runway. Aircraft are understood to be well below 3,000 ft at these points, particularly when landing, and so the increase in aircraft emissions caused by the proposed development will undoubtedly impact on both these SSSIs.

12.7.3 The health of Hatfield Forest is of particular, national, importance. It is a National Nature Reserve ('NNR') and one of very few irreplaceable ancient forests in Europe. However, no proper assessment can be carried out, or assurances given, until the numerous uncertainties identified above in relation to both road traffic emissions and aircraft emissions have been resolved.

12.8 Conclusions

12.8.1 Significant uncertainties remain in relation to:

- Cumulative AQ impacts when new airport-related road traffic is added to new housing-related road traffic – not only to 2028, but to 2033;
- The assumptions made in relation to the aircraft fleet mix where our analysis indicates that these assumptions are absurdly optimistic. They therefore need to be independently re-examined;
- The fact that the Applicant's AQ modelling has considered aircraft emissions in the LTO cycle only up to 1,500 feet, compared to the recommended ICAO threshold of 3,000 feet;
- The fact that the Applicant has provided no information about AQ impacts within the airport perimeter, which could have a detrimental health impact upon airport staff and other airport-based employees such as hotel staff.

12.8.2 Relevant UDC policy on AQ, as set down in the ELP, is that:

"All development will be assessed on the level of pollution it would generate and the effect it would have on the surrounding area including the natural and historic environment. Assessments will be made in relation to the benefits of the development, such as job creation, affordable housing, and sports provision, against the degree of impact caused by the development." [Our emphasis] and

"Policy EN16 - Air Quality
Development will be permitted where it can be demonstrated:

- That it does not lead to significant adverse effects on health, the environment or amenity from polluting or malodorous emissions, or dust or smoke emissions to air; [our emphasis] or
- Where a development is a sensitive end-use, that there will not be any significant adverse effects on health, the environment or amenity arising from existing poor air quality, as set by national objectives, targets and emission limits for pollutants, or sources of significant odour."

12.8.3 In view of the local policy context together with the many uncertainties – as evidenced above – and the paramount duty of UDC to safeguard the health of local residents, the proposed development cannot be supported on the basis of the information provided.

12.8.4 As stated at the beginning of this chapter, the Royal College of Physicians has estimated that around 40,000 deaths a year in the UK are caused by air pollution. Past deceptions have played their part in this. Unquestionably, this issue is of sufficient importance for UDC to insist on the Applicant providing more information to address the uncertainties set out above. UDC must, if necessary, use the procedure available under section 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations, 2017 to obtain this information.

12.8.5 As matters stand, it is impossible for SSE – or anyone else – to reliably say whether or not the AQ impacts of the proposed development are acceptable.
13 Socio-economic Impacts

13.1 Introduction

13.1.1 In Chapter 11 of ES1 the Applicant attempts to demonstrate the socio-economic benefits of the proposed development. However, few benefits are quantified and, where this does occur, we have found many examples of overstatement and inaccurate representations. At the same time the Applicant ignores the many significant disbenefits.

13.1.2 As with any planning application, the Applicant is required to demonstrate that the proposed development runs with the grain of national and local government policy, and to demonstrate that the benefits arising from the proposed development would outweigh the disbenefits. In the case of this particular application the Applicant is also required to provide evidence of a ‘demonstrable need’ for the proposed development. We shall come to this later but let us first examine the evidence provided by MAG in support of its development proposal.

13.1.3 Finally, in this introduction, it is relevant to note that the assessment of socio-economic effects has been carried out by Optimal Economics ('Optimal'), a small Edinburgh-based consultancy led by Peter Wood and Edith McDowell. Both previously worked for 'Tribal', a much larger economic consultancy, which carried out the same task for the Stansted G1 and G2 projects\textsuperscript{165}, again led by Peter Wood. This should be borne in mind when (below) we make comparisons between analysis and assertions presented on behalf of STAL in support of the G1 and G2 planning applications, and analysis and assertions that are now being presented on behalf of STAL in support of this planning application.

13.2 Employment effects

13.2.1 The employment numbers in Table 13.1 below demonstrate productivity improvements associated with the growing passenger throughput of the airport since 2003 and show that a similar level of productivity growth is predicted to continue to 2028 if the 35mppa cap remains. However, as Optimal recognise in the text, productivity growth is \textit{not so much time-related, as passenger throughput-related.}

<table>
<thead>
<tr>
<th>Year</th>
<th>Passengers (m)</th>
<th>On-Airport Employees</th>
<th>Jobs per mppa</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003 - Actual</td>
<td>18,700</td>
<td>10,600</td>
<td>567</td>
</tr>
<tr>
<td>2016 – Baseline</td>
<td>24,300</td>
<td>11,600</td>
<td>489</td>
</tr>
<tr>
<td>2028 – Do Minimum</td>
<td>35,000</td>
<td>13,200</td>
<td>377</td>
</tr>
<tr>
<td>2028 – Development Case</td>
<td>43,000</td>
<td>16,200</td>
<td>377</td>
</tr>
</tbody>
</table>

Source: TA Table 6.9 and ES1, Table 11.5.

13.2.2 It is therefore inexplicable that no productivity improvement is predicted if Stansted Airport grows to 43mppa in 2028, rather than 35mppa. No explanation for this has been provided even though Optimal acknowledges that there is a "strong relationship between productivity growth and passenger growth"\textsuperscript{166}. Optimal has plainly erred by not taking account of this ‘strong relationship’ in modelling the 2028 jobs count for

\textsuperscript{165} ES2, Appendix 4, Statement of Competence, paras 11.12-11.16.
\textsuperscript{166} ES1, para 11.75.
43mppa. Our estimation is that the 2028 jobs count under the 43mppa scenario is of the order of 14,500, not 16,200. This would equate to about 337 jobs per mppa\(^{167}\), rather than 377, but it would still mean an additional 1,300 jobs compared to the base case.

**Productivity**

13.2.3 It makes no sense for Optimal to assume that no productivity improvement would ensue from the expansion of Stansted Airport from 35mppa to 43mppa (an increase of 23%) especially when the increase in aircraft movements from 248,800 to 274,000 would be far less than that (an increase of 10%). Optimal itself states:

**ES para 11.68:**

"Future levels of employment will be affected by two factors:
- The growth in passenger traffic through the airport; and
- The growth in productivity for direct on-airport employment and in the wider economy for direct off-airport and indirect employment."

**ES para 11.71:**

"The other factor affecting the employment forecasts is the assumption made regarding future productivity growth. The estimates of productivity growth have been based on past trends."

**ES para 11.122:**

"As stated in the Government’s aviation policy call for evidence ‘Beyond the Horizon’, “Aviation has a key role to play in achieving the government’s ambitions to increase productivity and grow the economy”. [our emphasis]"

13.2.4 The fact that MAG does not expect that expanding the airport from 35mppa to 43mppa would improve the ratio of 377 employees per mppa, would plainly come as a disappointment to the Government in view of its above ambition. There would almost certainly be more productive alternative ways of increasing London's airport capacity, if further capacity was required over and above what is already planned. Opportunity costs are a material consideration in any planning application of this type.

**Forecasting credibility**

13.2.5 It is relevant to note that STAL has a long history of making over-optimistic employment predictions. The following table needs no further comment, other than to say that none of these employment projections have ever been reached.

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\(^{167}\) The 30% growth in mppa between 2003-2016 required 9% more employees. The ES states that 44% growth in mppa between 2016-2028 (35mppa base case) will require 14% more employees. Our assessment is based on the 77% growth in mppa between 2016-2028 (43mppa development case) requiring 25% more employees. In each case the ratio is just over 3:1. These can only ever be broad estimates because they do not, for example, specifically deal with air freight (which is assumed to grow at a similar rate to passenger traffic) or any significant change in the airport's business model.
Table 13.2: On-Airport employment – previous STAL projections

<table>
<thead>
<tr>
<th></th>
<th>Airport Inquiries(^{168})</th>
<th>2001 Application(^{169})</th>
<th>2006 ‘G1’ Application(^{170})</th>
<th>Latest Projections(^{171})</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passengers</td>
<td>15mppa</td>
<td>25mppa</td>
<td>35mppa</td>
<td>35mppa</td>
</tr>
<tr>
<td>Direct jobs</td>
<td>21,000</td>
<td>16,000</td>
<td>16,800</td>
<td>13,200</td>
</tr>
<tr>
<td>Jobs per mppa</td>
<td>1,400</td>
<td>640</td>
<td>480</td>
<td>377</td>
</tr>
</tbody>
</table>

Sources shown in footnotes below.

13.2.6 MAG also has a history of making over-optimistic jobs forecasts. In 1991, when it first announced its plans for a second runway at Manchester Airport, MAG claimed that the second runway would create 50,000 new jobs\(^{172}\) and that it was needed “now” so that the airport could grow to 50mppa. However, by the time of the Public Inquiry (1994-95), the figure had been revised down to 18,000 new jobs. Planning permission was granted in 1997 and the second runway opened in 2001. Today – 27 years later – the second Manchester runway is still surplus to requirements.

13.2.7 In 2007, when MAG was preparing its masterplan for Manchester Airport to 2030, its optimism was undaunted. The masterplan states: "[We] expect to be handling between 37 and 39 million passengers annually by 2015 and in the region of 50 million passengers per year by 2030." [our emphasis]

13.2.8 In fact, Manchester Airport handled just 23mppa in 2015 – and this fell to 22m in 2016. It still amounted to a doubling of passenger throughput over 25 years (10.1mppa in 1991) and in 2016 Manchester Airport provided some 19,000 jobs\(^{173}\) – an additional 7,000 compared to 1991. But these numbers are some way short of the airport's original predictions, which promised 50mppa and 50,000 new jobs.

Type of Jobs

13.2.9 It is not just the number of jobs that matters; it is also the type of jobs – i.e. quality as well as quantity. That is not in any sense to denigrate the many vital unskilled jobs carried out by airport employees. It is however important to understand the mix of jobs at Stansted and how the balance is changing as the airport grows. Table 13.3 below shows how the mix has changed since 2003. The comparability is strengthened by the fact that both sets of figures are from the same STAL consultants – under the Tribal banner for 2003 figures\(^{174}\) and under the Optimal banner for 2015 figures\(^{175}\).

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\(^{168}\) ’The Airport Inquiries 1981-83’, Inspectors Report, Chapter 22, Table 2.

\(^{169}\) 2001 STAL Planning Application, ES7, Table 4.7, p15.

\(^{170}\) 2006 STAL Planning Application, ES6, Table 17, p.20 (prepared by Tribal).

\(^{171}\) 2018 STAL Planning Application, ES1, Table 11.10.


\(^{173}\) MAG website - [https://www.manchester-airport-guide.co.uk/history.html](https://www.manchester-airport-guide.co.uk/history.html).

\(^{174}\) G2 ES7, Table 23.

\(^{175}\) ES1, Table 11.7.
Table 13.3: Occupational distribution of airport employees

<table>
<thead>
<tr>
<th>SOC</th>
<th>Occupational Group</th>
<th>% of Airport Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2003</td>
</tr>
<tr>
<td>1</td>
<td>Managers and senior officials</td>
<td>8.6</td>
</tr>
<tr>
<td>2</td>
<td>Professional occupations</td>
<td>8.1</td>
</tr>
<tr>
<td>3</td>
<td>Associate professional &amp; technical</td>
<td>14.5</td>
</tr>
<tr>
<td>4</td>
<td>Administrative &amp; secretarial</td>
<td>10.3</td>
</tr>
<tr>
<td>5</td>
<td>Skilled trades occupations</td>
<td>8.5</td>
</tr>
<tr>
<td>6</td>
<td>Personal service occupations</td>
<td>13.0</td>
</tr>
<tr>
<td>7</td>
<td>Sales &amp; customer service occupations</td>
<td>9.0</td>
</tr>
<tr>
<td>8</td>
<td>Process plant &amp; machine operatives</td>
<td>13.2</td>
</tr>
<tr>
<td>9</td>
<td>Elementary occupations</td>
<td>14.7</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>100.0</td>
</tr>
<tr>
<td></td>
<td>Classifications 1-3 as % of total</td>
<td>31.2</td>
</tr>
</tbody>
</table>

Source ES1, Table 11.7 and G2 ES7, Table 23. Note: Columns may not sum due to rounding. SOC = Standard Occupational Classification.

13.2.10 The difference between the 31.2% of jobs taken by the top three occupational categories in 2003 compared to just 18.9% in 2015 indicates that, as the airport grows, most of the new jobs created are in the less skilled occupations\(^{176}\). This is a common feature in many business sectors and is a contributory factor to economies of scale.

13.2.11 The more important issue however is to compare the type of airport jobs to the type of jobs available to, and performed by, local residents. Table 13.4 below provides some insights into this.

\(^{176}\) ONS revised SOC classifications in 2010 but this does not materially affect the comparisons in Table 12.2.
Table 13.4: Distribution of occupations in inner study area, 2015

<table>
<thead>
<tr>
<th>SOC</th>
<th>Occupational Group</th>
<th>UDC %</th>
<th>EHDC %</th>
<th>Braintree %</th>
<th>Harlow %</th>
<th>Total %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Managers and senior officials</td>
<td>17.3</td>
<td>9.8</td>
<td>11.0</td>
<td>3.0</td>
<td>10.4</td>
</tr>
<tr>
<td>2</td>
<td>Professional occupations</td>
<td>17.9</td>
<td>29.7</td>
<td>11.6</td>
<td>12.4</td>
<td>18.5</td>
</tr>
<tr>
<td>3</td>
<td>Associate professional &amp; technical</td>
<td>23.1</td>
<td>10.8</td>
<td>12.9</td>
<td>11.0</td>
<td>13.8</td>
</tr>
<tr>
<td>4</td>
<td>Administrative &amp; secretarial</td>
<td>14.7</td>
<td>13.3</td>
<td>12.0</td>
<td>10.3</td>
<td>12.6</td>
</tr>
<tr>
<td>5</td>
<td>Skilled trades occupations</td>
<td>7.7</td>
<td>10.0</td>
<td>15.3</td>
<td>10.8</td>
<td>11.5</td>
</tr>
<tr>
<td>6</td>
<td>Personal service occupations</td>
<td>9.5</td>
<td>7.0</td>
<td>10.2</td>
<td>13.5</td>
<td>17.1</td>
</tr>
<tr>
<td>7</td>
<td>Sales &amp; customer service occupations</td>
<td>7.5</td>
<td>9.0</td>
<td>12.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Process plant &amp; machine operatives</td>
<td>9.8</td>
<td>4.4</td>
<td>9.1</td>
<td>12.4</td>
<td>16.0</td>
</tr>
<tr>
<td>9</td>
<td>Elementary occupations</td>
<td>7.4</td>
<td>8.5</td>
<td>14.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
<tr>
<td><strong>Classifications 1-3 as % of total</strong></td>
<td>58.3</td>
<td>50.3</td>
<td>35.5</td>
<td>26.4</td>
<td>42.8</td>
<td></td>
</tr>
</tbody>
</table>

Source: ONS – NOMIS Labour Market Statistics for 2015 - [https://www.nomisweb.co.uk/](https://www.nomisweb.co.uk/).

Note: The inner study area comprises Uttlesford, East Herts, Braintree and Harlow, as per the G1 and G2 planning applications. For this application however, the Applicant has not provided separate analysis for the inner study area and so this analysis has had to be carried out by SSE.

Note: Columns may not sum due to rounding.

13.2.12 There is clearly a very significant difference between the type of jobs on offer at the airport and the type of jobs available to local residents. As can be seen above, 42.8% of residents in the inner study area (Uttlesford, East Herts, Braintree and Harlow) are employed in the top three SOC categories whereas just 18.9% of airport jobs are in the top three categories. In the wider study area, which comprises 16 local authority areas including five in London, an even higher proportion of jobs (46.2%) are in the top three SOC categories. Appendix E of this submission provides a detailed breakdown.

**Average earnings**

13.2.13 The assessment states that the average salary of Stansted employees in 2015 was £24,200.\(^{177}\) The comparable 2003 figure was £20,700.\(^{178}\) The relatively small average salary uplift of 16.9% in 12 years may reflect the changing mix of jobs, with a smaller proportion of relatively well-paid professional, managerial and skilled jobs and more jobs in retail and elementary occupations.

13.2.14 The Applicant also claims that this airport annual salary of £24,200 in 2015 was 8% higher than the local area workplace average but no evidence or reference source has been given for that assertion. Even so, it might appear plausible because although most of the airport jobs are towards the lower end of the SOC, one would expect the high

\(^{177}\) ES1, para11.107.  
\(^{178}\) G2 ES7, Table 22.
preponderance of shift work and unsocial hours associated with airport jobs to enhance average earnings.

13.2.15 The Applicant's socio-economic assessment then goes on to assert (para 11.98):

"Residence based earnings in the study area are £38 per week higher than workplace earnings which reflects the effect of commuting patterns on earnings in the study area. Average annual residence and workplace earnings in the study area in 2016 are estimated to be £26,100 and £24,000 respectively."

13.2.16 In arriving at the above average earnings figures Optimal have misleadingly used an average of part-time and full-time earnings, resulting in figures which are quite meaningless for this type of comparison.

13.2.17 We sought advice from the ONS on this matter and were advised that to minimise the risk of overstating average earnings, we should choose the more conservative assumption for each of the following two options:

- We used median earnings rather than mean earnings (we examined both and found that mean earnings were about £2,000 a year above median earnings);

and

- We annualised average weekly earnings, rather than using average annual earnings, because the ONS advised that the latter can be distorted by large annual bonuses. (A quick comparison of the ONS datasets showed that the annual earnings data provided numbers which were again about £2,000 a year above annualised weekly earnings.)

13.2.18 Our calculations of annual earnings, in line with the advice received from the ONS, are summarised in Table 13.5 below, and set out in more detail in Appendix E.

<table>
<thead>
<tr>
<th>Area</th>
<th>Residency Basis</th>
<th>Workplace Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2016</td>
<td>2015</td>
</tr>
<tr>
<td>Uttlesford</td>
<td>£36,108</td>
<td>£31,552</td>
</tr>
<tr>
<td>Inner Study Area</td>
<td>£32,458</td>
<td>£31,188</td>
</tr>
<tr>
<td>Full Study Area</td>
<td>£30,965</td>
<td>£30,472</td>
</tr>
</tbody>
</table>

Source: ONS.

13.2.19 Table 13.5 above shows that average annual residence and workplace earnings in the operational study area (16 local authority areas) in 2016 were £30,965 and £29,168 respectively. These figures completely contradict the figures provided by Optimal on behalf of the applicant which, as a reminder, were as follows:

180 Workplace-based earnings are earnings recorded for the area in which the employee works whereas residence-based earnings refer to the area in which the employee lives.
"Average annual residence and workplace earnings in the study area in 2016 are estimated to be £26,100 and £24,000 respectively."

13.2.20 Thus, the true average earnings figures are about £5,000 a year more than stated by Optimal and it is now clear that average earnings of airport employees are very substantially lower than local average earnings\(^1\) whereas Optimal claimed the opposite, "The average salary across all employees in 2015 was £24,200 in 2015 which is 8% higher than average workplace earnings in the operational study area". \(^2\)

13.2.21 It is of course in MAG's interest to portray the airport as offering highly paid jobs in occupations towards the top end of the SOC ladder but this portrayal is simply untrue.

**Labour market fundamentals**

13.2.22 The significance of the foregoing becomes more apparent when one goes back to the fundamentals of the labour market in a competitive market economy. Labour is a cost with a productive value elsewhere that is foregone if it is allocated to any particular project or activity (the opportunity cost). More jobs at Stansted Airport would only add to economic growth if they replace less productive jobs elsewhere. But many airport jobs such as baggage handling, aircraft cleaning and retail, are relatively unskilled

13.2.23 To consider job creation as a benefit, of itself, can only be justified where there is a structural long-term unemployment problem. That is certainly not the case in the south east of England, and the labour market in the UK generally is not deeply flawed. On the contrary it is possibly the most efficient labour market in the EU, being more closely modelled on the supply side flexibilities of the US labour market.

13.2.24 Thus, the labour that would be absorbed by the proposed development at Stansted Airport – whether this is an additional 3,000 jobs, as claimed by the applicant, or 1,300 additional jobs as estimated by SSE – would be at the expense of other productive activity. There is always an opportunity cost which, in this case, might be airport jobs at Luton or employment in some completely different (more) productive activity.

13.2.25 In the case of the G2 planning application, STAL's economics consultants, Tribal, accepted the above analysis and it was common ground that job creation – whatever the number of jobs created – should not be weighed as one of the beneficial effects of the proposed development. Moreover, in the preparatory topic working group (TWG) meetings prior to the expected start of the G2 Inquiry, Tribal presented employment projections which showed that at a regional level, the net jobs gain was substantially less than the local jobs gain, and at a UK level there was no net jobs gain.

13.2.26 The essential point is that labour is a valuable commodity and should be used as productively as possible. Average earnings are a good indicator of the productive use of labour and so it is clearly to the advantage of the local, regional and UK economy (as well as to the individual) if labour is deployed in highly paid occupations rather than low paid occupations. It is also better to 'create' jobs where they are most needed.

\(^1\) The only ONS average earning statistic we could find which was anywhere close to the numbers quoted by Optimal was in the 'All' dataset for full-time and part-time workers combined.

\(^2\) ES1, para 11.107.
Local labour market

13.2.27 The inner employment study area (Uttlesford, East Herts, Braintree and Harlow) has an economically active population of 272,000 (December 2017). It is an area of remarkably low unemployment; in fact, with the exception of Harlow, it is an area, effectively, of full employment – as shown in Table 13.6 below.

Table 13.6: Local unemployment and claimant count

<table>
<thead>
<tr>
<th>Area</th>
<th>Unemployment</th>
<th>Claimant Count</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Uttlesford</td>
<td>1,277</td>
<td>2.6%</td>
</tr>
<tr>
<td>East Herts</td>
<td>2,129</td>
<td>2.5%</td>
</tr>
<tr>
<td>Braintree</td>
<td>2,555</td>
<td>2.8%</td>
</tr>
<tr>
<td>Harlow</td>
<td>1,916</td>
<td>4.1%</td>
</tr>
<tr>
<td>Total Inner Area</td>
<td>7,877</td>
<td>2.9%</td>
</tr>
<tr>
<td>UK</td>
<td>1,477,000</td>
<td>4.6%</td>
</tr>
</tbody>
</table>

Source ONS – NOMIS: unemployment data is average for 2017 and claimant data is for Dec 2017.

13.2.28 The average unemployment rate for the local area in 2017 was 2.9% compared to a UK average of 4.6% and the claimant count (i.e. job seekers) was just 1.1% compared to a UK average of 2.9%. As shown in Table 13.6 above, there were just 255 job seekers in Uttlesford as at December 2017, and less than 3,000 in the entire inner study area.

13.2.29 Stansted Airport has, in effect, outgrown the local jobs market. The latest airport employment survey (2015) shows that just 18.3% of airport employees are residents of Uttlesford, compared to 23.8% at the time of the G1 planning application. In numerical terms, the Uttlesford number has also declined, from 2,137 jobs in the 2003 survey to 2,007 jobs in 2015. This is despite an overall increase of around 2,000 airport jobs over the same period (from 8,990 to 10,960). 183

Sensitivity analysis

13.2.30 Stansted Airport currently faces two significant risks, both of which could result in major adverse impacts upon airport employment:

- Dependency on Ryanair: Since MAG acquired Stansted, Ryanair has become even more dominant, carrying 82% of Stansted's passengers in 2016 compared to 68% in 2011. 184 It can be deduced from these percentages that, over the same period, the other Stansted airlines combined declined by 1.4m passengers, from 5.8m in 2011 to 4.4m in 2016. There must be a concern when a single customer is so dominant. With so many eggs in one basket there would be very serious consequences for the local employment if, for any reason, Ryanair were to withdraw from Stansted. As a prudent business, MAG will have carried

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183 Over the same period there has been a significant increase in East Herts residents' jobs. This has been widely attributed to an influx of cabin crew and other airport workers from other parts of the EU over the past ten or so years, in rented accommodation in Bishop's Stortford which has good public transport links to the airport.

out risk analysis and contingency planning for this eventuality. It should therefore be a relatively simple task for MAG to provide sensitivity analysis for the contingency of Ryanair withdrawing from Stansted.

- **Brexit:** In many respects this is also a Ryanair issue because post Brexit, Ryanair will be an EU airline trying to do business in the UK whilst UK airlines, such as easyJet (with around 10% market share at Stansted) will be trying to do business in the EU. There is considerable uncertainty as to what type of deal, if any, will be struck on aviation between the UK Government and the EU. MAG should provide sensitivity analysis for an unfavourable outcome resulting (say) in a downgrading of 25% in its current projections with effect from (say) 1 January 2020.

**Concluding remarks on employment impacts**

13.2.31 It cannot be argued that the employment impacts of the proposed development would be net positive for the UK economy when opportunity costs are taken into account. The local area enjoys almost full employment and so the focus needs to be on creating more local jobs towards the top end of the SOC ladder, not jobs at the lower end.

13.2.32 By creating high value professional, managerial and skilled jobs locally, the productive potential of the local labour force will be more fully realised, GVA increased, and the pressure on commuting, mainly to London, reduced. The converse is also true. Creating more low value jobs locally at the airport is unnecessary when alternatives exist, and for many reasons it is also undesirable. It would also have the likely effect of increasing inward commuting from London and elsewhere.

13.2.33 Finally, there are also housing pressures to consider. We do not intend to make submissions in this regard but we cannot avoid making the observation that an average airport salary of £24,200 does not go very far in the local housing market.

**13.3 Economic impacts**

13.3.1 Optimal has not even provided any estimation of user benefits, which is a fundamental yardstick when assessing economic benefits for a development of this type. Optimal provides the following ‘explanation’ for its failure to quantify user benefits:

“Quantifying these user benefits would require a detailed analysis of traffic patterns and surface transport costs under alternative capacity assumptions and using a UK wide airport system model which can allocate passengers to airports in response to changes in capacity. DfT has a model which can analyse major changes in capacity but, given the scale of the proposed development, this level of analysis is not practical. Therefore, a qualitative assessment of such benefits, using professional judgment and experience, is provided below. This approach has been agreed by UDC by virtue of its scoping opinion (see Appendix 2.1 in ES Volume 2).”

13.3.2 It is stretching the truth to say that UDC agreed that there was no need for any quantification of user benefits. UDC did not actually comment on this matter, leaving it for MAG to decide what evidence of economic benefits to provide in support of its proposal. Planning applications can only be determined on the basis of the information
made available, and the decision must be evidence-based. Thus, an Applicant that cannot quantify the benefits of its proposal will be at a severe disadvantage.

13.3.3 One of the most important economic considerations is the impact of the proposed development on the UK economy and, again, Optimal have avoided carrying out any proper assessment of this. We examine some of these issues below.

**Dominance of Ryanair**

13.3.4 We referred in 13.2.30 above to Stansted's dependency upon Ryanair in terms of employment and we now consider some of the wider economic implications of this.

13.3.5 Ryanair, which accounted for 82% of Stansted passengers and 78% of PATMs in 2016\(^{185}\), buys exclusively US aircraft which are powered by Franco-US CFM engines (as opposed to the UK (Rolls Royce) alternative). Ryanair reportedly employs primarily non-UK staff and its principal function at Stansted is to carry large numbers of UK residents on leisure trips abroad. Ryanair has no tax presence in the UK and so pays no UK corporation tax.\(^ {186}\) Accordingly, in all the foregoing respects there are no significant net economic benefits to the UK. In fairness, the Applicant has not claimed such benefits except to a limited extent in relation to jobs and (curiously) to overseas leisure trips.

13.3.6 It is common ground that Ryanair provides important social benefits. Holidays abroad can help people relax and improve international cultural understanding. And the jobs provided by Ryanair have an economic value, although part of this will accrue outside the UK. In this context it should be noted that Treasury guidance on socio-economic appraisal and evaluation as set down in the ‘Green Book’\(^ {187}\) focuses only on socio-economic costs and benefits for the UK. However, regarding foreign employment benefits, whilst the UK remains in the EU, with freedom of movement for all UK citizens, employment benefits cannot easily be ascribed on a country by country basis.

**Business v Leisure**

13.3.7 Business travel accounted for just 14% of Stansted's passengers in 2016. This compares to a London airports' average of 21% with Heathrow and, more especially, London City airports being far more focused on the business sector with comparable figures of 28% and 53% respectively.

**Table 13.7: Stansted passengers in 2016 (million)**

<table>
<thead>
<tr>
<th>Type of Traffic</th>
<th>UK Residents</th>
<th>Foreign Residents</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Business</td>
<td>Leisure</td>
<td>Business</td>
</tr>
<tr>
<td>Domestic</td>
<td>0.6</td>
<td>1.1</td>
<td>0.0</td>
</tr>
<tr>
<td>International</td>
<td>1.4</td>
<td>12.1</td>
<td>1.4</td>
</tr>
<tr>
<td>Total</td>
<td>2.1</td>
<td>13.3</td>
<td>1.4</td>
</tr>
<tr>
<td>Share of Total</td>
<td>8%</td>
<td>55%</td>
<td>6%</td>
</tr>
</tbody>
</table>

Source: CAA Passenger Survey Report, 2016. Table 2.1
Note: Columns may not sum due to rounding.

\(^{185}\) Ibid and ‘Beyond the horizon. Next steps toward an aviation strategy’, DfT, Apr 2018.

\(^{186}\) This is in line with EU tax rules (and international convention) whereby airline profits are taxable only in the country where the effective management of the airline is located.

UK Trade Balance

13.3.8 As can be seen from Table 13.7 above, 'International UK Leisure' is the dominant sector at Stansted and trips abroad by UK residents outnumber inward tourism by a factor of almost 2 to 1. In 2016, this resulted in a difference between outward spend by UK residents and the inward spend by foreign visitors of £1,750 million, using the same £700 average spend figure as used by the Applicant in ES1.\footnote{The difference in Table 13.6 between 'International UK Leisure' (12.1m) and 'International Foreign Leisure' (7.1m) - i.e. 5.0m - needs to be halved because an overseas trip involves an outward flight and a return flight.} The UK Balance of Payments account (the ONS 'Pink Book') correctly records this as a trade deficit, outward spending by UK residents being classified as 'imports' and inward spending by foreign visitors being recorded as 'exports'.

13.3.9 Optimal point out – quite correctly (in ES1, Chapter 11, footnote to para 11.147) – that:

"Stop Stansted Expansion (SSE) proposed in the High Court in February 2009, that the ‘tourism deficit’ had not been properly taken account of at the public inquiry to increase passenger throughput at Stansted to 35mppa (G1). This challenge was dismissed by the Judge who stated that “by trying to bring the ‘tourism deficit’ into account against a particular air transport scheme (i.e. the G1 proposal), SSE were calling into question the Government’s judgement of national economic policy which had already taken that phenomenon into account”.

13.3.10 The circumstances are however quite different in the case of the present application. The key 2009 ruling was actually in the Court of Appeal in June where Lord Justice Elias and Lord Justice Keene (presiding) ruled against SSE on this issue because – crucially – the Government was seen to have carried out an assessment of the implications for the UK balance of payments beforehand and taken this into account before lending its support in principle to the G1 proposal.

13.3.11 In 2009, the policy framework was clearly defined by the 2003 Air Transport White Paper ('ATWP'), followed by the 2006 ATWP Progress Report, and extensive supplementary documentation had been published by the DfT to underpin the policy. This included projections for inward and outward visitors to/from the UK and so it could therefore be argued that Government policy had been made in the light of that analysis, i.e. in spite of the adverse impact on the UK trade balance.

13.3.12 That is not the case now. Government airports policy currently lacks clarity and the Government has certainly not provided any assessment of the impact of the expansion of Stansted beyond 35mppa on the UK trade balance. This issue must therefore be regarded as a material consideration in the determination of this application.

13.3.13 Finally, on this point, Optimal states (ES1, para 11.147):

"It cannot be assumed that the Do Minimum scenario at Stansted would improve the balance of trade as compared to the Development Case."

13.3.14 That is simply untrue. By the Applicant’s own admission in the Transport Assessment (‘TA’), the proportion of foreign visitors at Stansted is expected to reduce by 2028 and
this is given as the reason for a projected decline in public transport mode share, because foreign visitors have a higher propensity to use public transport.  

13.3.15 Working through the above numbers for UK and foreign leisure passengers, in the same way as for the 2016 Baseline data in para 13.3.8 above and again using the Applicant’s figure of £700 average spend per trip, provides the following result:

**Table 13.8: Impact on UK Trade Balance**

<table>
<thead>
<tr>
<th>Scenario</th>
<th>mppa</th>
<th>UK visits abroad</th>
<th>Foreign visits to UK</th>
<th>Difference</th>
<th>Resultant Trade Deficit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseline (2016)</td>
<td>24.3</td>
<td>6.1</td>
<td>3.6</td>
<td>2.5</td>
<td>£1,750m.</td>
</tr>
<tr>
<td>Base Case (2028)</td>
<td>35.0</td>
<td>10.1</td>
<td>4.7</td>
<td>5.4</td>
<td>£3,780m.</td>
</tr>
<tr>
<td>Develop Case (2028)</td>
<td>43.0</td>
<td>12.5</td>
<td>5.8</td>
<td>6.7</td>
<td>£4,690m.</td>
</tr>
</tbody>
</table>

*Source: Applicant’s ES, including the TA.*

13.3.16 All the numbers above have been provided by, or on behalf of, the Applicant and clearly demonstrate that, contrary to the assertion made in the ES, the proposed development would have an adverse impact on the UK trade balance of £910 million in 2028 compared to the base case, and of £2,940 million compared to the 2016 Baseline.

13.4 Social impacts

*Introduction*

13.4.1 Chapter 11 of the ES focuses heavily on the economic, employment and passenger benefits as (claimed) justifications for bringing forward proposals for expansion, ignoring societal and environmental impacts which are largely negative to MAG’s application. The Applicant also misrepresents the concept of sustainability, not least within the context of the NPPF which stresses, for example:

> “to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”.

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189 TA, paras 2.14, 4.18, 4.19 and 6.12.
190 NPPF, para 8.
13.4.2 However, MAG chooses to give undue weight to economic opportunity with very limited consideration of the social and environmental factors beyond travel and employment opportunities. Moreover, MAG does not appear to realise that social and environmental impacts are frequently intertwined.

13.4.3 As we have shown in section 13.2 above, the application also continues a longstanding Stansted Airport tradition of overclaiming potential employment benefits in support of its planning applications. Furthermore, not only is there overstatement of the quantity of jobs that would be created, there is also misrepresentation as to their quality.

13.4.4 In addition, the application repeatedly makes claims for support from external bodies which are either misleading or ill-founded, or both. Except where previously dealt with in this submission, we now look at these issues in more detail.

**Misrepresentation of socio-economic impacts**

13.4.5 The narrowest possible definition has been applied by MAG to its examination of socio-economic impacts rather than making a study of (as per the Oxford English Dictionary) “…the interaction of and relationship between social and economic factors, … [and] the social and economic conditions of a particular area or population.”

13.4.6 The ‘Summary of socio-economic impacts’ is a good example of the essence of the text which has preceded it. The summary focuses overwhelmingly on economic gain, tourism and passenger advantage rather than any of the harms that would ultimately be borne by the community that would be affected by the expansion proposals. This community extends well beyond the borders of Uttlesford into other parts of Essex, as well as Hertfordshire, Cambridgeshire and Suffolk.

13.4.7 MAG does not even acknowledge, never mind take into account, the cost to the wider community of the further expansion of Stansted Airport that is proposed. There seems to be no recognition by the Applicant that, for local residents across a wide geographical area, the proposed development would result in a deterioration of their quality of life through environmental and social nuisance, pressures on service provision and local infrastructure, as well as the cost to the local environment.

13.4.8 There would not only be a significant increase in the number of flights but also larger jets would be introduced to cater for STAL’s priority of developing long-haul services. Local residents would also suffer from the predicted 58% increase in cargo flights from 10,126 in 2017 to 16,000 in 2028. Many of these will be large, elderly aircraft which would operate during the night. This may help explain why MAG intends to seek an increase in the permitted number of night flights at Stansted at the next Department for Transport (‘DfT’) opportunity for review (2022), but it bodes ill for those who live near Stansted Airport and/or under its flightpaths.

13.4.9 Any economic benefits arising from the proposal would not generally accrue to those who would be forced to endure the societal and environmental disbenefits. Thus, MAG’s assertions about economic benefits, with no quantification (nor even proper qualitative analysis) of the broader socio-economic and environmental factors, renders this chapter

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191 ES1, Table 11.14.
192 ES1, para 4.59 projects 16,000 CATMs by 2028. This compares to 10,126 in 2017 (CAA airport statistics, Table 6).
193 Planning Statement, Appendix D.
lightweight and unfit for purpose. The missing assessment criteria are of particular concern to the communities who will suffer daily if the proposed development were to go ahead. It is not, therefore, surprising that there have been so many hundreds of letters, written individually, objecting to the application from across four counties.

13.4.10 In the determination of this planning application the decision maker(s) must not repeat the mistake of focussing as narrowly as MAG would wish. The social and environmental impacts which have been disregarded or glossed over will be critical to determining the suitability of the proposal. A full and thorough socio-economic assessment including the missing issues and covering a large geographic scope is essential to understanding the distribution of impacts that the application would have, and the sustainability or otherwise of the proposed development, in line with the NPPF.

Misrepresentation of policy support for expansion

13.4.11 A large section of Chapter 11 of ES1 is devoted to sleight-of-hand wording and exaggerated interpretation designed to give the impression of local policy support for expansion beyond the current permitted limit of 35mppa where none exists. Claims of support from other bodies are presented as independent endorsement even when they are grounded in vested interest. For example:

- Claims that independent analysis from the LSCC Growth Commission supports expansion194 ignore the fact that – as referred to in section 5.3 above – STAL is the LSCC’s main private sector sponsor. The ‘Frequently Asked Questions’ section on the LSCC website states:

  8. Who owns and sponsors LSCC?
  
The Consortium is a membership organisation which is owned by the members listed in the appendix. Its primary funding comes from subscriptions that are paid by members – local government, FE and HE.
  
The LSCC is attracting sponsorship from the private sector. To date this has come from London Stansted Airport, (add other sponsor names) consultancies in the property industry and a social enterprise. The Consortium is seeking to increase contributions from the private sector where there are clear mutual benefits. A list of contributors will be publicly available.

- The reference to the ‘Greater Cambridge – Greater Peterborough LEP’ Strategic Economic Plan as a “business-led organisation focused on driving forward sustainable economic growth”195 again misrepresents sustainability and interprets it purely as economic growth that can be maintained whereas the NPPF makes clear that economic growth is just one dimension of sustainability, to be balanced with social and environmental elements. This is repeated by the Applicant in the reiteration of economic growth goals in relation to the Economic Plans for Essex and the Haven Gateway196 which, again, fail to incorporate the broader dimensions of sustainability.

194 ES1, para 11.16-18.
195 Ibid, para 11.19.
• Quoting extracts from the Emerging Local Plan (‘ELP’) for Uttlesford District to ‘continue to be one of the most desirable places to live and work in the UK’ and from Objective 2a which ‘seeks to strengthen the local economy by enabling the growth of existing and new employers, including providing opportunities for employment growth related to Stansted Airport’, MAG effectively asserts\(^\text{197}\) that this gives carte blanche to expansion whereas the Objective should be read as not exclusive to the airport. Further expansion would in many respects compromise the District’s vision because of its negative impacts. ‘Opportunities’ is not a synonym for expansion of airport capacity, nor does it equate to a green light for the current application. Similarly, the extract\(^\text{198}\) quoting the ELP goal that “the environmental impact of London Stansted Airport will be effectively managed” is, incorrectly, portrayed as supporting expansion when it would be more accurate to describe it as a constraint.

• Finally, quoting Spatial Strategy and Policy SP11: “the growth of London Stansted Airport will be supported…” (at para 11.31) MAG erroneously asserts that this means growth beyond currently permitted limits.

13.4.12 Quoting selective and incomplete extracts from policy documents – i.e. ‘cherry picking’ – is another longstanding Stansted Airport tradition. However, we have dealt with the ELP at some length in section 6.9 above and we need not repeat all of that here.

**National policy**

13.4.13 In paras 11.5-11.15, MAG makes various assertions as to national policy in an attempt to claim Government support for the application. All of this is at worst misrepresentation and, at best, tenuous. The truth is that until the ANPS is approved by Parliament, which is scheduled to happen this summer, and the new 'Beyond the horizon' aviation strategy is published early in 2019, there is considerable uncertainty as to Government policy. In any event there is no need for us, at this juncture, to provide here a blow-by-blow rebuttal of MAG’s inaccurate assertions as to national policy. We have dealt quite fully with these issues in section 6.4 above.

**13.5 Concluding points**

13.5.1 It is a prerequisite for any planning application of this type for the Applicant to be able to demonstrate that the benefits of its proposal would outweigh the disbenefits, or harms. Chapter 11 of ES1 is the Applicant’s attempt to deal with this requirement but few benefits are actually quantified and, where this does occur, there are – as shown above – several examples of error, overstatement and misrepresentation. At the same time the Applicant has completely ignored the many significant disbenefits.

13.5.2 There are also local and national policy tests which must be satisfied and, in the case of this particular application, there is also a need to satisfy the ‘needs’ test set down in the revised Draft ANPS. For an airport development proposal to be approved, the Applicant must be able “\textit{to demonstrate sufficient need for their proposals, additional to (or

\(^{197}\) ES1, paras 11.28-11.29.
\(^{198}\) Ibid, para 11.30.
different from) the need which is met by the proposal of a Northwest Runway at Heathrow\textsuperscript{199}.

13.5.3 The Airports Commission carried out extensive and detailed analysis of the commercial viability and financeability of a third Heathrow runway and of a second Gatwick runway – i.e. of the comparative business case. The conclusion reached was that it was not feasible to support both projects at the same time. In other words, there is some fragility in relation to the business case for a new runway in the south east. It is relevant to note the Commission's financial analysis assumed that Stansted was capped at its permitted capacity of 35mppa.\textsuperscript{200}

13.5.4 The centrepiece of Government policy for increasing airport capacity in the south-east of England is the proposed new Northwest Runway at Heathrow which is in line with the recommendation of the Airports Commission and has a projected cost of around £17.6 billion at 2014 prices\textsuperscript{201}. (By comparison, MAG purchased Stansted from BAA in 2013 for less than £1.5 billion.) The scale of the Heathrow investment is such that the Government would not want any other proposal to undermine its financial viability.

13.5.5 Thus, the draft ANPS sets a high hurdle for any other proposal which would increase airport capacity in the south-east, namely, the requirement \textit{"to demonstrate sufficient need for their proposals"} over and above the need which would be met by the third Heathrow runway. MAG does not even attempt to address the issue of 'demonstrable need' and – as we have shown above – the Applicant's assessment of socio-economic benefits is inadequate in many respect and simply wrong in other respects.

13.5.6 The failure of the Applicant to provide any estimation of user benefits – a fundamental yardstick for assessing the economic benefits of a proposed development of this type – is an exercise in self-harm, uncharacteristic of MAG. Planning applications can only be determined on the basis of the information made available. The determination process is quasi-judicial and must be evidence-based. Thus, an Applicant that cannot quantify the benefits of its proposed development will be at a severe disadvantage.

13.5.7 The upshot is that most of the information contained in the ES about Socio-Economic Impacts is of a subjective, qualitative nature. There are nevertheless a number of assertions and other statements which need to be critically examined.

\textsuperscript{199} Draft ANPS, DfT, Oct 2017, para 1.40.
\textsuperscript{200} Airports Commission Final Report, Jul’2015, Chapter 11.
\textsuperscript{201} Ibid, Table 11.1.
14 Carbon Emissions and Climate Change

14.1 Introduction

14.1.1 We do not take issue with the Applicant's Baseline assessment of CO\textsubscript{2} emissions. In fact, this is remarkably similar to our own estimates of Stansted's CO\textsubscript{2} emissions, which are published on the SSE website and updated each year\textsuperscript{202} except for the fact that SSE also provides an estimate which incorporates the radiative forcing ('RF')\textsuperscript{203} effect of aviation CO\textsubscript{2} emissions. Leaving aside RF for now, the increase in CO\textsubscript{2} emissions arising from the proposed development would be as follows.

Table 14.1: Increase in CO\textsubscript{2} (from the additional flights alone)

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Increase in CO\textsubscript{2} emissions (tonnes per annum)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compared to 2016 Baseline\textsuperscript{204}</td>
<td>-</td>
</tr>
<tr>
<td>Compared to Base Case (35mppa)</td>
<td>+714.000</td>
</tr>
<tr>
<td>Compared to Development Case (43mppa)</td>
<td>+944.000</td>
</tr>
<tr>
<td>Development case compared to Base Case</td>
<td>+230.000</td>
</tr>
<tr>
<td>Development case compared to DfT provision</td>
<td>+904.000</td>
</tr>
</tbody>
</table>

Source: ES1, Table 12.13 and UK Aviation Forecasts, DfT, Oct 2017, Table 38, p110.

14.1.2 Whilst we may broadly agree with the Applicant's arithmetic, we profoundly disagree with the Applicant's assertion that the additional carbon emissions arising under the 43mppa development case are insignificant and therefore acceptable. They are neither insignificant nor acceptable when considered in the context of UK Government policy, which is driven by the wider international challenge of tackling climate change. This is further explained below.

14.1.3 It is also unsatisfactory for CO\textsubscript{2} emissions projections only to have been provided to 2028. Both the UK statutory framework and the Government's policy framework for controlling carbon emissions cover the period to 2050. Whether this application is to be determined locally or nationally, the Applicant should be required to extend the estimates of carbon emissions for the 35mppa case and the 43mppa case from 2028 to 2050.

14.2 Statutory and policy framework

14.2.1 The Climate Change Act 2008 committed the UK to reduce greenhouse gas emissions by 80% by 2050, compared to a 1990 Baseline. Emissions from domestic aviation are already included in the UK's carbon budgets but international aviation is not (yet) specifically included in the budgets for the period to 2027. However, the Climate Change Act states that they need to be taken into account.

\textsuperscript{203} The UN Intergovernmental Panel on Climate Change ('IPCC') recommends that aircraft CO\textsubscript{2} emissions should be multiplied by a factor of between 2.0 and 4.0, with a suggested midpoint of 2.7, to reflect the greater climate change impact of CO\textsubscript{2} emissions at high altitude and the impact of non-CO\textsubscript{2} emissions from aircraft engines. These effects are described as radiative forcing ('RF').
\textsuperscript{204} 1.56 million tonnes as per ES1, Table 12.10.
14.2.2 With a view to introducing some control over aviation emissions, the Climate Change Committee ('CCC') was asked by the Secretary of State for Transport in 2009 to make recommendations for ensuring that total UK aviation carbon emissions should be no higher in 2050 than in 2005\textsuperscript{205}. This translated into a cap of 37.5 million tonnes of carbon dioxide. Following extensive analysis, the CCC finally recommended that to achieve this goal, Air Transport Movements ('ATMs') should only be allowed to increase by 55%, and passenger numbers by 60%, between 2005 and 2050\textsuperscript{206}.

14.2.3 The Airports Commission later calculated that the permitted increases should be 33% for ATMs and 66% for passengers\textsuperscript{207}, rightly taking the view that the CCC had not made adequate allowance for the increase in aircraft size and passenger load factors.

14.2.4 At the time of the Stansted G1 Public Inquiry (2007) it was argued on behalf of the Applicant that the increase in CO$_2$ emissions arising from the additional flights was not a material consideration because there was no Government policy for tackling aviation CO$_2$ emissions. Today, there is a 37.5Mt CO$_2$ cap but this was a commitment given by a previous Government and, whilst it has not been rescinded, it is not certain that it will continue to be the principal policy tool for dealing with aviation CO$_2$ emissions.

14.2.5 The 2013 Aviation Policy Framework ('APF') which replaced the 2003 ATWP and remains the Government's extant aviation policy to this day, states as follows:

"Our objective is to ensure that the aviation sector makes a significant and cost-effective contribution towards reducing global emissions."\textsuperscript{208}

[original (bold type) emphasis]

14.2.6 However, the APF did not add much clarity as to how the Government intended to manage aviation's carbon emissions because in 2013 the Government was still clinging to the hope that an effective EU ETS might soon be in place and would apply to all flights departing from or arriving in the EU. That was the context in which the Government expressed its position in the APF, as follows:

"Therefore, before making a decision on whether the UK should retain a national emissions target for aviation, the Government believes that it is important to have greater certainty over the future scope of the EU ETS and await the outcome of the ICAO negotiations towards a global deal on aviation emissions."\textsuperscript{209}

14.2.7 Today, five years on, there is still a lack of clarity as regards the Government's policy for bringing aviation's CO$_2$ emissions under control. This somehow needs to happen if the statutory target laid down in the Climate Change Act 2008 of cutting the UK's carbon emissions by 80% by 2050 is to be met.

14.2.8 The Government is now consulting on a new Aviation White Paper. This goes under the strapline: 'Beyond the horizon. The future of UK aviation.' The new White Paper is expected to be published early next year and will replace the APF. The preliminary 'Beyond the horizon … Call for evidence' paper published last summer noted that:

\textsuperscript{205} Commons Hansard, 15 Jan 2009, Columns 358-360.
\textsuperscript{206} 'Meeting the UK aviation target – options for reducing emissions to 2050', CCC, Dec 2009.
\textsuperscript{207} Airports Commission, Interim Report, Dec 2013, Appendix 3, Section 5.
\textsuperscript{208} ‘Aviation Policy Framework’, Mar 2013, Executive Summary, para 12.
“...the UK’s carbon budgets have been set at a level that accounts for international aviation and shipping emissions.”\textsuperscript{210}

14.2.9 The recently published ‘Beyond the horizon’ consultation document (April 2008), notes:

“Respondents to the call for evidence ranked the objective of supporting growth while tackling environmental impacts as second only to safety and security in their order of priority for the strategy. The top six issues mentioned by respondents all related to the challenges of delivering future capacity utilising current capacity and addressing the concerns that people have in respect to aviation’s contribution to noise, air quality and carbon levels. \textit{The interdependencies of these issues has confirmed the government’s view that they should all be addressed together as part of a single objective in the aviation strategy}. [our emphasis]

At a global level, the government will consider our overarching framework for tackling UK aviation’s carbon emissions to 2050 and how this can ensure that aviation contributes its fair share to action on climate change”.\textsuperscript{211}

“While the government is not recommending a particular approach, it is interested to hear views on how this could be taken forward. In parallel the government will consider what the carbon and wider environmental framework should be to inform the final policy on sustainable growth. This will include setting a national carbon policy for aviation ...”\textsuperscript{212}

\textbf{The Paris Agreement}

14.2.10 The aim of the Paris Agreement is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2\textdegree{}C and pursue efforts to limit the temperature increase even further to 1.5\textdegree{}C. This goes further than any previous international agreement aimed at tackling climate change and, as at April 2018, 196 countries, including the UK, have signed the Paris Agreement.\textsuperscript{213}

14.2.11 The Climate Change Act 2008, which sets a target of reducing UK carbon emissions by 80\% (from a 1990 Baseline) by 2050, was based on supporting the international objective of capping global warming to within a 2\textdegree{}C temperature rise. However, to comply with the Paris Agreement, which has the aim of capping global warming to within a 1.5\textdegree{}C temperature rise, will need a more ambitious target. It should also be noted that the Climate Change Act requires emissions from the UK’s international aviation activities to be included in the UK carbon budgets “as soon as possible”.\textsuperscript{214}

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{209} Ibid, para 2.35.
\item \textsuperscript{210} ‘Beyond the horizon. The future of UK aviation. Call for evidence’, DfT, Jul 2017, para 7.16.
\item \textsuperscript{211} ‘Beyond the horizon. Next steps towards an aviation strategy’, DfT, Apr 2018, para 6.6.
\item \textsuperscript{212} Ibid, para 6.9.
\item \textsuperscript{213} https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement.
\item \textsuperscript{214} Carbon emissions from domestic aviation are already included in budgets but this is only c. 7\% of the total emissions from UK aviation.
\end{itemize}
\end{footnotesize}
14.2.12 As a first step towards implementing the Paris Agreement, the UK Government Minister with the responsibility for climate change policy matters, Clare Perry, announced that the Government would call on the CCC to lay out a route for tighter carbon controls.215 “After the IPCC [216] report later this year, we will be seeking the advice of the UK’s independent advisors, the Committee on Climate Change, on the implications of the Paris Agreement for the UK’s long-term emissions reduction targets.”

14.2.13 In view of the above, it seems reasonable to predict that any hopes that the UK aviation industry may have for a relaxation of the 37.5 MtCO₂ cap are unlikely to be realised. Indeed, it may be that in the light of the Paris Agreement the cap has to be reduced.

14.3 Attempts at international aviation agreements

14.3.1 International aviation was excluded from the December 1997 Kyoto Protocol on Climate Change and, in the 20 years that have passed since then, all attempts to obtain international agreement on tackling aviation emissions have failed.

14.3.2 At the time of the G1 Inquiry (2007) the Applicant presented the forthcoming inclusion of aviation in the EU Emissions Trading Scheme (‘EU ETS’) as the solution towards tackling aviation CO₂ emissions. Despite the rosy picture painted by the Applicant in ES paras 12.13-12.16, the EU ETS has proved to be almost entirely ineffective so far as aviation emissions are concerned, and we do not recognise the claims made by the Applicant in ES para 12.14. We should however make clear that the failure of the EU ETS in regard to the aviation emissions is through no fault of the UK aviation industry and is despite the best endeavours of the UK Government.

14.3.3 The principal reason for the failure of the EU ETS to live up to its promise was its outright rejection by major economies including the USA, India and China. This resulted in a “stop the clock” measure being implemented in 2012 which meant that only short-haul intra-EU flights (and not long-haul flights departing from or arriving in the EU) could be included in the ETS. The “clock” has never been restarted and so only a small fraction of aviation CO₂ emissions are subject to the ETS. This, coupled with a derisory carbon trading price, has meant that the EU ETS has been almost entirely ineffective in constraining aviation emissions. The EU carbon price has strengthened in recent months but as at time of writing it is still only €12.89 (£11.30) per tonne of CO₂.217

14.3.4 After 20 years of fruitless discussions and expectations falsely raised by the International Civil Aviation Organisation (‘ICAO’), we are again being told that there is the prospect of a worldwide agreement for controlling aviation emissions. The latest ICAO proposal is for a global market offsetting arrangement, known as the 'Carbon Offsetting and Reduction System for International Aviation (‘CORSIA’).

14.3.5 As the Applicant acknowledges218 many of the details of the proposed CORSIA scheme still need to be agreed but it is planned to come into effect on a voluntary basis in 2021 and to be mandatory by 2027. Some 73 countries have reportedly expressed support

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216 Intergovernmental Panel on Climate Change.
217 As at 23 April 2018.
218 ES1, paras 12.9-12.10.
but it remains to be seen how many will sign up when the details are made known. Brazil has already indicated that it will not join; Russia and India have not expressed any firm opinions; whilst the USA (under the previous administration) and China have simply said that they “expect to be early participants”.

14.3.6 It cannot yet be said whether CORSIA will be another false dawn. However, some of the early signs are not encouraging. CORSIA will use a 2020 Baseline for emissions levels, rather than the 2005 baseline adopted by the UK Government and the similar 2004-2006 Baseline adopted when bringing the EU aviation sector into the ETS for intra-EU flights. And CORSIA will only apply to about 80% of emissions growth above the 2020 Baseline.

14.3.7 Given that CORSIA is not intended to become mandatory until 2027 and is very unlikely to have any significant impact in the short term, we assume that the Applicant’s assessment of CO₂ emissions takes no account of any effect that CORSIA, if implemented, might have. That would be the correct approach.

14.3.8 MAG states that it has based its emissions projections on the ‘CO₂ Roadmaps’ produced by ‘Sustainable Aviation’, an industry-sponsored organisation which has produced three of these so-called Roadmaps over the past ten years and has a record of wildly optimistic projections, for example:

- The December 2008 Roadmap forecast that UK gross aviation emissions would start to fall in 2020. No mention was made of net emissions.
- The March 2012 Roadmap pushed forward the date for gross emissions starting to fall to 2035 – 15 years later than previously announced - but it claimed that net emissions (after offsets) would start to fall in 2015.
- The latest (December 2016) Roadmap still shows gross emissions not starting to fall until 2035 but the fall in net emissions has now also been delayed to 2035, 20 years later than previously announced.

14.3.9 In view of this track record very limited weight should be placed on predictions made by Sustainable Aviation. Reliance should instead be placed on the emissions projections provided in the latest DfT forecasts for UK aviation, published in October 2017.\textsuperscript{219}

14.3.10 The DfT forecasts for UK aviation recognise that demand needs to be constrained if carbon emissions are to be kept at or below 37.5Mt CO₂ by 2050. The results of DfT’s modelling show that to be (just) achievable with a carbon price of £221 per tonne.\textsuperscript{220} Although that may seem punitive, the view of the Airports Commission was that a carbon price of £334 per tonne would be needed, and even so the Commission’s modelling could only get carbon emissions down to 41.0Mt CO₂ by 2050. The Commission then had to rely upon some creative new initiatives to close the remaining gap of 3.5Mt CO₂.\textsuperscript{221}

\textsuperscript{219} ‘UK Aviation Forecasts’, DfT, Oct 2017, Chapter 8.
\textsuperscript{220} Ibid, para 5.16 confirms that the DfT assumes that carbon prices will grow in line with the Government’s official CO₂ appraisal values published by the Department for Business, Energy & Industrial Strategy (‘BEIS’) in March 2017. In 2016 they were £4/tCO₂ and they rise to £77/tCO₂ in 2030 and £221/tCO₂ in 2050 (all in 2016 prices).
\textsuperscript{221} For example (i) assume increase biofuel uptake from the 2.5% of aviation fuel by 2050 anticipated by the DfT to 5.6% and achieve this by requiring mandatory usage by airlines (ii) using electric power for airport taxiing; (iii) reduction in contingency fuel carried by airlines for safety reasons; and (iv) ‘Cruise control’ – enforcing lower cruising speeds on aircraft to save fuel and thereby reduce CO₂ emissions.
14.3.11 The Government's working assumption of a carbon price of £221 per tonne in 2050, has potentially serious repercussions for the aviation industry, particularly the low fares carriers. The UK carbon floor price is currently capped at a maximum of £18 per tonne and – as referred to in para 14.3.3 above – the current EU ETS traded carbon price is just £11.30 tonne.

14.3.12 The DfT's central case, assuming a new northwest runway at Heathrow, projected an emissions total of 39.9 Mt CO₂ in 2050. As was the case with the modelling carried out by the Airports Commission, the DfT assumed that Stansted would remain capped at 35mppa, at which level of throughput Stansted would generate 1.6 Mt CO₂ in 2030, and 1.5 Mt CO₂ in both 2040 and 2050 – about 4.0% of the UK total.

14.3.13 MAG projects that Stansted's 2016 Baseline CO₂ emissions – for flights alone – of 1.56 Mt would increase to 2.50 Mt in 2028 if the application were to be approved (the development case) and to 2.27 Mt if the application were to be refused (the base case). We are content that MAG's Baseline figure is broadly correct but MAG has understated the base case and the development case.

14.3.14 The understatement arises for the same reason that we explained in paras 12.3.3 to 12.3.5 above of our Air Quality Chapter above, namely, that MAG has:

- made absurdly optimistic assumptions about the speed with which new 'cleaner' aircraft will replace current aircraft types handled by Stansted;
- not taken full account of the anticipated large increase in long haul traffic to the US, China, India and the Gulf (which is stated by MAG be the driving force behind this application); and
- not taken full account of the projected 58% increase in CATMs, a large proportion of which will be long haul.

14.3.15 MAG has not provided the information we would need in order to re-assess the projected carbon emissions for the base case and the development case, and only a limited amount of the information can be obtained, or confidently estimated from other sources. Our provisional view is that the projected carbon emissions (but not the Baseline) have been underestimated by about 15-20%.

14.3.16 However, even taking MAG's projections, it is clear that these are significantly above what has been allowed for by the DfT and what was allowed for by the Airports Commission. Both assumed that Stansted was capped at 35mppa and this equated to CO₂ emissions of about 1.6 Mt in 2030, falling slightly to 1.5 Mt by 2050. It is not unreasonable to look upon these figures as budgets because they form part of the overall UK budget – or planning assumption – for UK aviation carbon emissions to be limited to 37.5 Mt CO₂ by 2050.

14.3.17 By comparison, MAG projects emissions of 2.5 Mt CO₂ by 2028. MAG hasn't provided any projections for 2030, 2040 or 2050 but it is reasonable to assume that the 2030 figure will be similar to 2028, i.e. about 2.5 Mt. This would be 0.9 Mt (56%) more than the DfT has forecast – or allowed for in its overall planning and modelling. Would this mean that expansion had to be curtailed elsewhere, thus giving rise to an opportunity cost for

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222 Ibid, Table 65, p141.
224 ES1, Table 12.11.
the proposed Stansted development? MAG gives no indication as to how it would seek to mitigate the excess carbon emissions.

14.3.18 The increase in carbon emissions compared to the base case is also significant. It is 230,000 tonnes per annum, which is just over 10%. As an indication of its significance, the DfT’s modelling assumption is a carbon price of £77/tCO\(_2\) in 2030, rising to £221/tCO\(_2\) in 2050. The arithmetic is not difficult: 230,000 tonnes @ £71 per tonne = £17.7m per annum in 2030 rising to £50.8m in 2050, which by any measure is significant.

14.3.19 If this application were to be approved, the increase in carbon emissions compared to the base case would amount to about 6Mt of CO\(_2\) over the 32-year period to 2050. This is not far short of the emissions that would have been generated over the lifespan of the proposed open-cast mining operation at Highthorn in Northumberland. Significantly the Secretary of State rejected that application, overturning the decision of the Planning Inspector, principally on the grounds of its effect on greenhouse gas emissions and the need to combat climate change. His decision letter of 22 March 2018 states as follows:

"The Secretary of State has given careful consideration to the Inspector’s analysis at IRC112-C115. For the reasons given he agrees that Green House Gas (GHG) emissions from the proposed development would adversely impact upon measures to limit climate change. He further agrees that most of the GHG emissions would be emitted in the short term, resulting in an adverse effect of substantial significance, reducing to minor significance in the medium term; and that Green House Gas emissions in the long term would be negligible, but that the effects of carbon in the atmosphere would have a cumulative effect in the long term (IR115). Given that cumulative effect, and the importance to which the Government affords combatting climate change, he concludes that overall the scheme would have an adverse effect on Green House Gas emissions and climate change of very substantial significance, which he gives very considerable weight in the planning balance." [our emphasis]

14.3.20 Clearly the policy context has changed since the Stansted G1 Inquiry when the Planning Inspector attached no weight to SSE’s representations on carbon emissions and climate change. It is also significant to note the Secretary of State’s recognition, above, that “the effects of carbon in the atmosphere would have a cumulative effect in the long term”.

14.3.21 The IPCC has estimated that CO\(_2\) stays in the atmosphere for between 50 and 200 years.\(^{225}\) In either event, the cumulative impacts of CO\(_2\) emitted into the atmospheres convert what may appear to be relatively small annual amounts with limited impact into much larger amounts with significant impacts. Unsurprisingly, the Applicant disregards these cumulative impacts.

14.3.22 The revised Draft ANPS states:

“Any increase in carbon emissions alone is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the project is so significant that it would have a material impact on
the ability of the Government to meet its carbon reduction targets, including carbon budgets" [our emphasis]

14.3.23 We believe that we have demonstrated above that the current Stansted Airport planning application to increase passenger numbers to 43mppa meets the above test in that it "...is so significant that it would have a material impact on the ability of the Government to meet its carbon reduction targets, including carbon budgets." Moreover, it would not be the only reason for refusing this application.

14.3.24 The forecasts by the Airports Commission and the DIT both indicate that it will be very challenging for the Government to contain emissions from aviation in 2050 to 37.5Mt CO$_2$. The proposed development, if approved, would make that objective even more challenging and, quite possibly, unachievable.

14.3.25 Finally, the Applicant has taken no account of the Radiative Forcing ('RF') effect of aviation emissions. The IPCC’s 1999 report recommended that aircraft CO$_2$ emissions should be multiplied by a factor of between 2.0 and 4.0 to reflect the greater climate warming impact of CO$_2$ emissions at high altitude and the impact of aviation's other greenhouse gas ('GHG') emissions. More recent estimates put the RF 'multiplier' at towards the lower end of the IPCC's range.

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225 The IPCC 1990 Report included in its 'Policymaker Summary' a table showing the properties of various greenhouse gases, including an atmospheric lifetime of CO$_2$ listed as 50 to 200 years, with a footnote caveat that "the way in which CO$_2$ is absorbed in the ocean and biosphere is not simple and a single value cannot be given...".

226 Revised Draft ANPS, Oct 2017, para 5.81.
15 Health and Wellbeing

15.1 Introduction

15.1.1 In relation to the need for a Health Impact Assessment, ('HIA') the Applicant refers to Policy INF3 in the draft UDC Local Plan and states:

"The policy indicates that HIA should be undertaken for various development types, although none listed in the policy are directly applicable to the proposed development of Stansted Airport."

15.1.2 It is clear from any reading of UDC Draft that the purpose of INF3 is (quite sensibly) to try to ensure the provision of adequate local healthcare services before giving approval for any sizeable housing development. It also applies to other relatively minor types of development. It is inexplicable for the Applicant to seek to apply Policy INF3 to the current airport planning, as if to claim an exemption from the need for an HIA.

15.1.3 For the avoidance of doubt, the requirement for a Health Impact Assessment ('HIA') for this planning application stems, not from UDC policy, but from EU Directive 2014/52/EU (April 2014) (amending Directive 2011/92/EU) "on the assessment of the effects of certain public and private projects on the environment", transposed into UK law by The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

15.1.4 It is therefore a statutory requirement for an assessment of 'the risks to human health' to be carried out in respect of this Stansted Airport planning application, although it does appear that the Applicant has considered it to be a voluntary option. A statutory HIA should not be undertaken lightly nor be 'muddied' by subjective assertions about socio-economic benefits. But that is precisely what the Applicant has done.

15.1.5 The 'HIA has been carried out by RPS on behalf of the Applicant, and paid for by the Applicant, and it has all the characteristics of a superficial box-ticking exercise. Potential benefits are exaggerated and emphasised whilst factors giving rise to adverse health impacts are downplayed and glossed over. Examples of this are provided below.

15.1.6 Quantification is lacking whereas subjective assertions favourable to the Applicant are plentiful, and many key assertions are put forward with no supporting evidence. Again, examples of this are provided below.

15.1.7 Unsurprisingly, RPS concludes that the health benefits of the proposed development, namely extra jobs and extra holidays from the broader geographic catchment, outweigh the adverse health impacts on the local community such as increased incidence of cardiovascular and respiratory disease as well as increased stress and anxiety.

15.1.8 In earlier chapters of this submission we have shown that the Applicant has overstated the employment benefits of the proposed development whereas the noise and air quality impacts have been understated. In other words, the Applicant has sought to tip the scales in its favour of approval of the application as well as failing to acknowledge that there is a difference in who benefits or suffers from the balancing of the scales. The HIA is an example of that approach and so it is not surprising (but nor is it justifiable) that RPS concludes that the health benefits of the proposed development outweigh the health disbenefits.
15.1.9 We have not been given the opportunity to fully test all of the evidence behind the HIA’s conclusions because not a great deal of hard evidence has been provided. Some of the comments below are therefore often of a general nature rather than specific to this HIA.

15.2 Statutory and policy context

National policy

15.2.1 A key stated objective in the National Planning Policy Framework (‘NPPF’) is ‘Promoting health communities’. The NPPF goes on to state:

“To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.” (para 120) [our emphasis]

and the NPPF defines the meaning of “pollution” as follows:

“Pollution: Anything that affects the quality of land, air, water or soils, which might lead to an adverse impact on human health, the natural environment or general amenity. Pollution can arise from a range of emissions, including smoke, fumes, gases, dust, steam, odour, noise and light.” (Annex 2)

15.2.2 In relation to the above it can be noted that the Applicant has not assessed health risks from all potentially relevant sources of pollution listed in the NPPF. An example is light pollution, where the two new taxiways and nine new aircraft stands will give rise to increased "night glow" from the airport, which can disrupt sleep patterns for some of the people who live close to the airport. Further – as highlighted in bold text above – the NPPF clearly states that cumulative impacts need to be considered, and this applies in two different respects, as below (continuing with the example of light pollution):

(i) The HIA needs to take account of cumulative schemes taking place at around the same time, such as the new airport arrivals building and new airport hotel developments; and

(ii) The HIA needs to take account of cumulative impacts upon receptors, such as the residents of a village nearby the airport who – in addition to increased light pollution – would be subjected to a number of other adverse impacts arising from the proposed development including but not limited to: increased aircraft noise and emissions; increased ground noise and emissions; and increased road traffic noise and emissions.

Local Plan

15.2.3 There is no room for doubt as to the priority given to community health in the Uttlesford Local Plan. The adopted (2005) Local Plan has the clear objective:

“to improve the health of the community” (page 23)

and the emerging new Local Plan (‘ELP’) includes as follows:

"Theme 1 – Promote Thriving, Safe and Healthy Communities" (page12)

15.2.4 Moreover, it is only necessary to read the first two sentences of the 'Spatial Vision' in the Uttlesford ELP to recognise that community health is a key priority:
"By 2033, Uttlesford will continue to be one of the most desirable places to live and work in the UK. Uttlesford will be a place where residents choose to live, where communities thrive, are healthy and safe, jobs and services are well connected, places have character and communities create and feel a ‘pride of place’.”

15.2.5 In the light of the statutory framework and the relevant sections of the NPPF and the Local Plan – all as summarised above – there is a clear onus upon the Applicant to demonstrate that the proposed development would not adversely affect the health of the local population.

15.3 WHO Charter on Transport, Environment and Health

15.3.1 The HIA makes no mention of the WHO Charter on Transport, Environment and Health which was formally adopted by the UK in 1999\footnote{ ‘Charter on Transport, Environment and Health’, WHO, 1999 - http://www.euro.who.int/en/publications/policy-documents/charter-on-transport-environment-and-health.} and continues to apply to this day. The Charter is highly relevant to major planning applications of this type and it states that the welfare of communities must be put first when creating transport policy.

15.3.2 The Charter emphasises that adverse health effects fall disproportionately on the vulnerable including children and the elderly. It also emphasises the importance of ensuring that noise impacts and air quality levels are acceptable for environments including dwellings, schools and hospitals, and it sets targets for measures to reduce environmental pollution, accidents and noise associated with transport.

15.3.3 The WHO also produced ‘Guidelines for Community Noise’\footnote{ ‘Guidelines for Community Noise’, WHO, 1999 - http://apps.who.int/iris/handle/10665/66217.} in 1999 which include particular recommendations for dwellings, schools, hospitals and places of worship. The WHO Guidelines are soon to be updated and the UDC Scoping Opinion advised MAG as follows:

“In the event that the World Health Organisation (‘WHO’)’s new evidence on the impacts of aviation noise is published before a determination to grant planning permission, the environmental statement assessment must incorporate this evidence (for example, by way of supplementary assessment)."

15.3.4 The first comment to be made on the above is that it clearly indicates to MAG an intention by UDC to grant planning permission. We deal with that issue elsewhere. So far as the HIA is concerned, the point we wish to make is that MAG has not even addressed the current WHO guidelines, never mind the forthcoming new WHO guidelines. Indeed, throughout this HIA, MAG only addresses the issues it wants to address and it disregards the issues that do not serve its goal. These references to MAG should perhaps be expressed as references to its consultants, RPS, who were employed by MAG to produce the HIA.

15.4 Trust and confidence

15.4.1 SSE has long argued that HIAs need to be conducted independently and seen to be transparent and impartial. HIA reports are otherwise likely to lack credibility.
15.4.2 This particular HIA was carried out by RPS who worked for the Applicant on the Stansted G1 project and issued the following press statement when it was appointed:

"We believe our key role on this important commission is to ensure that discussion and decisions are targeted on when and how to deliver the planning consent rather than if. The Government has tasked BAA with delivering the second runway at Stansted. RPS will do all in its power to ensure that our client can meet this objective."

15.4.3 To avoid any suggestion that we may be quoting out of context the RPS press statement is reproduced in full in Appendix F of this submission. In the light of this RPS statement, and what it says about this company’s ethos, we are disappointed that Stansted Airport has again engaged RPS to assist in the delivery of a planning application. We also need to make clear our belief that the health and wellbeing of the local community should take priority over RPS’s sense of duty to its paymaster.

15.4.4 In the absence of an independent HIA there will always be a conflict of interest. An independent HIA would need to draw upon expertise from different aspects of the health spectrum. There would be a learning curve for health professionals who were not familiar with airport operations and so the preparation of an independent HIA would take longer and no doubt be more expensive.

15.4.5 Even if there was no option other than for the Applicant to meet the cost of such an independent HIA, steps could still be taken by the Applicant to carry out the HIA at arm’s length and involve independent health experts. STAL made some attempt to do that in respect of the G1 application:

"Recognising the importance of this work [the G1 HIA] we formed an independent group to oversee the Study development under the chairmanship of the ESHA [Essex Strategic Health Authority], for whose co-operation and active involvement we are very grateful. We also worked in partnership with this group to scope and commission the Study.

This resulted in the appointment of the widely respected UK international consultancy ERM and of a technical expert panel involving experienced academics in the HIA field, as follows;

- Professor Mark McCarthy, University College London (transport);
- Professor Roy Anderson, St George’s Hospital, London (air pollution);
- Bernard Berry, Berry Environmental Limited (noise);
- Dr Mai Stafford, University College London (employment and income, social capital).

The HIA reflects fully the views of these experts. In addition, the engagement programme with stakeholders and the communities was carried out with the support of Anthea Cooke, a recognised HIA authority in the UK."

15.4.6 The relative professionalism with which STAL approached the HIA for the G1 application is in stark contrast to the superficial, box-ticking exercise that has been cobbled together

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229 STAL Response to the Stansted G1 HIA, Jun 2006, p1.
by MAG for the current planning application. That is not to say that SSE was uncritical of the G1 HIA. STAL was still paying the bills so there would always be concerns as to its true independence. However, compared to what has been provided by MAG on this occasion, the G1 HIA was of an altogether higher quality. It was more evidence-based, more comprehensive and more balanced, and the process was more transparent and consultative. And it at least had some degree of independence.

15.5 Noise impacts

15.5.1 The accumulated data from a number of studies strongly suggests that those living in the vicinity of airports may experience cardiovascular damage and this is also supported by experimental evidence. It is likely that further damage may occur in those who already have compromised cardiac function. A WHO review on environmental noise and cardiovascular and metabolic effects showed that the quality of evidence between ischaemic heart disease and road traffic noise was high but stressed that further studies, particularly longitudinal ones, were required. There is therefore no excuse for ignoring this strong public health message.

15.5.2 The HIA makes considerable play on the assumption that in due course aircraft will be less noisy. However, the average aircraft lifespan is 20-25 years. Fewer than half of Stansted's current aircraft types will be replaced by 2028 whereas the ES assumes that about two-thirds will be replaced. Moreover, it is not made clear to what extent, if any, the HIA has allowed for the introduction of larger long-haul aircraft – CATMs as well as PATMs – because the HIA provides no information on that. There is no transparency as to these and many other assumptions.

15.5.3 The introduction of so-called ‘quieter’ planes is in any event a disingenuous concept since all aircraft are inherently noisy; it is more accurate to say that some are less noisy than others. It is also relevant to note that the step-change in reducing aircraft noise took place more than a generation ago when large turbofan engines replaced traditional jet engines. Improvements since then have been barely perceptible to the human ear, even though the dBA reductions may appear impressive on paper.

15.5.4 It is also not clear whether any increase in the number of flights has been allowed for. The HIA states: “The existing approved cap of 274,00 total aircraft movements is not proposed to be increased” and this quote is from the Summary and Conclusions section of the HIA, which must give it added weight. This indicates that no extra flights have been allowed for in the HIA.

15.5.5 However, we know (or at least it appears) from information provided in other chapters of ES1 that there would be an additional 25,200 flights a year if the application were to be approved, because the number of flights in the Development Case is 274,000 whereas in the 35mppa Base Case it is 248,800. However, it is not clear whether these extra 25,200 flights (which is an extra 70 flights per day) have been allowed for in the HIA.

232 See para 12.3.3 above.
233 Ibid.
234 ES1, para 14.1.162.
15.5.6 There seems to be a general reluctance by MAG (or RPS) to provide information which might facilitate checking of any of the assertions in the HIA. This general lack of transparency further detracts from the credibility of the HIA and it reinforces the view that RPS feels a greater sense of duty to its paymaster than to the health and wellbeing of the local community.

15.6 Air quality

15.6.1 Air quality (‘AQ’) in the vicinity of airports will be influenced more by emissions from road traffic than from aircraft. Compared to the 2028 base case the proposed development would result in a 23% increase in passengers\(^{235}\) coming to and from the airport by car and a 10% increase in flights.

15.6.2 Local AQ would also be adversely affected by the increase in car journeys by (more) airport employees, and by increased HGV traffic associated with the forecast 80% increase in freight to 376,000 tonnes\(^{236}\)—virtually all of which comes in and out of the airport by road.

15.6.3 Regarding aircraft emissions, the HIA provides no information as to the split between long-haul and short-haul ATMs, or on the comparative passenger seat kilometres. It is therefore not possible to examine and assess (i.e. audit) the results which are asserted by MAG/RPS in the HIA.

15.6.4 The risk to the health of those living in the vicinity of airports and airport access roads, and being affected by poor air quality, arises in particular from emissions of nitrogen dioxide (NO\(_2\)) and particulate matter (PM\(_{10}\) and PM\(_{2.5}\)). The latter is closely associated with an increased risk of respiratory disease and children’s health is particularly vulnerable living close to airports. There is a marked increase in asthma, often severe, among young children.

15.6.5 Ultrafine particles can be absorbed via the respiratory epithelium into the circulation and may be an important factor in inducing cardiovascular disease\(^{237}\). Although some measures may be taken to mitigate toxic emissions it is not known whether there is a threshold below which damage to health is unlikely.

15.6.6 The HIA goes so far as to predict ‘negligible’ adverse health outcomes from any changes in local AQ arising from the proposed development. However, this is a subjective assertion by MAG/RPS rather than an assessment evidenced by the science. Great care has to be taken in the assessment of pollution-induced health risks, and large studies are needed before the risk can be adequately assessed. Thus, although the disease risks may appear small for any one individual, they may add up to a considerable disease burden across the population\(^ {238}\).

15.7 Carbon emissions

15.7.1 The scientific evidence of anthropogenic climate change is almost universally accepted and nation states worldwide are now giving the highest priority to reducing emissions of greenhouse gases, particularly CO\(_2\)\(^ {239}\). However, the aviation sector continues to stand apart from this and continues to increase its CO\(_2\) emissions.

\(^{235}\) The Applicant assumes no material change in car mode share in the 35mppa and 43mppa scenarios.

\(^{236}\) ES1, para 4.59.


\(^{239}\) For example, the December 2015 Paris Agreement referred to in paras 14.2.10 to 14.2.13 above.
15.7.2 MAG’s current planning application is an example of that detached approach. Chapter 14 of this submission considers the current planning application from the perspective of UK Government policy on, and projections for, carbon emissions from UK aviation. In this Chapter we briefly touch on the health impacts of climate change, an issue which is excluded from consideration in the HIA.

15.7.3 The exclusion of climate change health impacts conflicts with advice from the RCEP which stated that "unchecked air travel will soon be a major factor driving climate change." The RCEP emphasised the disproportionate effects of short haul passenger flights and described restriction of further airport development as crucial.\textsuperscript{240}

15.7.4 The proposed expansion, if approved, would give rise to a significant increase in carbon emissions arising from the additional flights and the higher proportion of long-haul flights. The increase is quantified and set out in Table 14.1 in Chapter 14 of this submission which specifically examines carbon and climate change impacts. The increases shown in Table 14.1 are plainly not insignificant, particularly when considering cumulative impacts, noting the IPCC’s estimate that CO\textsubscript{2} has an atmospheric lifetime of between 50 and 200 years (para 14.3.21 above).

15.8 Health impacts of climate change

15.8.1 There have been numerous important reports on the health effects of climate change. These include the WHO Report on Climate Change and Human Health (1996), the Department of Health report on the same subject (2001) and a report from the Parliamentary Office of Science and Technology on the UK Health Impacts of Climate Change (2004).

15.8.2 The health impacts of climate change include impacts arising from extremes of temperature, flooding and UV exposure as well as vector borne and water borne diseases. Sudden extreme weather events cause deaths and serious injuries whereas slowly changing weather patterns cause increased risk of disease including the transmission of newly emerging pathogens and longer-term health problems such as malnutrition. Poorer nations suffer disproportionately.

15.8.3 Increased temperatures will also facilitate the introduction and spread of vector borne infectious diseases in the UK. Malaria is the most important of these and most sensitive to long term climate change. Malaria is unlikely to spread to any large extent in the UK in the short-term although infection is likely to occur more frequently in countries bordering on endemic areas. This could include parts of southern Europe, bearing in mind that malaria was still endemic in certain parts of Europe until shortly after the Second World War. The Department of Health has warned that local outbreaks of malaria might occur in the UK.\textsuperscript{241}

15.8.4 Climate change is already considered to be responsible for the increase in another vector borne infection, tick-borne encephalitis, in Sweden, and the introduction and spread of West Nile infection has resulted in a considerable number of recent cases of encephalitis in the USA. Dengue is the most widespread vector borne infection worldwide but temperate climates have so far been spared.

\textsuperscript{240} *The environmental effects of civil aircraft in flight*, RCEP, 2002. \url{http://eeac.hscglab.nl/files/UK-RCEP_CivilAviation_Nov02.pdf}.

\textsuperscript{241} *Health Effects of Climate Change in the UK*, Department of Health, 2001.
15.8.5 Hotter summers with more frequent and more prolonged heatwaves will result in increased mortality in the UK, particularly amongst the elderly and those with pre-existing conditions, especially cardiovascular and respiratory disease. The August 2003 heatwave resulted in an estimated 2,000 deaths in the UK.242

15.9 Health risks associated with increased international travel

15.9.1 With the proposed increase in flights, many of which are intended to be long-haul, there will be an increased risk of passengers arriving at Stansted with emerging infections. Infections can be contracted and spread by aerosol within the aircraft and they can be transmitted to the community after departure from the airport. For example, there will be an increased risk of importation of infections such as new strains of influenza which have the potential of causing major pandemics, and infections as SARS and MERS-CoV. None of this is addressed in the HIA.

15.10 Conclusions on health impacts

15.10.1 The HIA was carried out without any degree of independence or expert advice from any eminent health professionals (unlike in the case of the G1 planning application), and its credibility must therefore be questioned, particularly in view of the fact that RPS has shown itself in the past to feel a greater sense of duty to its paymaster than to the health and wellbeing of the local community.243

15.10.2 It is common ground that the proposed increased number of flights and associated increase in road traffic would result in increased noise impacts and poorer local air quality. The Applicant argues that these effects are insignificant. We do not agree. The Government's policy – for health reasons – is to improve air quality for local people, not reduce it; and the Government's policy – again, for health reasons – is for fewer people to suffer the impacts of aircraft noise, not more people.

15.10.3 The adverse health impacts of aircraft pollution, including noise pollution, are wide ranging and often very serious respiratory and cardiovascular diseases, and the effects of stress and anxiety being amongst the most prominent of these adverse health impacts. RPS may say that these impacts are insignificant but they are not insignificant if you or a family member is the person who is affected.

15.10.4 No net positive health benefits can be identified from the proposed expansion for the residents of Uttlesford or surrounding districts, where there has long been full employment and well above average earnings. Uttlesford is repeatedly ranked one of the best places to live in England, in terms of quality of life. However, amongst the few disadvantages of the local area are increasing road traffic and rail congestion and pressures in the housing market. The proposed development would have a negative impact on all these areas.

15.10.5 The Applicant has also failed to carry out any proper assessment of the cumulative effects which means including other developments taking place locally at this time, and of the combined adverse effect of the additional noise, emissions, road traffic, light pollution and other impacts upon particular receptors (local residents) who would bear

243 See Appendix F.
the brunt of the impacts. In addition, some impacts have been disregarded altogether, for example light pollution.

15.10.6 The term ‘wellbeing’ is used subjectively by RPS in the HIA, and it is of no surprise that RPS should conclude by asserting, without any valid evidence, that community wellbeing would be enhanced by the proposed development. The volume of individual objection letters already submitted to UDC regarding this application by members of the public confirms the local concerns which exist about any exacerbation of airport-related activity.

15.10.7 In the case of the G1 application, an extensive ‘Quality of Life’ survey, including a questionnaire provided to local residents, was carried out on behalf of STAL to assess the impact that expansion would have on community wellbeing. The results of that survey showed general opposition to the airport expansion proposal, much of this based on concerns about health and reduced quality of life. These results may or may not be the reason why no similar such survey was carried out on this occasion. In any event, we totally reject RPS’s assertion that community health and wellbeing would be enhanced by the proposed development.
16 Concluding Points

16.1.1 In the limited time available we have not been able to review all of the topics in the ES and so we have had to prioritise. This is not to say that we have no concerns about the topics we have not managed to examine. In fact, we do have significant concerns in a number of these areas, for example:

- The visual impact of the proposed development, particularly at night when we expect that the new taxiways and aircraft stands will require some form of illumination which will add to the already hideous 'night glow' that emanates from the airport and intrudes upon the clarity of the rural night sky.
- The impact of the proposed development on available water resources when considered cumulatively alongside the additional demand for water that will arise from the significant new housing that is planned for the relevant local area over the period to 2033.
- Ecology and biodiversity impacts, both on-airport – where existing grass-lands would need to be ploughed up to make way for the new aircraft stands and taxiways – and off-airport, with particular regard to potential impacts upon Hatfield Forest and East End Wood SSSIs.
- Construction impacts – which we have only looked at briefly on the basis that these would at least be only temporary. However, there would appear to be a need for further construction to increase parking capacity, yet this has not been mentioned in the application.

16.1.2 By focusing on impacts in just six core areas – Noise, Surface access, Air quality, Socio-economic factors, Climate change and Health – we have been able to scrutinise the ES and TA in some detail, probing MAG's assumptions and assertions, and checking the evidence and analysis. We have not been impressed with what we have found.

16.1.3 MAG appears to have submitted this planning application, together with the ES and TA, in the confident expectation that it would be approved at local level with little fuss, delay or scrutiny. That cannot possibly now be the case. As will be evident from the main body of this submission, we have uncovered not just multiple errors and omissions in the ES and the TA but also fundamental flaws and outright misrepresentations.

16.1.4 On the one hand this gives us confidence that if UDC were to proceed to determine this application – properly exercising its quasi-judicial role in relation to planning decisions – the application would unquestionably be refused.

16.1.5 On the other hand, we continue to have profound concerns about local determination and so we adhere to the view that proper consideration of this application requires a holistic view across a wide range of issues, not least, the London airports market. It also requires a level of scrutiny, expertise and objectivity that can only be provided by national determination. That would also allow time for more thorough analysis.

16.1.6 We stand ready to discuss this submission with UDC Planning Officers at any time.

Stop Stansted Expansion
30 April 2018
Appendix A – Statement of Competence

The principal contributors to this submission are as follows:

Bruce Bamber BSc, MA, MSc, CMILT, MCIHT

Bruce Bamber has been engaged by SSE as a transport consultant for this project. He is a Director of Railton TPC Ltd having previously been an Associate with RPS Planning and Development. He has 25 years’ experience in the transport planning sector and is a Chartered Member of the Chartered Institute of Logistics and Transport and a Member of the Chartered Institution of Highways and Transportation. He has considerable experience in preparing Transport Assessments, Travel Plans and Transport Chapters for Environmental Statements for a wide range of development types including large infrastructure projects.

He has given evidence at Public Inquiries and presented to Local Plan Inquiries including the most recent Uttlesford Local Plan Review. He is very familiar with the local transport networks having given evidence at Public Inquiries dealing with major proposed housing development at Elsenham as well as other housing proposals at Henham and Saffron Walden. He has also prepared evidence for a Public Inquiry relating to a site in Takeley.

Professor Jangu Banatvala CBE, MA, MD (Cantab), FRCP, FRCPATH, FMedSci, DPH

Professor Banatvala is Emeritus Professor of Clinical Virology, Guy’s, King’s and St Thomas’ School of Medicine and Dentistry. He served as Vice President of the Royal College of Pathologists from 1985-87, and as Chairman SAC in Medical Microbiology from 1989 to 93. He has served on various working parties for the Royal College of Pathologists, the Royal College of Obstetricians & Gynaecologists, and the Royal College of Surgeons. From 1984 to 1992 he was a Member of the Joint Committee on Vaccination and Immunisation and from 1990 to 1998 he was Chairman of the Department of Health Advisory Group on Hepatitis and a member of Safety of Medicines (Biological Products). He served on the Medical Research Council as Chairman of its Sub-Committee on Measles, Mumps and Rubella Vaccines from 1985 to 1995 and was Honorary Consultant, Pathology, to the Army from 1992 to 1998. He was a Member of the Public Health Laboratory Service Board from 1995 to 2001 and he has been an Examiner in Pathology at the universities of Cambridge, London, Colombo, West Indies (MB) and various other universities in the UK and overseas.

Professor Banatvala, now retired, is a longstanding resident of Henham and has acted as Health Advisor to SSE since the organisation was established in 2002.

Carol Barbone MSc, CIPR

Carol Barbone is a senior consultant in environmental issues management. Her career has involved provision of high level counsel and advocacy on programmes and campaigns for blue chip companies, membership organisations, and governmental bodies. Since 2011 she has provided strategic advice and managed regulatory and stakeholder liaison for a series of multinational oil and gas corporations, including BG, CNR, and Shell, for high profile offshore decommissioning projects.

For over eight years Carol served as SSE’s campaign director, winning the All-Party Parliamentary Group Award for Sustainable Aviation (‘Best Community Campaign’) and the PR Week award for ‘Best Public Affairs Campaign’. In her earlier career she worked with chemical, waste and pharmaceutical industries with a particular emphasis on community engagement and
constructive dialogue. She also served as head of public relations for the City of London Corporation and for the UK Government’s participation in the European Year of the Environment.

Carol has an MSc with Distinction in environmental partnership management and is currently preparing for a PhD specialising in governance issues. She has been a Member of the Chartered Institute of Public Relations since 1992.

**Ian Bruce MA (Cantab)**

Ian Bruce has an MA in Mechanical Sciences. He spent 33 years working in the field of computer systems and is now retired. Ian Bruce has been closely involved with SSE since the organisation was established in 2002 and he has carried out research and analysis on behalf of SSE across a wide range of issues relating to the expansion of Stansted Airport.

**Dr Patricia Elliott MD, MFOM, DPH, DIH**

Dr Elliott is a Doctor of Medicine and a Member of the Faculty of Occupational Medicine, and she holds Diplomas in Public Health and Occupational Health. Now retired, Dr Elliott was formerly the Medical Director of Harlow Occupational Health Service, providing occupational health and hygiene services to locally-based businesses and public authorities in Harlow, Bishop’s Stortford and Hoddesdon. She has also been Occupational Health Adviser to Kings College Hospital, London. Dr Elliott lived in the local area for most of her life but has now retired and lives in London. However, she continues to be closely involved with SSE and has advised SSE on air quality issues for some 15 years.

**Geoff Gardner MSc, DMS, MRTPI, MCIWM**

Geoff Gardner has been engaged by SSE as a planning consultant for this project. He is a Chartered Town Planner with 40 years’ experience. He has an MSc in Policy Studies from Bristol University, a Diploma in Management Studies and is a Member of the Chartered Institution of Wastes Management. Geoff has been the principal of Gardner Planning Ltd since 2014. He was previously a Director of Hives Planning (2006-14) and before that he was Head of Planning at Essex County Council.

Geoff Gardner lives locally and acts for many local clients such as Parish Councils as well as for major developers elsewhere in Southern England on large scale planning proposals. He regularly appears at Local Plan Examinations and as an expert witness at Planning Inquiries, in Court and at Tribunals. In the public sector he has produced statutory plans and policy documents, given evidence at many Planning Inquiries and participated at Examinations-in-Public. He has chaired teams preparing strategies including urban expansion in growth areas and has been appointed to Government policy working parties.

**Ken McDonald FCA**

Ken McDonald is a Fellow of the Institute of Chartered Accountants in England and Wales and has lived in Stansted Mountfitchet for 37 years. He was Financial Director of medium-sized businesses in the oil industry for over 20 years, and for much of that time also served as Company Secretary. Ken has now retired but he has been closely involved with SSE since 2002, mainly in the capacity of advising on airport surface access issues, particularly the analysis of road traffic implications of airport expansion. Ken also provides a wider statistical service to SSE. Ken is Secretary of The Hundred Parishes Society, a registered charity that seeks to increase awareness, enjoyment and care of an area of 450 square miles of Essex, Hertfordshire and Cambridgeshire that is characterised by its rich and diverse heritage.
Martin Peachey MA (Cantab)

Martin Peachey has an MA in Mechanical Sciences. Martin served 11 years as an engineer officer in the Royal Navy before 35 years in business development and management for aviation companies. Martin is now retired and has served as SSE’s principal adviser on airspace and noise matters for the past 12 years.

Martin has served on the Department for Transport’s Aircraft Noise Management Advisory Committee (‘ANMAC’) and has been the noise adviser to the Stansted Airport Noise and Track Keeping Working Group (‘NTKWG’) and the Stansted Airport Consultative Committee (‘STACC’).

He is currently a Community Groups’ representative on the Department for Transport’s Airspace and Noise Engagement Group (‘ANEG’), the formal communication channel at a strategic policy level between the Department and airspace and airport noise stakeholders. He is a member of the Aviation Environment Federation (‘AEF’), a U.K. non-governmental organisation (‘NGO’). He represents SSE on AirportWatch, the UK umbrella organisation and the Aviation Communities Forum (‘ACF’) which represents about 40 U.K. airport community groups.

John Rhodes MA (Oxon)

John Rhodes has a first class honours degree in Modern History from Oxford University. For the earlier part of his working life he was a career civil servant, working mainly in the Department of the Environment, the Cabinet Office and the Department for Transport where his responsibilities included financial oversight of the British Railways Board. From 1988–92 John was Director General of West Yorkshire Passenger Transport Executive and led the PTE’s successful bid for Government funding for the electrification of the local rail network. From 1993-1999 he was Passenger Services Director and Board Member at the Office of the Rail Regulator and prior to that he was a senior executive at the British Railways Board. From 1999–2014 he was an independent public transport consultant, specialising mainly in strategies, organisational structures and regulatory aspects of railways. This included ten years until 2014 as independent Chairman of the railway industry’s Delay Attribution Board.

John therefore has extensive experience of the rail industry from a range of perspectives – financial management, purchaser of services, senior executive, regulator, consultant, and not least as a former regular commuter on the West Anglia Main Line.

Since 2005 he has been closely involved with SSE, mostly in the capacity of advising on the rail service implications of airport expansion. John is also the President of the Bishop’s Stortford Civic Federation.

Brian Ross B Com, MBA, FRSA

Brian Ross has a B Com (honors) degree from the University of Edinburgh and an MBA with Distinction from City University, London. He is an alumnus of the Executive Programme at Stanford University Business School, California and a Fellow of the Royal Society of Arts. He has 25 years experience with a major UK plc in operational and corporate finance roles, interrupted by two and a half years in the Prime Minister’s Office advising on efficiency matters within Government.

Brian then went on to establish his own consulting business, initially advising on cross-border mergers and acquisitions before being given assignments relating to airport economic, regulatory and financial matters on behalf of clients in the financial services sector. Brian Ross has lived in
the local area for 33 years and has been closely involved with SSE since the organisation was established in 2002. He is now Deputy Chairman of SSE and a member of the board of SSE’s parent organisation, the North West Essex and East Herts Preservation Association (NWEEHPA).

Peter Sanders CBE, MA, D Phil

Peter Sanders has an Oxford honours degree in ‘Greats’ and an Oxford doctorate in history. He spent nearly 30 years in the Civil Service, both overseas and in this country, retiring in 1993 when he was Chief Executive of the Commission for Racial Equality. In the same year he was awarded a CBE. Immediately following his retirement he was appointed Treasurer of the United Nations Association (UK) until 2003.

He has been Chairman of SSE for 14 years, and before that he chaired SSE’s Response Committee from 2002 to 2004. He is also a long-standing member of SSE’s parent organisation, the North West Essex and East Herts Preservation Association (NWEEHPA), and he is presently also the Chairman of NWEEHPA. He has been a local resident for 36 years, having lived in Stansted Mountfitchet, Widdington and now Saffron Walden.

Peter Sanders is the author of several books on African history and poetry and, in 2016, he published ‘On the Beaten Track: a History of Stansted Mountfitchet’.

Maggie Sutton

Maggie Sutton has lived in the local area for 22 years with her husband, bringing up five children. She first lived in Broxted until compelled to move because of the growing impact of the airport and now lives in Lindsell. Since moving to the local area in the mid-1990s, Stansted Airport has grown to handle more than five times as many passengers as when she and her family first arrived. Maggie has long been an active member of the local community and gave evidence on behalf of SSE to the 2007 Stansted G1 Inquiry on the impacts of airport expansion upon the local community. Maggie Sutton is a former legal secretary with a major law firm and a former school governor. She has served on the SSE Executive Committee as Community Representative since 2003.

Michael Young BA, FCA

Mike Young has a BA (hons) and is a Fellow of the Institute of Chartered Accountants in England and Wales. Most of his career was with a major international oil company in a variety of senior management positions. He is now retired.

A former district councillor in Chelmsford for 14 years, Mike Young moved to Uttlesford in 1991. He is involved in a number of local organisations, including serving as Chairman of Wimbish Parish Council and as a Trustee of the Hundred Parishes Society. He has been closely involved with SSE since it was established in 2002 and acts as SSE’s liaison point with the Aviation Environment Federation (‘AEF’) on aviation emissions and climate change issues.
Appendix B – File note of UDC meeting with SSE

**Location:** Council Offices, Saffron Walden

**Date:** 28 July 2017

**Present:**
- UDC - Roger Harborough, Dawn French, Cllr Alan Dean, Cllr Howard Rolfe (for most of the meeting)
- SSE – Peter Sanders, Brian Ross, Carol Barbone (notetaker)

**Notes:**

**BRR:** Why the rush on the application? Secretary of State can determine if nationally significant against all sorts of yardsticks including multiple local authority areas.

**HR:** It’s a local issue – it affects the Uttlesford community. Primary reasons. 14,500 houses expectation is equal in local importance – we’d deal with this through the planning committee too as it’s a planning matter. Overall member briefings will happen but the planning authority is the planning committee.

**RH:** It’s a council function, not an executive function.

**AD:** In 2005/6, application was originally refused locally here, then dealt with on appeal.

**HR:** Which was lost. It’s exactly the same situation as the last application.

**BR:** No it is not.

**HR:** Government has announced full use of the runway.

**BR:** The government has said it is minded to allow best use, but the policy won’t be developed until next year and isn’t policy yet. You asked why we would prefer national determination. Two reasons: 1) very thorough assessment (Planning Act) would take place and MAG hasn’t been convincing on this to date; 2) we have been trying [unsuccessfully] to have dialogue with planning offers which has not inspired confidence. But we will wait to see the UDC response to MAG’s Scoping Report.

**AD:** I have read the plans with their emphasis on economic and social elements, but there’s no mention of the environment. Seems to be downplaying the environment which was what UDC stressed [before]. We mustn’t lose sight of the environmental side.

**HR:** I totally agree.

**RH:** Scoping Report by RPS clearly confirms environmental impacts will be considered.

**BR:** It scopes some aspects. But applicant’s letter predicts no significant environmental impacts. Why we are minded to ask for call in is that there could be conditions: 1) night flights ban; 2) long term moratorium on a second runway. MAG is talking about giving the community ‘certainty’. But night flights aren’t in UDC’s gift, this can only be granted nationally.

**HR:** OK. Presumably you’ve had discussions with MAG on night flights?

**BR:** I’ve raised it at STACC. MAG didn’t respond, but another member mentioned ‘essential cargo’ and DHL.

**HR:** It’s a very fair point. Night flights are very much beyond our control. Residents and new flight paths; more flights = more affected. We are not in direct control.

**RH:** There is a consultation about concerns at present.

**AD:** Claim of 44.5 mppa by 2029 is within the emerging Local Plan period.

**RH:** 35 mppa. Studies about impacts of 35+ mppa not concluded so couldn’t be factored into the Local Plan.
AD: MAG are trying to get this through during concluding period of UDC Draft Local Plan so it can go to government and reopen the debate on the second runway.

BR: There is another interpretation - we've said assess to 2040 and on climate change to 2050, with principal assessment year 2033 to coincide with Local Plan and interim year 2023. May/June 2018 – Airports Policy Statement (APS) due.

RH: Yes.

BR: Heathrow centrepiece [of ANPS]; policy for other airports will be swept up in the new ANPS. This might see 'minded to' on other runway capacities put aside as there are no forecasts. It's irrational also as policy needs to be reconciled under Climate Change Act and the 37.5m tonne CO2 limit by 2050, and even squeezing Heathrow into this will be fairly challenging, so difficult to reconcile climate change policy with aviation policy and leads to High Court challenge. A third issue is financeability of a third runway at Heathrow - £17.5bn (12 times the cost of Stansted). The third Heathrow runway need to earn money from day 1. Stansted is trying to get airlines in now ahead of Heathrow night flights ban altering the balance.

HR: Well it's the wider picture and development of our district. We can only go on the information we've been given which is the application on R1 and we'd need to determine it in the usual way. I take your point on the environment, night flights and certainty long term. Will take soundings on government long term position.

PS: Two points to make on your comment, Howard: 1) wider picture locally – only 17% of the workforce at Stansted is from Uttlesford so there is wider relevance; 2) you indicate 44.5 mppa may not be full capacity. It's a very artificial number which doesn't relate to the philosophy of full capacity. Andrew Cowan's statement about certainty can only mean no second runway. Condition of an unequivocal ban on second runway. [Promises] have a habit of unravelling as we've seen; e.g. Eyre and his statement that 'if any further [than 25 mppa] then not so far [i.e. no approval for it]' – so whoever takes this on will be pressing for a moratorium.

HR: I think that's a very good point.

AD: What is the capacity thought to be? Size of planes?

RH: MAG can't see 44.5+ mppa before 2029.

HR: More than a coincidence – they want to deal with it locally.

BR: In 2007 we submitted evidence to show ‘about 35 mppa’ was not full capacity. Possible to go beyond because: 1) number of movements per hour (Gatwick 55 ATMs per hour) can increase capacity of runway; 2) Planes are getting larger – 2% per annum; 3) fewer empty seats. So 44.5 mppa is not the end of the road.

HR: I'm sure that's right but you can only examine what's in front of you. But we have no idea what will happen to technology etc: unpleasant passenger experience; road network; but like it or not we have an international airport in our area that services the economy.

BR: A nationally significant airport.

RH: Secretary of State can call in if he thinks there is a reason.

BR: Secretary of State reluctance expected, but if he's presented with arguments to indicate the application has been deliberately contrived…

RH: There is no prematurity issue.

BR: There is in terms of no policy support. If the Secretary of State didn't call in, his refusal to do so would be easy to challenge at Judicial Review.

PS: BR has described the application as deliberately contrived to get below 10 mppa.

HR: We asked why [on the numbers], they said ‘local determination’.
RH: There is a control that can be imposed. MAG has the opportunity to impose a condition.
BR: MAG say approximately 44.5 so at 1.2%.
DF: In other forums there has been 42 and 43 mppa discussion.
PS: Common sense always more than not less than when ‘approximate’ numbers involved.
HR: Your primary objective is environmental as I understand it.
BR: If you say ‘yes’ to an extra 10 mppa and extra flights. Explanation of 274,000 flights, with status quo maxed out at 247,000 flights. So 4% is thoroughly misleading.
RH: Passenger transport.
BR: This is cargo and passengers – 10,000 non-ATMs (264,000 plus 10,000).
HR: [Argues on this]. What are the primary concerns?
BR: Flights. Traffic. So what’s the quid pro quo? Give people a ban on night flights so that those who suffer get some relief.
HR: But that’s a consequence. Your objection – fumes, noise, surface access…?
BR: We’ve identified 15-16 areas including visual intrusion, ground noise, climate change, etc.
PS: It’s creeping incrementalism. Eyre predicted this. The next step is a second runway.
HR: We can’t deal with that. Is not a nod to a second runway.
BR: Could have a night flights ban bearing in mind that’s what has been promised at Heathrow, and a moratorium along the lines of the Gatwick Agreement between West Sussex County Council and the airport.
RH: We haven’t yet agreed a date for UDC Scoping Response.
BR: We’d be interested to see the timetable for the application and environmental statement.
AD: UDC needs to engage widely in the council. We haven’t done so. There’s been no internal discussion or even member briefing. Need to ramp up. At one time we were very active on the airport subject. We mustn’t be caught napping.
PS: The application will present an enormous demand on UDC.
HR: Even if National Infrastructure route is taken there are still very significant demands on us. We don’t get any financial income from dealing with the proposals.
HR: Important that we consider this is tooth and jowl with the local plan, Junction 8 (M11), A120 access and impacts – it’s right that these are taken into consideration.
BR: As RH says, would have the possibility of this if considered at national level.
DF: Planning guidance is there. The framework is there for everyone to use. There may be moral arguments for other ways, but we have to deal with what’s in front of us.
HR: We wouldn’t build another house [on that basis].
BR: If dealt with as nationally significant project, would look at mitigation for those most seriously affected, rather than asking the airport to fill a ‘goody bag’ for Junction 8, etc., or for affordable housing. It has been put to us that UDC focus is on a ‘goody bag’.
HR: Sounds like a bribe.
BR: Via a section 106 agreement.
HR: “The decision would be made on planning grounds and thereafter would be a sizeable contribution because it’s a sizeable application.”
RH: We’ve got to put a lid on this.
AD: Brian Perkins – asked Members if we wanted to support or oppose.
DF: We are in different times and will strongly refute goody bag suggestion.
RH: MAG contribution needs to reflect impacts – there is scope for community compensation of appropriate scale and nature.

BR: No-one is talking about bribes, but 15 to 25 mppa came with contributions to affordable housing and funding for good causes. The point is that these do not directly benefit those most affected by the additional passengers and flights.

RH: But government talked about community fund for mitigation where you can’t directly solve impacts.

BR: It may be more achievable nationally than locally.

RH: I accept that. We need to look back.

HR: We’ve covered important points today. Need to reflect on your points.

PS (to DF): You said things are different now. How?

DF: We have different members and officers. A different public sector approach now. Requirement of openness and transparency. Judicial Reviews are a regular occurrence. But has heightened public sector’s focus on due process etc. So if section 106 conditions in the past weren’t transparent then that’s not how it’s done now. Planning process is important – reputation around standards of probity – happens every day on all applications and [we’re] not prepared for it to be tarnished.

AD: Needs to be discussed internally as there are new members [who are unfamiliar with the issues].

HR: That’s why I said have a Members’ Briefing.

DF: This is not about the airport but about planning.

BR: But people are asking why the airport is so keen that the application is determined by UDC.

HR leaves meeting for Great Chesterford

AD: Dawkins – fact versus emotion. Emotion will come to the surface without any doubt. Aware that certain people are talking to the airport management and offering to sort out.

DF: Very emotive and sensitive subject and I respect that. MAG and Council consultation will be important.

PS: Tendentious.

AD: People are not aware.

BR: BAA were far more professional in their approach than MAG whose approach is a very bad example.

DF: What’s your concern, what’s behind it?

BR: MAG are concerned that they’ll be frozen out and that next year the government will not want compromise of Heathrow plans, so will impose a delay on any increase beyond 35 mppa so Heathrow isn’t compromised.

DF: Determination so close to the emergence of policy - wouldn’t they call in?

RH: Secretary of State could call in at any time.

DF: Strikes me as a high risk application for MAG.

BR: Eventually will probably get approval if dealt with nationally though approval may defer cap raising and be subject to more meaningful conditions than could be set by UDC. But we are all guessing.

DF: What strikes me is the certainty – uncertainty.

PS: Finality needed.

RH: Growing concern of congestion on highway and rail, needs to be certainty on ££ to address and having a scheme.

BR: Junction 8 funding aids housing?
RH: Pooling value from uplift in resource.
BR: Doesn’t it work the other way around – M11 can’t cope so UDC has to refuse?
RH: But that doesn’t progress government’s economic growth strategy.
DF: If growth doesn’t progress at Stansted their financial contribution [is lowered].
BR: Air Transport White Paper policy – didn’t happen, mainly because of unpredictability. As at today for more uncertainty. Political/government, Brexit and Open Skies, next terrorist threat, oil price, climate change ➔ extrapolation can often prove completely wrong.
DF: I understand but because it’s so difficult to forecast in any respect, this approach may be incrementalist but we’re trying to get certainty over chunks.
BR: Eleven years ago the planning committee rejected G1 against the advice of its officers. We’re not getting anything like the same message now, only getting the message to determine in favour.
DF: Only minded to determine locally.
BR: Two other things [I want to raise]: homeowner compensation is now happening – has UDC put in a claim?
RH: No.
BR: You should take advice as UDC did in the 1990s on the devaluation of the property then. UDC still owns houses and where they can be sold off, UDC can claim. The second point is that three or four years ago, PS and I met HR with Andrew Taylor to discuss the Local Plan and Stansted North Side redevelopment making it open to all comers, against prevailing policy. The question was ‘can we solve this’ and we said carve it out of the airport boundary. We agreed that it was sensible for redevelopment rather than greenfield elsewhere. Everyone was happy with the idea. But it hasn’t been done.
RH: I’ve been having a dialogue with the planning team. I am sensitive to it. Think it is presentational. Given site adjacent to the airport – is it in boundary or not is a question of how it is shown in the plan.
BR: It is shown in boundary (with permitted rights). Andrew Taylor confirmed he would remove it. You haven’t kept your word. This is disappointing.
Appendix C – The LAeq Average noise metric

Assessing aircraft noise impacts

The present LAeq average noise methodology has a number of shortcomings. The most significant of these is that they are very insensitive to the number of aircraft noise events. A doubling of like-for-like aircraft movements increases the LAeq by only 3dB. Barely perceptibly less noisy aircraft would effectively permit more aircraft movements for the same average sound pressure level LAeq. To illustrate this, if all aircraft were to reduce their noise emissions by 3dB and at the same time the number of movements were to double with the same fleet mix, the size of the LAeq contour would stay the same. The reduction in noise of each aircraft would barely be perceptible as a change of 3dB is the minimum perceptible under normal conditions. But a doubling of air traffic movements would be very noticeable. While a change of 3dB is a doubling or halving of noise pressure levels (energy), it takes a change of 10dB to achieve a doubling or halving of loudness (intensity). The human ear hears loudness.

The LAeq averaging system used for assessing aircraft noise disturbance, based upon ANIS dose/response surveys carried out in the early 1980's is now wholly inadequate. It was adopted when air traffic volumes were much less than today. It is not sufficiently sensitive to the number of aircraft noise events and takes no account of background noise levels against which each noise event is heard.

As a general rule where C-weighted measurements exceed A-weighted measurements by more than 10 dB, there is a large component of low frequency noise present. Low frequency noise encounters less absorption than higher frequencies as it travels through the air so it persists for longer distances. Additionally, the amount of noise transmitted from the outside to the inside of buildings is greater at lower frequencies than at higher frequencies.

Noise measurements for A-weighted and C-weighted noise values were undertaken for the National Trust in 2007 close to Stansted Airport by MAS Environmental for a number of departing aircraft flying over Hatfield Forest (a Site of Special Scientific Interest and the UK's only remaining intact Royal Hunting Forest). These measurements were used in the National Trust’s evidence to the Stansted Airport ‘Generation 1’ Public Inquiry in 2007. They compared 1/3rd octave spectrum graphs of A-weighted and C-weighted average sound energy of over-flying aircraft after take-off. The increase in values from A-weighted to C-weighted in these measurements of each aircraft on take-off was between 13dB and 14dB. This is a considerable increase in noise disturbance since an increase of 10dB is a doubling of the loudness of noise. A-weighted measurements underestimate the aircraft noise impacts for both maximum noise levels and average noise levels.

The third main shortcoming of the current method of measuring aircraft noise is the lack of recognition of the use of background (or ambient) noise levels as an important factor in assessing noise harm. Each discrete noise event such as an aircraft movement will be heard against the background noise levels of the particular location at the time. The measurement of maximum noise levels (LAmx) of aircraft against background noise levels (LA90) together with numbers of noisy aircraft events provides a more effective assessment of likely noise annoyance in the daytime and night time than just the 16-hour day and 8-hour night average noise metrics.
Failure to take into account background noise levels and solely using the LAeq noise averaging system underestimates the true adverse impact of aircraft noise intrusion on local communities around Stansted Airport where the region is mostly a large number of small villages and a few market towns. In addition, the average noise exposure contours do not adequately assess the noise impacts and sleep disturbance under flight paths where the implementation of satellite-based Performance Based Navigation (‘PBN’) results in concentration of tracks and increased noise for people living under these routes. The ambient noise levels in such a rural region are low, particularly at night, and consist largely of pleasant, natural sounds.

A fourth shortcoming of the LAeq noise averaging system is that it is difficult to explain the concept of the averaging method of assessment to communities affected by aircraft noise. This averaging method is also complicated by the use of logarithms and decibels to encompass the very large acoustic range of the human ear. The subtleties of the use of logarithms and decibels add to the difficulties of communicating the largely counter-intuitive LAeq averaging method. People hear aircraft noise as a discrete number of noisy events with associated noise levels, durations and noise characteristics as well as the frequency of occurrence of these noisy events compared to the background or ambient noise levels. They do not hear aircraft noise as a constant equivalent 16-hour noise level. However, the universally accepted metric for background noise is a good example of where an averaging measure (LA90) is appropriate since it represents the noisiest part of a time period. It is the threshold below which the community noise levels seldom drop and, as an accepted reference, is a good datum against which to assess aircraft noise events.

Appendix D – Measurement of Rail Crowding

Critical load points and standard class critical loads

The critical load point is the location where the passenger load on a service is highest on arrival at (AM peak) or on departure from (PM peak) a city. The number of standard class passengers on the service at this point is called the standard class critical load, and this is the passenger load upon which the crowding statistics are based. For example, for a service arriving into Manchester Victoria in the morning peak the critical load point might be on arrival at Salford Crescent or Salford Central rather than at Manchester Victoria.

In London, critical load points tend to be at interchanges with London Underground or other rail services rather than at the major terminals. In other cities the city centre stations are usually the critical load points on most routes.

Crowding is measured by comparing the standard class critical load with the capacity of the service. The standard class capacity includes the number of standard class seats on the service and may include an allowance for standing room. No allowance for standing is made on a service when the time between stations before (AM) or after (PM) the critical load point is more than 20 minutes, but it is allowed when it is 20 minutes or less. The allowance for standing varies with the type of rolling stock but, for modern sliding door stock, it is typically approximately 35 per cent of the number of standard class seats. For most train operators the standing allowance is based on an allowance of 0.45m² of floor space per passenger. However, for South West Trains a figure of 0.25m² is used and for Southeastern’s class 376 ‘metro’ style stock and for London Overground a figure of 0.35m² is used. In some cases train operators do not have standing capacities calculated for their rolling stock based on the available floor area. In these cases the standing capacities have been estimated as 20 per cent of the number of standard class seats for long distance rolling stock, and 35 per cent of the number of standard class seats for commuter rolling stock. These estimates have been used for Arriva Trains Wales, CrossCountry, East Midland Trains, East Coast, First Great Western and Virgin Trains.

For each service the number of passengers standing is calculated as the difference between the standard class critical load and the number of standard class seats (or zero if the number of passengers is lower than the number of seats). The number of passengers in excess of capacity (PiXC) is the difference between the standard class critical load and the standard class capacity (or zero if the number of passengers is lower than the capacity). For each train operator the number of passengers standing and the number of PiXC are aggregated for all services at each city and are expressed as a percentage of the total standard class critical load.
Appendix E – Official Labour Market Statistics

Source: ONS

Table E1: Distribution of occupations in inner study area

<table>
<thead>
<tr>
<th>SOC</th>
<th>Occupational Group</th>
<th>Essex</th>
<th>Herts</th>
<th>Braintree</th>
<th>Harlow</th>
<th>Total</th>
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<td>7.0</td>
<td>10.2</td>
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<td>Sales &amp; customer service occupations</td>
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<td>9.0</td>
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<td>8</td>
<td>Process plant &amp; machine operatives</td>
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Note: Columns may not sum due to rounding.

Table E2: Distribution of occupations in total study area

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<th>SOC</th>
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<td>8.2</td>
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<tr>
<td>7</td>
<td>Sales &amp; customer service occupations</td>
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<td>6.2</td>
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<td>8.7</td>
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<tr>
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<td>100.0</td>
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<tr>
<td></td>
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<td>53.2</td>
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<td>44.5</td>
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Note: Columns may not sum due to rounding.
Table E3: Average (Median) Earnings - Resident Analysis – Full Study Area

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<th>Local Authority</th>
<th>Average Earnings - Resident Analysis</th>
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<td>East Hertfordshire</td>
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<td>Haringey</td>
<td>£30,018</td>
</tr>
<tr>
<td>Newham</td>
<td>£27,352</td>
</tr>
<tr>
<td>Redbridge</td>
<td>£31,464</td>
</tr>
<tr>
<td>Waltham Forest</td>
<td>£30,112</td>
</tr>
<tr>
<td><strong>Overall average</strong></td>
<td><strong>£30,965</strong></td>
</tr>
</tbody>
</table>

Table E4: Average (Median) Earnings – Workplace Analysis – Full Study Area

<table>
<thead>
<tr>
<th>Local Authority</th>
<th>Average Earnings - Workplace Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2016</td>
</tr>
<tr>
<td>Braintree</td>
<td>£27,811</td>
</tr>
<tr>
<td>Broxbourne</td>
<td>£26,455</td>
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<tr>
<td>Cambridge</td>
<td>£31,761</td>
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<tr>
<td>Chelmsford</td>
<td>£27,535</td>
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<tr>
<td>Colchester</td>
<td>£27,383</td>
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<tr>
<td>East Hertfordshire</td>
<td>£28,083</td>
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<tr>
<td>Epping Forest</td>
<td>£27,629</td>
</tr>
<tr>
<td>Harlow</td>
<td>£29,846</td>
</tr>
<tr>
<td>South Cambridgeshire</td>
<td>£33,003</td>
</tr>
<tr>
<td>St Edmundsburyst</td>
<td>£26,016</td>
</tr>
<tr>
<td>Uttlesford</td>
<td>£28,855</td>
</tr>
<tr>
<td>Enfield</td>
<td>£28,521</td>
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<tr>
<td>Haringey</td>
<td>£29,324</td>
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<tr>
<td>Newham</td>
<td>£29,601</td>
</tr>
<tr>
<td>Redbridge</td>
<td>£29,350</td>
</tr>
<tr>
<td>Waltham Forest</td>
<td>£27,253</td>
</tr>
<tr>
<td><strong>Overall average</strong></td>
<td><strong>£29,168</strong></td>
</tr>
</tbody>
</table>
Appendix F – RPS Press Statement (G2)

RPS TO PROVIDE PLANNING AND POLICY ADVICE ON STANSTED DEVELOPMENT

As Europe's fastest growing major airport, Stansted's place as a leading player in European air transport was confirmed in the recent Government White Paper 'The Future of Air Transport'. The airport was identified as the right place to build the first new runway in the south-east of England for over half a century, and it is expected to be operational within a decade.

The 'Stansted Generation 2' project was launched in December 2003 immediately after publication of the White Paper, and the design for the new Terminal will be part of a formal planning application that will be submitted late in 2005.

RPS has been commissioned by BAA to provide strategic land use planning and policy advice, assess the impact of G2 upon agricultural interests and evaluate the effects of the proposals upon the community. RPS recognises the importance of this project to BAA and will build upon the successful relationships which RPS established with BAA during the Heathrow Terminal 5 Inquiry where RPS provided advice to BAA upon countryside issues.

John Rhodes, Chairman of the RPS Planning, Transport and Environment division, said:

"RPS has a long track record with BAA in particular at Stansted. RPS provided advice upon agricultural matters during the Airports Inquiries (1981-83) and subsequent to the inquiries managed 350 hectares of agricultural land on behalf of BAA prior to disposal of the land to the private sector. We believe our key role on this important commission is to ensure that discussion and decisions are targeted on when and how to deliver the planning consent rather than if. The Government has tasked BAA with delivering the second runway at Stansted. RPS will do all in its power to ensure that our client can meet this objective."

Notes
1. RPS is the acknowledged market leader in planning development, through the provision of town and country planning; transport planning and highways design; environmental impact assessment; building and urban design; infrastructure design; landscape design and masterplanning. RPS offers proactive, practical advice across the full range of services in its markets offering additional specialist services in acoustics, air quality, ecology, engineering, historic environments and regeneration.
2. For the past seven consecutive years, RPS has been named by Planning magazine as the leading consultancy in the provision of planning and environmental consultancy services within the public sector, commercial, residential and retail planning sectors.