

**Doc. No. SSE/3/a
Case Ref. 2032278**

Appeal by BAA Ltd and Stansted Airport Ltd following the refusal by Uttlesford District Council of planning application UTT/0717/06/FUL

Proof of Evidence on behalf of Stop Stansted Expansion

Planning Considerations

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1 QUALIFICATIONS AND EXPERIENCE

- 1.1.1 My name is Geoffrey Gardner. I am a Chartered Town Planner with 30 years experience. I am a Director of Hives Planning Limited and I will give evidence on planning policy to support dismissal of the appeal. I have a Master of Science Degree in Policy Studies from Bristol University, a Diploma in Management Studies and I am also a Member of the Chartered Institution of Wastes Management. Until April 2006 I was Head of Planning at Essex County Council. I have produced statutory plans and policy documents; given evidence at many planning inquiries and participated at examinations-in-public; chaired teams preparing strategies including urban expansion in growth areas and been on Government policy working parties. I am instructed by 'Stop Stansted Expansion' to present evidence on its behalf at the Public Inquiry on planning matters.

2 THE APPEAL PROPOSAL

- 2.1.1 Uttlesford DC gave planning permission (UTT/1000/01/OP) in 2003 for expansion of Stansted Airport subject to a limit of 25 million passengers per annum (mppa) (Condition MPPA1) and a limit on air traffic movements of 241,000 air traffic movements (atms) per annum (Condition ATM1) which included a limit of 22,500 commercial atms.
- 2.1.2 The appeal lodged in 2006 by the Appellants (BAA plc and Stansted Airport Ltd) was for the removal of Condition MPPA1 and variation of Condition ATM1 to increase aircraft numbers to 264,000 ATMs pa.

3 PLANNING POLICY: THE DEVELOPMENT PLAN

- 3.1.1 Section 38 of the Planning and Compulsory Purchase Act 2004 [CD/301] says that: *'determination [of planning applications] must be made in accordance with the [development] plan unless material considerations indicate otherwise'*. This is repeated in PPS1 'Delivering Sustainable Development' (2005) paragraph 28 [CD/92] *'Planning decisions should be taken in accordance with the development plan unless other material considerations indicate otherwise. Planning decisions taken in accordance with the plan are therefore key to the delivery of sustainable development.'* 'The Planning System: General Principles' (ODPM 2005) [CD/302] says that the Statutory Development Plan will continue to be 'the starting point' for consideration of applications.
- 3.1.2 The relevant Statutory Development Plan for the purpose of determining the appeal is as follows
- Regional Planning Guidance for the South East (RPG9) September 2001 [CD/66];
 - Essex and Southend Structure Plan (April 2001)¹ [CD/59].

¹ The policies within these documents retain their development plan status until the adoption of the East of England plan and relevant Development Plan documents as set out in the Uttlesford Local Development Scheme (December 2006). They are saved until 2008, and can be extended for a longer period if necessary.

- Uttlesford Local Plan (January 2005)² [CD/57].
- 3.1.3 The emerging development plan, which is part of ‘other material considerations’, comprises
- The East of England Plan (sometimes referred to as RPG 14) [CD/74];
 - Uttlesford DC Core Strategy [CD/58].

Regional Planning Guidance for the South East (RPG9) September 2001

- 3.1.4 Paragraph 12.67 notes that Stansted Airport had a (then) capacity ceiling of 15 mppa. The RPG recommends that the London-Stansted-Cambridge corridor should be the subject of further study.

Essex and Southend Structure Plan (April 2001) [CD/59]

- 3.1.5 The Structure Plan notes the (then) capacity of 15mppa (e.g. at paragraph 3.16). The principal policy affecting the growth of Stansted is Policy BIW 9 of the Essex and Southend Structure Plan as follows:

Proposals for new development relating to any existing operational airport or airfield, or proposals to establish a new flying site, will be considered having regard to the need for an appropriate hierarchy of aerodrome and aviation sites and determined in relation to the following criteria:-

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

- 3.1.6 Uttlesford DC in the decision notice set out that the proposals are contrary to Policy BIW 9 in terms of
- noise impact on the local community
 - amenity of occupiers of buildings in the vicinity
 - cognitive development of school children
 - quality of life, including a lack of proper assessment
 - air quality and effect on Hatfield Forest and East End Wood

² Ibid.

- lack of adequate demonstration of economic benefits to outweigh other factors
- 3.1.7 Other Structure Plan Policies relied on in the Reasons for Refusal are
- ENV 7, NR 5, 6 and 7 in relation to air quality
 - NR12 and EG4 in relation to water conservation
 - T1 in relation to surface access by road and rail

Uttlesford Local Plan (January 2005) [CD/57]

- 3.1.8 The Plan has no specific Policy which refers directly to the growth of the airport but notes at paragraph 16.1 that planning permission has been given to expand the capacity to 25 mppa in 2003. The Policies AIR1 to AIR6 seem to recognise the permitted land uses already present at the airport and AIR7 restricts residential and employment development in a prescribed zone around the airport.
- 3.1.9 Paragraph 4.1.1 seeks a broader and more sustainable employment base for the District which could be undermined by continued expansion of Stansted:
- ‘To ensure that a range of employment opportunities is available at key locations across the district and that alternative employment exists other than on the airport at Stansted’ and ‘To enable opportunities for local employment close to where people live, which may potentially reduce travel to work.’*
- 3.1.10 However the Decision Notice makes reference to other Policies:
- GEN 2 for noise and quality of life
 - ENV7 for air quality
 - GEN 1 for water conservation
 - GEN 1 for surface access, road and rail
- 3.1.11 I am not qualified to give evidence on these matters but if the Appellants are unable to demonstrate that the proposals are acceptable in the terms of these Policies then *de facto* the proposals are contrary to the Development Plan.
- 3.1.12 The focus of my evidence is to stress the primacy of the Development Plan when making decisions, then to examine other material considerations including the ‘Airports White Paper’ [CD/87] and the emerging ‘East of England Plan’ [CD/74]. The approved Development Plan carries significant weight, greater weight in my view than the emerging Development Plan. These ‘environmental objections’ (my description) are not to be lightly set aside ‘in the national interest’ (again my description, based on the Appellants’ undoubted view). As PPS 1 says:
- Planning decisions taken in accordance with the plan are therefore key to the delivery of sustainable development.*

4 EMERGING PLANNING POLICY

The East of England Plan

4.1.1 The East of England Plan [CD/74] was prepared and submitted by the East of England Regional Assembly in December 2004. This followed extensive participation by and consultation with the many stakeholders in the Region. The Examination in Public took place between November 2005 and March 2006. The Panel Report [CD/75] was published in June 2006 and Government modifications were published in December 2006 for consultation which ended on 7 March last. Whatever is said in documents of these three stages, the new Regional Spatial Strategy has yet to be adopted and is part of the emerging Development Plan which I believe carries less weight than the adopted Development Plan.

4.1.2 The Draft Plan prepared by the Regional Assembly has as the first Policy SS1, which begins (my emphasis):

*'The spatial strategy aims to achieve a sustainable relationship between jobs, homes and services at the strategic and local level. It requires a sequential approach to the location of major development as a core component of sustainable development. **Conserving the region's environment, quality of life, local character and natural resources, whilst adapting to climate change, together with tackling the problems of social inclusion and deprivation are also key strands in achieving sustainable development.***

4.1.3 The Appellants, in their Statement of Case, seem to rely heavily on the Government's proposed modifications to the East of England Plan [CD/76] which take comfort from the Panel report which says, I paraphrase, that it is not the job of the Plan to support, or not, the growth of Stansted Airport. The modifications recommend removal of any reference in the draft Plan which sought to restrict growth (Policy E8 merely notes what the ATWP says). This view is set out clearly in paragraphs 5.99 and 5.100 of the Panel report, concentrating on the 'main issue for the RSS' which is 'the best way to provide for the housing, employment and other development associated with the airport and its growth'. There is no role mentioned here for other considerations such as environmental impact at the point of taking a decision on a planning application. This may not be a matter for the RSS in this example but surely a matter to be weighed in the balance, in the context of other parts of the development plan, when taking decisions.

The decision on the future expansion of Stansted Airport is a momentous issue for the East of England region, and one on which many participants and others maintain strong views. However, as we made clear during the EiP preparatory process, it is not for the East of England Plan or the EiP to review Government Policy as contained in the Air Transport White Paper (ATWP) or to consider the fundamentals of air traffic growth. (Panel Report, paragraph 5.99)

For the RSS the main issue is to decide upon the best way to provide for the housing, employment and other development associated with the airport and its growth. On the expansion of the Airport itself, there could be much unnecessary argument about whether the Plan should express a view in favour of one runway or two. Either way the growth of traffic on the current runway is likely to proceed at whatever pace the market dictates until such time as the operator's long term confidence results in a decision

to proceed with a second runway. Although supported by the ATWP, a second runway remains to be brought forward and considered through the proper statutory processes. It is in that sense immaterial whether the RSS 'supports' one runway or two, and we conclude that the first sentence of draft Plan Policy ST5 and other similar references in Policy E14 (R6.13) and the supporting text are inappropriate. (Panel Report, paragraph 5.100)

- 4.1.4 It is unsurprising that the Government modifications support a Government White Paper in principle. Predictably any direct restrictions on growth are removed from the Plan although the following policy recognises that there are other considerations when dealing with the proposals in detail (my emphasis):

Policy E8: The Region's Airports

*The roles of Stansted and Luton Airports are outlined in the 2003 Air Transport White Paper (ATWP). Future development at these airports **(including timely provision of infrastructure, a surface access strategy in accordance with the objectives and policies of the RSS, and adequate environmental safeguards)** is the responsibility of the relevant airport operator/owner **in conjunction with partners**. Development proposals will need to be informed by the ATWP and the other policies of this RSS.*

- 4.1.5 'Partners' in this policy presumably includes not only the Local Planning Authorities, but also the Secretary of State if a matter of appeal.
- 4.1.6 Whilst there is a justifiable emphasis on economic growth of the Region, the proposed new section 4 (page 101/102) makes no mention of Stansted Airport. In any event the claimed economic benefits of the growth of Stansted in the modifications seem to relate to a second runway, as paragraph 3 on page 69 illustrates:

... extra job growth at Stansted Airport (direct jobs) up to 2021 in consequence of moving beyond full use of the existing runway once a second is built.

- 4.1.7 The proposed paragraph 4.32 of the modifications (page 115) repeats what is said in the 'Airports White Paper' [CD/87]:

The ATWP recognises the important role that Stansted and Luton Airports play in the provision of airport capacity in the South East. New capacity at both airports is supported with the first priority to make maximum use of the current facilities. The ATWP further supports development of the first new runway in the South East at Stansted.

- 4.1.8 Proposed Policy T12 (page 146) is as follows (my emphasis):

*Access to the region's airports will be managed and enhanced to support development, as and when it is approved, and to enable the airports to contribute to national and regional objectives in relation to economic growth and regeneration. **A key priority will be to ensure that airport surface access facilities reinforce the shift to more sustainable travel sought by the RTS.***

The supporting text is:

7.39 For airports the national policy framework is set by the Air Transport White Paper (ATWP). The RSS does not have a role in determining the rate of air traffic growth or runway provision at the region's airports.

7.40 Surface transport access to the airports is an important factor in the definition of the network hierarchy. The provision of surface access needs to be consistent with the wider aims of the RTS, in particular changing travel behaviour.

7.41 Proposals for airport expansion will need to take account of improvements to surface access that may be required to serve of that expansion. The region will be looking to benefit from improvements to connections to the airports from around the region. Airport developers will be expected to contribute to the delivery of such improvements.

7.42 Both Stansted and Luton Airports have been identified as Regional Transport Nodes (the latter as a part of Luton/Dunstable). Their role in this regard extends beyond that of a gateway to the rest of the world, often providing important interchanges for movement within the region. The location and design of rail and bus stations should be an integrated part of the development of the airports to enable easy travel for both workers and passengers and **the objectives of the airports' surface access strategies should include increasing the proportion of passengers and workers travelling by public transport and other sustainable modes.**

5 THE NATIONAL FRAMEWORK

- 5.1.1 I now make reference to Government policy documents grouped in topic order: air transport, sustainability etc. Whilst these include the Future of Air Transport (no doubt to be introduced at length throughout the Inquiry) it is one document amongst many. It was published in December 2003. In more recent years there has been growing awareness of other issues, not least that sustainability means reducing the need to travel and the importance of this in tackling what is the principal concern of the modern world: climate change.

Air Transport

The Future of Air Transport White Paper DfT December 2003 (ATWP)

- 5.1.2 No doubt many parties at the Inquiry will make extensive reference to the ATWP [CD/87] and I see no need to be repetitious. However the following paragraph is quoted for the sake of completeness:

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

5.1.3 I have selected a few references to underline the essential case of SSE that whilst there may be a general support in policy terms for increasing the limits set for runway 1, this does not preclude proper assessment. If there are inadequacies in dealing with the effects of increased use, then the proposals should be rejected.

5.1.4 The following extract makes clear the status of the ATWP:

It does not itself authorise or preclude any particular development, but sets out a policy framework against which the relevant public bodies, airport operators and airlines can plan ahead, and which will guide decisions on future planning applications. It sets out the conclusions of the Government, and of the devolved administrations where appropriate, on the case for future expansion at airports across the country. (Executive Summary page 9)

5.1.5 Noise is recognised as a problem:

Development to provide that increase in terminal capacity would be limited to the current airport site. Daytime noise impacts would not be greatly worse as a result of an increase to 35mppa: forecasts suggest that the area within the 57dBA noise contour in 2015 with maximum use of the runway would be about 43 sq.km – the same as the contour limit set as a condition of the recent planning permission for development to 25mppa. (paragraph 11.25).

5.1.6 Transportation provision is considered adequate although not without caveats:

However, the airport operator and the Strategic Rail Authority would need to consider the adequacy of existing and planned rail capacity to accommodate this level of growth. (paragraph 11.25)

Stansted enjoys good transport connections by road and rail. The package of road schemes announced by the Government in July 2003 included several improvements that will support the airport's development, including the widening of the M25 and M11, and upgrading of the A120. (paragraph 11.29)

Comment and issues for the Inquiry

Transportation

5.1.7 I was present at the East of England Plan EiP (November 2005) when the DfT announced that the scheme for a third lane to the M11 north of junction 8, which appears in Table 8.3 of the Draft EoE Plan (pages 162 and 169), had been dropped (much to the embarrassment of Government representatives present). Improvements to the M11 no longer appear in Appendix A of the Government's proposed modifications (December 2006). A Highways Agency consultation for improvements south of junction 8 was announced in February 2007.

Has the claimed economic benefit been fairly substantiated?

5.1.8 Other evidence to be given on behalf of SSE will deal with this topic more comprehensively, I will make some short observations as follows.

- 5.1.9 The ATWP and the submissions by BAA seek to give considerable weight to the economic benefits of the proposal. Paragraph 5.32 of the Planning Statement [CD/2] predicts that ‘the employment increase [some 3,800 above the 25 mppa predictions] is concluded to have a moderately beneficial impact’. It represents ‘0.5%’ of the forecast labour demand in 2014. Other than that small benefit, the Statement relies on more generalised economic benefits of air travel/airports e.g. add to the ‘locational competitiveness’ of the East of England (PS paragraph 2.28); benefit biotechnology companies (PS paragraph 2.33) in unspecified ways.
- 5.1.10 On-site employment increases are negligible. At 35 mppa airport employment will be just 800 more than was forecast to serve the ‘15+’ mppa.
- 5.1.11 Two matters of more direct relevance seem to have little or negative economic impacts. Although Stansted is the third (or perhaps destined to be the second) largest UK airport, it accounts for just 3% volume or 8% value of all trade carried through UK airports.³ However as the proposal is to reduce the CATM’s from the permitted level in the 2003 planning permission the economic value of these movements seems of limited relevance. Also BAA’s projections show 20,500 CATMs in 2014 if the application is approved and 22,500 if it is not approved, albeit the cargo tonnage remains constant (600,000 tonnes).
- 5.1.12 Stansted presently handles about twice as many UK leisure passengers travelling overseas compared to the number of foreign tourists visiting the UK. BAA’s projections indicate that this ratio will not significantly change – which surely means that the net loss to the UK economy would increase if the application were to be approved.
- 5.1.13 In summary, the claimed economic benefits of the expanded airport must surely be questioned. Little positive evidence is presented in the Planning Statement to justify these claims and there is little comparison of the additional economic benefits associated with the expanded airport.

Preparation of Airport Master Plans DfT (January 2004)

- 5.1.14 The ATWP requires airport operators to produce long-term master plans to inform the public and provide an overall guide to future development proposals and planning applications. This Guidance [CD/303] was produced in 2004 to take forward a proposal in the ATWP.

We will expect airport operators to produce master plans or, where appropriate, to update existing master plans to take account of the conclusions on future development set out in this White Paper. The master plans should set out proposals for development of the airport to 2015 in some detail. They should include detailed proposals for surface access, environmental controls and mitigation and, where appropriate, measures to address blight. Indicative land use plans should be included for the period from 2016 to 2030. (ATWP, para 12.8)

Airport operators should begin this process immediately, with a view to the production of new or revised master plans as soon as possible, and preferably within the next twelve months. These should take account of the Regional Spatial Strategy (and the Regional Transport Strategy within it) and local transport plans in England, and their equivalent in Scotland,

³ CD/2, para 2.35.

Wales and Northern Ireland. These documents should in turn take account of airport master plans when they are revised. (ATWP, para 12.9)

5.1.15 The Guidance includes:

The Government feels that airport operators should use their master plans to explain their plans for development. In doing so they should reflect the broad scope of the White Paper and the balanced, evidence-based and open approach to airport planning which it advocates. In order for the document to be in step with the different requirements of the regional and local planning processes in England and the devolved areas of the UK, the substantive document including supporting evidence should be ready by the end of 2005. This should enable master plans to inform the preparation of Local Development Frameworks. (para 11)

Airport master plans will be an important reference source in the planning and development process for individual airports and those affected by them. This guidance therefore indicates how master plans should be developed to build on White Paper conclusions. It sets out the core issues that master plans should cover and those that are optional. It establishes some underlying principles that reflect the needs of wider stakeholder interests. But importantly, it also recognises the flexibility that will be needed to reflect the circumstances of different airports. (para 12)

Comment and issues for the Inquiry

5.1.16 Whilst other evidence will be given on the history of the Airport's development, which has followed an elaborate path of incrementalism, and offers further comment on the last-minute offer by BAA to accept a limit on passenger numbers, (having so far having sought to make an extensive case for having no limit), this is a convenient place in my evidence to deal with the proper approach to the consideration of the future planning of the airport.

5.1.17 The Scoping Opinion [CD/24] sent to BAA in preparation for this planning application asked for a long-term masterplan. In response to the 'interim masterplan' Uttlesford was very critical in their letter of December 2005:

...Criticises BAA for being unable to provide an opportunity to comment on the nature of the airport in 2015 that BAA is actually planning as the context for its proposals to increase the use of the existing runway and insists that all future plans are merged into a single Master Plan. This was one of the intended purposes of airport master plans. BAA is presenting a description of the Airport in 2015 that it does not expect to be extant in 2015.

5.1.18 From the BAA website The Runway 2 'Generation 2' programme is

Summer 2007:

Submission of planning application for the second runway development.

Final Airport Master Plan published for a two runway airport at Stansted

5.1.19 Although required to do so by Uttlesford DC and the Department for Transport's guidance, BAA have failed to produce an overall masterplan to show how their proposals for Stansted fit together. Whilst the principle of a second runway is hotly contested, it is surely important to know what the implications are for this first

planning application in the obvious certainty that a second will so soon be submitted. Indeed from the above timetable a 'Final Airport Masterplan' will be consulted on shortly after this Inquiry. Consultation has begun on a 'surface access strategy', which will clearly become part of the full masterplan. On that topic alone it is important to know what transport improvements are required for Runway 1 and what extra may be required for Runway 2.

- 5.1.20 The Planning Statement [CD/2] says that the current permitted 25 mppa capacity will not be reached until 2008 (paragraph 2.19), and that BAA's position is that no further planning permission is required in order to begin construction on any physical development. So why the urgency to have this application determined now? Surely consideration of this application can await a full masterplan which describes the big picture, or better still can be considered fully as part of the inevitable planning application for a second runway.
- 5.1.21 The planning application and this appeal are sought to be determined against a partial background. Criticisms of the lack of information, significantly including surface access, which run through the reasons for refusal demonstrate that BAA are failing to provide the proper long-term masterplan for their proposals as required by the ATWP. BAA is perhaps attempting this piecemeal approach in order to demonstrate that each iteration of the Stansted proposals has only slightly more impact than the last.
- 5.1.22 BAA has now offered to amend the application so that a ceiling of 35 mppa is sought rather than the unlimited capacity which was a central feature of the original application. Clearly another planning application will shortly be made, if this appeal is successful, to revert to the original scheme. This is an unacceptable approach. In reality this Inquiry should consider the planning application as submitted, without a limit on passenger numbers, and consider what the capacity of Stansted would actually be (up to 50 mppa, see my comments under transportation below) and assess impacts accordingly.
- 5.1.23 Furthermore, given the inadequacies of the 'interim masterplan' and the imminent publication of a surface access strategy and proposals for Runway 2, I consider that the only acceptable approach is to deal with the future proposals for Stansted comprehensively. This appeal should be dismissed and BAA advised to submit a comprehensive proposal which can be considered in its totality. No more 'salami slicing'.

The Future of Air Transport Progress Report DfT December 2006 (ATPR).

- 5.1.24 The progress report [CD/88] seeks to justify airport expansion and increased travel against growing environmental concerns.

Comment

- 5.1.25 There has clearly been close co-operation between DfT and airport operators, including BAA, in its preparation. For example, all of the quoted economic benefits in the ATPR Progress Report are based on a report by Oxford Economic Forecasting, October 2006 [CD/120], which was commissioned jointly by the UK aviation industry (including BAA) and the DfT.

Transportation

A New Deal for Transport White Paper DETR (July 1998)

- 5.1.26 Almost eight years ago the Government set out its principles for transport, best summarised in Chapter 1 [CD/129] as follows (my emphasis). This vision of reducing the need to travel is in contrast to the later content of the ATWP and the ATPR, which have little emphasis on the need to reduce travel:

We want transport to contribute to our quality of life not detract from it. The way forward is through an integrated transport policy. By this we mean:

integration within and between different types of transport - so that each contributes its full potential and people can move easily between them;

integration with the environment - so that our transport choices support a better environment;

*integration with land use planning - at national, regional and local level, so that transport and planning work together to **support more sustainable travel choices and reduce the need to travel**;*

integration with our policies for education, health and wealth creation - so that transport helps to make a fairer, more inclusive society.

- 5.1.27 The objective to ‘support more sustainable travel choices and reduce the need to travel’ appears in many Government Policy documents and is addressed below under PPG 13 [CD/106]. Disregarding the obvious truth that the main purpose of expanding Stansted is to increase the opportunity to travel, for surface access the expansion of Stansted will result in a massive increase in unsustainable car travel.
- 5.1.28 The foreword says: ‘There is now a consensus for radical change in transport policy ... to improve public transport and reduce dependence on the car.’ BAA’s surface access strategy for the Runway 1 (G1) proposal seems to disregard this consensus.

PPG 13 Transport (March 2001)

- 5.1.29 Under Introduction and Summary, Transport Policy Context [CD/106], Objectives the familiar objective ‘to reduce the need to travel, especially by car’ appears.

Comment on transportation issues for the Inquiry

- 5.1.30 Whilst other extensive evidence will be given on the transportation issues on behalf of SSE, I offer the following observations on the inherent conflict between an airport expansion which is based upon a greater capacity to travel and other sustainability issues, which must now, in the light of more recent concerns, be of greater importance.
- 5.1.31 The following is an extract from the BAA Regulation 19 ES [CD/39] request for further information. The ‘35 mppa enhanced’ is the best case for BAA after measures have been introduced to minimise road (especially car) travel to and from the airport. It shows that of 2,682,200 vehicle km, only 74,900 would be bus and coach, or 2.8%. This is the same percentage as the 2004 case whereas the

non bus and coach road traffic have numbers increased by 937,700 vehicle km per 'busy day'. Whilst the BAA calculations show that with 'enhanced' measures that road traffic will be less than without them, the assertion that *'the approach adopted accords with Government policy to promote more sustainable transport choices as set out in ATWP, ITWP and PPG13'* is clearly wrong. An increase of 937,700 vehicle km of non bus and coach travel per 'busy day' is a 56% increase, not a 'reduction'.

Table 14: Busy Day Vehicle-Kilometres

(1) Case	(2) All Vehicles (Veh-km)	(3) Airport-related Vehicles (Veh-km)	(4) Bus and Coach (Veh-km)
(2) 2004	52,787,000	1,718,100	48,500
(3) 2014 – 25 mppa	64,416,000	2,335,200	66,800
(4) 2014 – 35 mppa	64,819,000	2,813,400	66,800
(5) 2014 – 35 mppa enhanced	64,694,000	2,682,200	74,900

Travel in vehicle-km within the SRTM Cordon Area

2.5.8 Effect of Enhancements to Public Transport: The difference between the 35 mppa case and the 35 mppa enhanced case is a decrease of 125,000 vehicle-km (see difference between rows 4 and 5 of column 2). This demonstrates that the proposed public transport improvements (rail, bus and coach) would deliver a 31% reduction in the potential growth in vehicle-km travelled as a result of growth between the 25 mppa and 35 mppa cases. This reduction demonstrates that the approach adopted accords with Government policy to promote more sustainable transport choices as set out in ATWP, ITWP and PPG13.

5.1.32 Whichever figures are relied on, even a 35 mppa capacity means an additional 10 million people passing through the airport annually, an average of 27,400 a day. However some are 'transferring' so do not leave the airport. Paragraphs 7.2.1 and 7.2.2 of Volume 16 of the ES [CD/19] say that currently 12% of passengers transfer, expected to rise to 17%. If so 83% of the 10 million will be arriving and leaving which means an average of 22,700 extra people a day throughout the year although probably much higher than that at peak seasons. Paragraph 5.137 says that in a September weekday it is predicted that there would be an increase of 16,400 non transferring passengers, which would be much less than the average, so that at other times it would be higher than 22,700.

5.1.33 Nearly half of current passengers arrive or leave in a private car and 60% in total rely on non public transport road access (ES Volume 11, paragraph 4.2.1 [CD/14]). Paragraph 5.135 of the Planning Statement [CD/2] seems pessimistic that that will change; even saying that public transport usage may decline. Employee numbers and road based access will also increase.

5.1.34 The above numbers point to substantial improvement required to the road network and paragraph 5.153 says:

Analysis of conditions on strategic roads in the vicinity of the airport indicates a number of locations where growth in non-airport-related traffic would create difficulties at some critical junctions in the network. It is

known that the Highways Agency and the Regional Assembly are reviewing issues which arise from the growth in regional demand

and paragraph 5.161 leaves any improvements to a post approval process:

Following the grant of any planning approval, a new ASAS [Airport Surface Access Strategy] would be published through the Stansted Airport Transport Forum process. The new ASAS would incorporate the measures set out in the Transport Assessment and would draw on the strengths of the 2005 ASAS 'A Surface Access Strategy for Stansted, Progress Through Partnership: Review of Progress.'

5.1.35 Yet paragraph 5.613 of the Statement says that

There are no additional highway works or improvements required as a result of increasing air passenger throughput to 35mppa.

5.1.36 Similarly there is no apparent need for any additional car parking for the daily average increase of over 11,000 people that will arrive in their own car (half of the 22,700), yet paragraph 5.142 says:

The 35mppa case will not require an increase in the overall number of parking spaces already provided or permitted within the airport boundary.

5.1.37 Either there are currently a substantial number of empty car parking spaces at the airport or there will shortly be yet another application. Indeed the Planning Statement at paragraph 1.17 and plan at Appendix 1 includes proposals for car parking:

STAL may develop plans to reconfigure the existing parking areas as part of the ongoing development of the airport. For completeness, this effect has been assessed within the ES submitted with the application. Any requirements for additional parking will need to form the subject of separate proposals to be considered on their own merits as and when they come forward.

5.1.38 For rail services (approximately 25% of passengers, or an average increase of 5,675 a day) the Statement seems similarly unrealistic:

The demand for the Stansted Express for the morning and evening peak hours in the 35mppa (enhanced) case would be almost identical, in 2014, to the corresponding 25mppa case.

5.1.39 I have drawn attention to the inconsistencies in the application in terms of transportation provision and the incomplete nature of the application under this section on PPG 13 as a convenient point in this evidence to show that:

- the proposal does not accord with policy to reduce the need to travel
- without an airport masterplan and full surface access strategy the appeal cannot satisfactorily be determined, except to reject it through lack of information.

5.1.40 I have already made reference to the somewhat suspect tactic by BAA amending the application to accept a 35 mppa limit, although this clearly does not preclude a further application to remove the limit. BAA has not applied for 35mppa but for total removal of the mppa cap. SSE argue that this could eventually enable up to 50mppa to be handled within the proposed PATM limit. More precisely, the SSE figure is 49.7mppa which was greeted with incredulity initially –but then the

Stansted Airlines Consultative Committee (Ryanair/Easyjet etc) came up with a figure of 50.7mppa! SSE are confident that they can support the argument that 50mppa is perfectly feasible in the longer term. 'Gatwick could handle around 45 million passengers on one runway' (Gatwick Masterplan 2005) or '46.5 mppa' (Capacity/ Forecast Demand in 2030, Table 14.3 from the South East and East of England Regional Air Services Study (SERAS) 2003).

- 5.1.41 Importantly BAA has not produced road/rail impact projections for anything more than 40mppa.

Climate change and sustainability

Our Energy Future: Securing a Low Carbon Economy DTI (Feb 2003)

- 5.1.42 This White Paper [CD/87] sets out the Government's approach to reducing carbon emissions. The following paragraph is appropriate to this Inquiry:

We are committed to ensuring that the long-term development of aviation is sustainable and that it meets its external environmental costs. We are discussing with stakeholders the most economic instruments for ensuring that the industry is encouraged to take account of, and where appropriate reduce, its contribution to global warming. We will set out our plans in an Air Transport white paper. (para 5.23)

Planning Policy Statement (PPS) 1 Delivering Sustainable Development (February 2005)

- 5.1.43 Under 'Delivering Sustainable Development' [CD/92] General Approach, the following is relevant:

vii) Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges.

- 5.1.44 See above and below the comments on 'reducing the need to travel'.

Securing the Future: The UK Government Sustainable Development Strategy DEFRA (March 2005)

- 5.1.45 The Prime Minister's introduction encapsulates many of the issues relevant to this Inquiry:

Make the wrong choices now and future generations will live with a changed climate, depleted resources and without the green space and biodiversity that contribute both to our standard of living and our quality of life. Each of us needs to make the right choices to secure a future that is fairer, where we can all live within our environmental limits. That means sustainable development.

5.1.46 The following quotations from pages 85 and 86 are important:

*The UK **aviation sector** contributed about 5.5 per cent of the UK's carbon dioxide emissions in 2000, and as a result of radiative forcing¹⁴ (RF) 11 per cent of the total UK climate change impact. The future growth in air transport could mean that the aviation sector contributes between 33-35 per cent of the total UK climate change impact by 2050, assuming all other sectors meet the targets set out in the Energy White Paper.*

The Future of Air Transport White Paper (2003) includes a commitment to press for the inclusion of intra-EU air services in the EU emissions trading scheme. *Commercial air travel is a truly global industry, where many of the larger suppliers operate across all continents, and customers can switch suppliers quickly and easily. An international emissions trading regime is, therefore, the best solution. The UK Government is pressing for the development and implementation of such a regime, through the International Civil Aviation Organisation (ICAO).*

A top priority for the UK's Presidency of the EU is to pave the way for aviation joining the EU emissions trading scheme by 2008 (or as soon as possible thereafter) as the UK believes that emissions trading represents the most effective economic instrument to tackle the climate change impacts of aviation. But we recognise that it may not provide a total solution. So the Government will also continue to explore the use of other economic instruments building on the work in the joint DfT/HM Treasury report from March 2003 'Aviation and the Environment: Using Economic Instruments'. The Government is encouraging the industry as it develops its commercial aviation sustainability strategy which is due to be launched later this year. The strategy includes all sectors of the industry – mainly manufacturers, airlines and airports – and is intended to set goals with milestones and deliverables. The Government expects the industry to use this opportunity to take a meaningful step forward on the path towards sustainability.

Consultation Planning Policy Statement: Planning and Climate Change (Supplement to Planning Policy Statement 1) (December 2006)

5.1.47 The White Paper 'Our Energy Future' [CD/239] sets down the target of reducing carbon emissions by 60% by 2050 (compared to the 1990 Kyoto baseline) and two important very recent developments have stemmed from this. First, the Draft 'Planning and Climate Change' supplement to PPS1 [CD/93] published 13 December 2006 is evidence of emerging Government policy and therefore valid to consider; and second the 'Climate Change Bill' [CD/241], presented to Parliament on 13 March 2007 which, amongst other things, sets out a statutory framework and timescales for achieving the 60% target. Both of these documents reinforce the point that Climate Change impacts are a material consideration in relation to this planning application – something which BAA has always sought to dismiss. BAA has not even provided base data or projections for Stansted CO₂ emissions.

Comment on sustainability and climate change and issues for the Inquiry

- 5.1.48 Whilst other extensive evidence will be given on sustainability and climate change issues on behalf of SSE, I consider that these considerations have overtaken the basis on which the ATWP was founded: to encourage air travel, however inessential, and rely on cars to get passengers to the airports. Others will give evidence on the ‘Stern Report’, and its importance for this Inquiry.
- 5.1.49 Tackling climate change continues to be a Government priority which means BAA must provide impact assessment in this area before the application can even begin to be properly assessed.

6 SUMMARY AND CONCLUSION

Background

- 6.1.1 At first glance the case for increased usage of the existing runway seems strong: there is the ATWP [CD/87] in 2003, and no constraint in the emerging East of England Plan (Government modifications December 2006). However the White Paper says that ‘it does not authorise ... any particular development’, and the emerging EoE Plan says it is not its job to encourage or otherwise the expansion of Stansted (Policy E8 merely notes what the ATWP says). Both documents say that environmental concerns must be addressed and surface access is a matter of great importance. Moreover, other Government policy documents and the growing concern of climate change and sustainability make the ATWP seem from another age. If the Government are serious about tackling climate change now is not the time to be encouraging air travel (and the attendant increase in car travel to get to the airport) through approving a major increase in Stansted’s capacity.

The development plan

- 6.1.2 The requirement of Section 38 of the 2004 Planning Act is that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan comprises RPG 9 [CD/66], the Essex Structure Plan [CD/59] and the Uttlesford Local Plan [CD/57]. None of these documents encourage an enlarged Stansted Airport, but rather have policies on environmental protection which are not met by the application. I share the views of Uttlesford DC that the proposal is not in accordance with the development plan, in particular Policy BIW 9 of the Structure Plan in the following terms:
- noise impact on the local community
 - amenity of occupiers of buildings in the vicinity
 - cognitive development of school children
 - quality of life, including a lack of proper assessment
 - air quality and effect on Hatfield Forest and East End Wood
 - lack of adequate demonstration of economic benefits to outweigh other factors

- 6.1.3 Other Structure Plan and Local Plan's policies are relied upon to support the case that the development is not in accordance with the development plan, as set out in my proof of evidence.
- 6.1.4 Other witnesses will give evidence on the impacts on matters of environmental importance.

Other material considerations

- 6.1.5 The emerging **East of England Plan**, as now proposed by Government modifications [CD/76], has yet to be adopted. The modifications propose no limit on capacity and recognise the content of the Air Transport White Paper (2003) (ATWP) [CD/87]. Policy E8 does require a surface access strategy and adequate environmental safeguards. Policy T12 requires a shift to more sustainable travel, and supporting text seeks improvements to surface access. I shall return to transportation below.
- 6.1.6 The **ATWP** certainly supports the proposal although quite rightly says that it cannot authorise development. Clearly this is a function of the planning system. The provision of adequate transportation infrastructure and general impacts of a larger airport are recognised.

Claimed economic benefits

- 6.1.7 The economic benefits of a larger Stansted are mentioned in the ATWP and heavily relied upon by BAA. However, there is little quantification and the proposed expansion to a second runway may be more significant, albeit with significant disbenefits.
- 6.1.8 Whilst there is a significant claim in the ATWP and EoE Plan that an enlarged Stansted brings economic benefits to the area, there is little evidence to quantify and substantiate this claim. Much seems to rest on a second runway, rather than the current proposal. Although already the third largest UK airport, Stansted has a very small share of trade passing through UK airports. On and off-site employment increases are described in the Planning Statement as 'modest', and more leisure travellers will leave than arrive.

Climate change

- 6.1.9 The importance that the Government attaches to the problem of climate change is evident in The White Paper 'Our Energy Future' [CD/239], which sets down the target of reducing carbon emissions by 60% by 2050 (compared to the 1990 Kyoto baseline). The Draft 'Planning and Climate Change' supplement to PPS1 published 13 December 2006 [CD/93] is evidence of emerging Government policy and therefore valid to consider; and the 'Climate Change Bill', presented to Parliament on 13 March 2007 which, amongst other things, sets out a statutory framework and timescales for achieving the 60% target. These documents reinforce the point that climate change impacts are a material consideration in relation to this planning application – something which BAA has always sought to dismiss. BAA has not even provided base data or projections for Stansted CO2 emissions.

6.1.10 Other SSE witnesses will deal with this topic.

The comprehensive approach

- 6.1.11 BAA made an application to remove any cap on passenger numbers. Perhaps in recognition of the impact this would have they have proposed a limit of 35 mppa. Past practice has been to make incremental planning applications seeking to demonstrate that each has little extra impact than the previous scheme. Nothing prevents a repeat of this process when another application could soon be made to remove any 35 mppa limit. The Inquiry should be into the maximum use of the runway and judge the impacts accordingly. The capacity is between 45 mppa and 50 mppa.
- 6.1.12 The ATWP (paragraph 12.8) [CD/87] and subsequent DfT Guidance [CD/303] require airport operators to produce long-term airport masterplans to guide development proposals. Uttlesford DC in the Scoping Opinion [CD/24] required a full masterplan. Only an 'interim masterplan' has been produced by BAA which fails to describe long-term development nor describe proposals for 'development of airport up to 2015 in some detail' (ATWP paragraph 12.8). With proposals for Runway 2, a full masterplan and a surface access strategy imminent, consideration of this appeal for Runway 1 is being considered in a vacuum.

Transportation

- 6.1.13 I have carried out a policy review of material concerned with transportation and sustainability. The over-riding theme is that of reducing the need to travel, and requiring more sustainable forms of transport. The lack of a full surface access strategy prevents proper evaluation of transportation proposals but information gleaned from the submitted material clearly indicates that the proposals are contrary to the development plan and other policy documents including 'A New Deal for Transport White Paper' DETR (1998) [CD/129], PPG 13 Transportation (2001) [CD/106] and PPS 1 Delivering Sustainable Development (2005) [CD/92].
- 6.1.14 With regard to the policy theme of reducing the need to travel (see for example PPS 1 and PPS 13 [CD/106]) it is obviously not only the principal purpose of the application to increase travel (by 10 million passengers a year) and as a consequence also to attract passengers to travel to the airport in cars. Information on bus and coach travel shows little change in percentage terms from the current situation and the massive increase in passenger numbers therefore results in a corresponding increase in car travel.
- 6.1.15 There is little information on rail travel but any proposals for increased capacity seem limited. BAA say that there will be little difference to the scale envisaged for the 25mppa level. Essex CC seeks to make this a central part of their case.
- 6.1.16 Other SSE witnesses will deal with transportation comprehensively.

In conclusion the proposals are contrary to the development plan and although supported in principle elsewhere, there are sufficient matters of detail, large and small, to justify dismissal of this appeal. Furthermore, the ATWP must now be regarded as one of many policy documents, and more recent concerns on issues including climate change are of overwhelming importance.

References

CD	Title	Publisher	Year
	Planning permission (UTT/1000/01/OP)	Uttlesford DC	2003
301	Planning and Compulsory Purchase Act 2004	ODPM	2004
92	PPS1 'Delivering Sustainable Development'	ODPM	2005
302	The Planning System: General Principles	ODPM	2005
66	Regional Planning Guidance for the South East (RPG9)	ODPM	2001
59	Essex and Southend Structure Plan	Essex CC	2001
57	Uttlesford Local Plan (January 2005)	Uttlesford DC	2005
74	The East of England Plan	EERA	2003
58	Uttlesford DC Core Strategy	Uttlesford DC	
75	The EoE Plan Panel Report	EoE Plan Panel	2006
76	EoE Plan Government modifications	DCLG	2006
87	The Future of Air Transport White Paper	DfT	2003
303	Preparation of Airport Master Plans	DfT	2004
2	Planning Statement	BAA	2006
88	The Future of Air Transport Progress Report	DfT	2006
129	A New Deal for Transport White Paper	DETR	1998
239	Our Energy Future: Securing a Low Carbon Economy DTI	DTI	2003
91	Securing the Future: The UK Government Sustainable Development Strategy	DEFRA	2005
93	Consultation Planning Policy Statement: Planning and Climate Change (Supplement to Planning Policy Statement 1)	DCLG	2006
106	PPG 13 Transport	ODPM	2001
224	Gatwick Masterplan	BAA	2005
118	Circular 08/93 : Awards of costs incurred in planning and other (including compulsory purchase order) proceedings	DoE	1993

CD	Title	Publisher	Year
116	Circular 11 /95: Use of conditions in planning permission.	DoE	1995
	Circular 4/2001: Control of Development Affecting Trunk Roads.	DfT	2001
117	Circular 05/05: Planning Obligations	ODPM	2005