



SSE Briefing Note on Planning Application UTT/18/0460/FUL

The Question of “Need”

1 National Planning Policy Framework (‘NPPF’)

- 1.1 The NPPF sets down three objectives – economic, social and environmental – and its environmental objective states as follows:

“to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”

- 1.2 The current Stansted Airport planning application has to be considered in the context of the above NPPF objective – as well as the NPPF economic and social objectives. The Applicant must be able to demonstrate that the harms to the **“natural, built and historic environment”**, as well as the increased **“pollution”** (including noise pollution), and the countervailing effect towards **“moving to a low carbon economy”** are **outweighed by the need for the development**.
- 1.3 The NPPF carries less weight than the UDC development plan¹ but both are aligned on the need to protect the environment. Accordingly, for the current application to be approved, it would require to be clearly demonstrated that the **need** for the development outweighs the objective of *“protecting and enhancing our natural, built and historic environment ... [and] ... moving to a low carbon economy”*.

2 Airports National Policy Statement (‘ANPS’)

- 2.1 The main focus of the ANPS – which carries great weight² – is the development of the new (North West) runway at Heathrow (‘HR3’) but it has this to say about other airport potential developments:

*“...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 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]

- 2.2 In short, the onus is upon the Applicant to demonstrate sufficient need for its proposals, additional to (or different from) the need which is met by the third Heathrow runway.

¹ Supreme Court, 10 May 2017, Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd et al. The Judgment stressed that the NPPF is no more than guidance and cannot ‘displace the primacy’ of a statutory development plan under s.38(6) of the Planning and Compulsory Purchase Act 2004 in determining planning applications.

² The ANPS is not only a Government policy statement but also has statutory standing. It was approved by Parliament in June 2018 by a large majority of MPs (415 versus 119) leading to its formal designation by the Secretary of State.

3 Department for Transport ('DfT') Forecasts

3.1 The DfT publishes very detailed medium and long-term forecasts for UK airports every few years. The latest DfT forecasts were published just a year ago, in November 2017³, when it was known to the DfT that MAG was about to submit an application to raise the 35mppa planning cap at Stansted. Notwithstanding the imminent Stansted planning application, the DfT's forecasts for Stansted are as shown in Table 1 below:

Table 1: DfT Forecasts for Stansted

Year	2020	2021	2022	2023	2024	2025	2026	2027	2028
Million Passengers	22.1	21.7	21.7	22.1	23.0	23.7	23.0	22.7	22.3

3.2 Plainly, the DfT does not have the same optimism as MAG regarding the outlook for Stansted. It may be the DfT is being overly conservative, perhaps taking an overly-pessimistic view of the post-Brexit outlook for GDP growth, or the outlook for oil prices. Its forecasts consider all of these issues and more. The document runs to 149 pages, not including the supporting spreadsheets.

3.3 The DfT acknowledges that airports may have their own short-term forecasts which are more valid than the DfT's forecasts:

"At the airport level the department's forecasts may also differ from local airport forecasts. The latter may be produced for different purposes and may be informed by specific commercial and local information – such information is particularly relevant in the short-term. For example, an airport may have reached an agreement with an airline to increase frequencies or routes in the short-term and for some airports, one route may make up a large proportion of their traffic."

3.4 That is not however the position here. A forecast which extends to 2028 is **not** a short-term forecast and MAG has provided no evidence of the rationale behind its optimism. For years Stansted has made premature predictions upon imminent new routes to all corners of the world. There has been some recent progress in that regard but nothing which would justify such optimistic forecasts. Moreover, MAG's forecasts for 2028 show the very same number of wide-bodied (i.e. long-haul) aircraft for both the 35mppa case and the 43mppa case.

3.5 MAG has only been able to arrive at such optimistic forecasts by assuming that there is virtually no scope for growth at any other London airport. This is at odds with reality because the six designated London airports all have expansion plans, as follows:

- *Gatwick plans to grow from 46mppa last year to 53mppa by 2023 and 61mppa by 2032/33 (on its existing single runway);*
- *Luton has grown at a faster rate than Stansted over the past five years and plans to grow from 16mppa last year to 36-38mppa by 2040;*
- *London City Airport is seeking an increase in its planning cap to 8mppa. It handled 4.5mppa last year;*
- *Southend Airport expects to reach 5mppa over the next 5 years, compared to just 1mppa last year; and*
- *finally⁴ Heathrow expects to reach 129.5mppa by 2028 compared to 78mppa last year.*

³ UK Aviation Forecasts, DfT, Nov 2017.

⁴ It is also worth noting that, with HS2, Birmingham Airport (which has considerable scope for expansion) will be just 38 minutes by train from Euston by 2026. This is faster than the train journey from Liverpool Street to Stansted.

3.6 The most controversial of MAG’s assumptions is that HR3 will not open until 2030. This is contrary to the Secretary of State’s repeated assurance that it will be open by 2026 and contrary also to the repeated assurances of the Chief Executive of Heathrow Airport Ltd, John Holland-Kaye, who has a reputation for delivering major projects on time (and within budget). In fact, Mr Holland-Kaye is quietly optimistic that HR3 will open in late 2025.

3.7 It is also important to note the DfT’s forecasts for Heathrow which are as follows:

Table 2: DfT Forecasts for Heathrow

Year	2020	2021	2022	2023	2024	2025	2026	2027	2028
Million Passengers	80.6	80.6	81.6	82.0	82.8	84.1	111.3	121.8	129.5

3.8 The difference between the DfT’s Heathrow and Stansted forecasts is striking, with the DfT predicting growth of 48.9mppa at Heathrow from 2020 to 2028, but growth of only 0.2mppa at Stansted. The fact is that Stansted has always been more volatile than Heathrow, largely because it is dependent upon the vagaries of a single airline that accounts for four in every five of Stansted’s passengers and whose Chief Executive has a record of being footloose.

3.9 It is also worth recalling the outturn of the 2004 Stansted Airport planning application to raise the cap from 25mppa to 35mppa (which was also described by STAL as “best use”). The application was approved in 2008 but it was **nine** years later, in 2017, before Stansted breached the 25mppa threshold. Airports can go down as well as up.

4 Conclusion

4.1 All of the evidence on the forecasts shows that the need for the development has not been demonstrated, despite MAG’s attempts to suggest otherwise, and the ANPS requires MAG to show not just “need”, but “**demonstrable need**”, over and above HR3. Moreover, the NPPF and the Uttlesford Development Plan both require MAG to be able to demonstrate that the need for the development would **outweigh the environmental harms**.

4.2 This planning application, quite plainly, does not pass these tests.

*Stop Stansted Expansion
13 November 2018*