PINS Ref: APP/C1570/W/20/3256619
LPA Ref: UTT/18/0460/FUL
Appellant: Manchester Airports Group

Town & Country Planning Act 1990 (As Amended)
Town & Country Planning (Inquiries Procedure) (England) Rules 2000

Public Inquiry

Stop Stansted Expansion Statement of Case

16 September 2020

Stop Stansted Expansion was established in 2002 in response to Government proposals for major expansion at Stansted Airport. We have some 7,500 members and registered online supporters including 150 parish and town councils and local residents' groups and national and local environmental organisations. Our objective is to contain the development of Stansted Airport within sustainable limits and, in this way, to protect the quality of life for residents over wide areas of Cambridgeshire, Essex, Hertfordshire and Suffolk, to preserve our heritage and to protect the natural environment.

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1 Preface

1.1 Stop Stansted Expansion ('SSE') has from the outset considered Planning Application UTT/18/0460/FUL to be a Nationally Significant Infrastructure Project ('NSIP') under the Planning Act 2008 and therefore to be determined by the Secretary of State through the Development Control Order ('DCO') process rather than by the Local Planning Authority ('LPA') under the Town and Country Planning Act 1990.

1.2 Accordingly, in September 2018 SSE commenced Judicial Review proceedings over the refusal by the Secretary of State for Transport to designate Planning Application UTT/18/0460/FUL as an NSIP. The High Court considered this matter in November 2019 and ruled in February 2020 that the Secretary of State was not under a statutory obligation to treat Application UTT/18/0460/FUL as an NSIP. SSE has appealed against this ruling.

1.3 If the Court of Appeal were to rule in SSE's favour, there would be no need for an Inquiry, thereby saving the relevant parties considerable time and expense. Mindful of the potential costs of an Inquiry, and having regard to the advice of the Inspectorate's case officer that it is "not considered essential for counsel to be involved" at this stage, SSE has not yet formally instructed counsel, and would not need to do so if its legal appeal were to succeed.

1.4 It was not until 24 July 2020, the penultimate day of the permitted six months period, that Manchester Airports Group ('MAG') lodged its appeal against the LPA's refusal of its Planning Application. SSE is now actively fundraising within the local community so as to be able finance an Inquiry. However, it is hoped that this expense will not be necessary.

1.5 SSE therefore seeks a short postponement of the commencement of any Inquiry to allow its pending appeal to be finally determined first in order to avoid the risk of an unnecessary Inquiry and all of its attendant costs and administrative burdens. Such a postponement would cause no material harm to the Appellant. Stansted already has permission for 35 million passengers per annum ('mppa') compared to 28mppa handled in both 2018 and 2019, and Stansted is expected to handle less than half of last year's throughput in 2020 due to the impact of Covid-19.

1.6 MAG appears to accept the absence of urgency for an uplift in the 35mppa cap, having waited almost the full six months before submitting its appeal, and MAG acknowledges in its Statement of Case (paragraph 3.14) "that passenger volumes will remain below 2019 levels over the next few years".

1.7 Covid-19 is a material consideration for this Public Inquiry in two respects: first, the effect that it is having on the future growth prospects for Stansted and for air travel in general; and second, the difficulties it is causing in preparing for this Inquiry and will cause for the conduct of the Inquiry.

1.8 In view of the foregoing considerations it is common sense and would be entirely practical for the start of the Inquiry to be delayed at the very least until the legal process has run its course.

2 Introduction

2.1 It is unlikely that any UK airport planning application in recent times has been subject to so many material changes in circumstances, proposal changes and new material considerations as UTT/18/0460/FUL.

2.2 Having acquired Stansted from BAA in February 2013, MAG began to reverse several years of declining passenger throughput and, in 2015, published its 'Sustainable Development Plan' ('SDP') for Stansted which projected a potential throughput of 45mppa by 2030. This compared to a throughput of 20mppa in the previous year (2014).

2.3 At the time of MAG's acquisition, Stansted had planning consent for 35mppa and a total of 274,000 aircraft movements provided that the following thresholds were not exceeded:

- 243,500 passenger air transport movements ('PATMs');
- 20,500 cargo air transport movements ('CATMs'); and
- 10,000 other aircraft movements (often referred to as 'non-ATMs'[1]).

2.4 In June 2017, MAG submitted a Scoping Report ('SR') to Uttlesford District Council ('UDC'), signalling its intention to seek permission for the passenger cap to be increased to "approximately 44.5mppa" – i.e. an additional c.9.5mppa. This figure represented MAG's forecast passenger throughput for 2029, a year earlier than its planning horizon for the SDP. The SR also included a proposed increase in the annual aircraft movements cap from 274,000 to 285,000, nine additional aircraft stands, an additional rapid access taxiway ('RAT') and an additional rapid exit taxiway ('RET'). In addition, MAG proposed the removal of the separate caps on PATMs, CATMs and other movements so that it would be possible, for example, for all the aircraft movements to be PATMs.

2.5 At this point, SSE made clear to both UDC and MAG that it considered that the additional capacity[2] created by the proposals set out by MAG in its SR met the criteria of an NSIP and should therefore be determined by the Secretary of State through the DCO process rather than by the LPA under the Town and Country Planning Act 1990.

2.6 In October 2017, MAG amended its proposal by removing another year from its projections, providing traffic projections, now only until 2028. This had the effect of reducing the proposed new passenger cap from "approximately 44.5mppa" to 43mppa and the proposed annual movements cap from 285,000 to 274,000. However, the additional infrastructure remained as originally proposed, so the increase in capacity would be

[1] Includes private business flights, air taxis, aircraft repositioning, testing, training, military and diplomatic flights, Queen's Flight and general aviation (recreational flying).

unchanged, and MAG still sought a unified movements cap rather than separate category caps. This amendment did not, therefore, remove the proposal from the scope of the Planning Act 2008.

2.7 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, an uplift in the passenger cap from 35mppa to 43mppa, and a unified cap on annual aircraft movements of 274,000.

2.8 MAG made a further revision to its original proposals in October 2018, proposing an annual cap of 16,000 CATMs. For all practical purposes, this was meaningless because Stansted has not handled more than 12,000 CATMs in the past 20 years and CATMs are declining not only at Stansted but across the UK[3]. SSE believes that MAG made this change with a view to making it less likely that its Application would be deemed an NSIP.

2.9 MAG used 2016 as the baseline for its Environmental Impact Assessment ('EIA'), which gave baseline traffic figures of 24.3mppa and 180,430 aircraft movements. Thus, if Application UTT/18/0460/FUL were to be approved, it would permit a 77% increase in passengers, and a 52% increase in aircraft movements, compared to the 2016 baseline.

2.10 The development proposal also needs to be compared to the base case, i.e. the extant permission for 35mppa subject to caps of 243,500 PATMs, 20,500 CATMs and 10,000 other movements. Using MAG's figure of an average of 170 passengers per plane[4], only 205,882 PATMs would be needed to handle 35mppa, and so the permitted number of PATMs, 243,500, is academic. At most, a further 21,000 aircraft movements would be needed for CATMs and other movements[5]. Thus, for all practical purposes the 35mppa cap restricts Stansted to an estimated 226,882 annual aircraft movements.

2.11 The two revisions to the development proposal made by MAG in 2018 helped to give Uttlesford District Council ('UDC') confidence that Planning Application UTT/18/0460/FUL should be determined locally rather than nationally. Thus, on 14 November 2018, UDC granted provisional approval for the Application, albeit by the narrowest of margins. The Planning Committee split down the middle, with five for and five against, and so the matter was decided on the basis of the chairman's additional casting vote.

2.12 Several new material considerations and changes in circumstances then began to emerge. Some of these had arisen prior to 14 November 2018 but had either not been brought to the attention of the Planning Committee, or had not been clearly understood by at least some members of the Committee until after provisional approval had been granted.

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[2] As well as 'permission thresholds' of 10mppa and 10,000 CATMs for an NSIP, Section 23 of the Planning Act 2008 sets down 'capacity thresholds' of 10mppa and 10,000 CATMs for an NSIP.
[3] Stansted handled 10,208 CATMs in 2019 compared to 13,967 in 1999 – a 27% reduction in 20 years. For the UK as a whole, there were 57,535 CATMs in 2009 compared to 110,371 in 1999 – a 48% reduction in 20 years.
[4] Environmental Statement, Chapter 4, paras 4.55 and 4.57.
[5] Stansted currently handles about 10,000 CATMs per annum – significantly fewer than 20 years ago.

2.13 In summary, the main new material considerations and changes in circumstances emerging between 14 November 2018, when the Planning Committee granted provisional approval, and 24 January 2020, when the Planning Committee refused the Application, were as follows:

- New World Health Organisation ('WHO') evidence on the adverse health impacts of aircraft noise on the cardiovascular system, particularly aircraft noise at night;
- New scientific evidence relating to the adverse health impacts of air pollution;
- Impact of Boeing 737 MAX problems on the timetable for fleet replacement;
- Misleading information regarding the number of additional flights;
- Emerging expansion plans for competitor airports – questioning the "need" case;
- Emerging policy/new evidence in relation to climate change and CO_2 emissions;
- Stansted traffic figures went from growth to decline in mid-2019; and
- New economic and employment considerations.

2.14 UDC Planning Committee carried out an extensive review of new material considerations and changes in circumstances during the second half of 2019 before deciding, on 24 January 2020, to refuse Planning Application UTT/18/0460/FUL.

2.15 Since 24 January 2020, there has, of course, been a further material change in circumstances. Covid-19 has had a major impact on the aviation sector both in the UK and internationally. Stansted passenger numbers were already in decline before the emergence of Covid-19[6] but the scale of decline this year is far greater than anyone could have envisaged either when Planning Application UTT/18/0460/FUL was first mooted in June 2017 or when it was refused in January 2020. SSE projects that Stansted will handle between 11mppa and 13mppa in 2020.

2.16 Most commentators agree that it will take between three and five years before air travel returns to the levels seen in 2019; and some commentators say that air travel will never return to its pre-Covid level of passenger traffic. Whichever of these views is correct, it is clear that there is no need for any increase in the current 35mppa cap at Stansted in the foreseeable future. MAG itself expects "that passenger volumes will remain below 2019 levels over the next few years".[7]

2.17 Leaving aside the question of need, when the impacts of this proposed development are properly evaluated, it becomes clear that these outweigh any potential benefits. As well as environmental and social harms, significant economic and employment disbenefits would arise from this particular development. Sections 3 to 10 below deal in more detail with the matters to be weighed in the planning balance.

[6] The official CAA airport statistics show that in every month from July to December 2019 there was a decline in Stansted's passenger numbers compared to the previous year. Passenger numbers in the 'pre-Covid' months of January and February 2020 were also below the same month's numbers for the previous year.

2.18 SSE will preface its main evidence to the Inquiry with Proofs of Evidence on the troubled *Planning History* of Stansted Airport, originally envisaged as the Airport in the Countryside, and on the *Local Context,* highlighting the special attributes of the area in terms of its distinctive heritage and natural environment.

2.19 Finally in this introductory section, we consider it wholly unsatisfactory that the Environmental Statement ('ES') and other key Application documents have not been updated to take account of the very different circumstances that exist today as compared to the time when Application UTT/18/0460/FUL was first formulated, with a 2016 baseline. Outdated information is not a helpful platform for a Public Inquiry.

3 Aviation Forecasts

3.1 Both MAG and Stansted Airport Ltd (STAL) have a consistent history of making demand forecasts which later prove to have been wildly exaggerated. MAG's forecasts for this planning application are markedly different from the latest Department for Transport ('DfT') forecasts which show Stansted not reaching 35mppa until 2033 or, with a third Heathrow runway, not until 2043, and only rising to 35.5mppa in 2050.[8]

3.2 The Appellant's ES does not adequately explain the forecasting methodology and assumptions, and does not provide a breakdown of the components (long-haul/short-haul/EU/domestic/business/leisure). This is in stark contrast to both the DfT and the Airports Commission forecasts which clearly set out the methodology and assumptions and provide a detailed breakdown of the forecast components. Their approach provides transparency and enables sensitivity testing, for example for changes in GDP, the oil price, and the carbon traded price. MAG does not even say what assumptions are made in those areas. The credibility of any forecast is strengthened when the evidence and assumptions are clearly stated and where there is a detailed breakdown of its components. The converse also applies.

3.3 An important revelation in the MAG forecasts is that cargo tonnage and CATMs are expected to increase by 80% and 58% respectively. This is a surprising projection given that CATMs have been in long term decline for more than 20 years, not only at Stansted but also for the UK as a whole. However, if these optimistic projections were to be achieved, there would be significant impacts on the local road network from the increase in associated HGV traffic. Furthermore, around 40% of cargo movements are currently night flights, and cargo aircraft are typically larger, older and noisier than the aircraft used on passenger flights. There is no clear evidence that the resultant increases in HGV road traffic, aircraft noise and ground noise have been assessed.

3.4 MAG claims that noise, air quality and carbon impacts will be reduced through the use of

[7] MAG Statement of Case, para 3.14.

new, quieter, cleaner aircraft based on the following, over-optimistic modelling assumption:

> *"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%* [9] *by 2028. This trend is particularly relevant to the calculation of aircraft noise, which is discussed in ES Chapter 7 (Air Noise)."*

3.5 MAG's assessment of noise and air pollution impacts in 2028 is based on modelling which in turn is based on an assumption that these 'cleaner and quieter' aircraft will replace 56% of current aircraft types at Stansted by the end of 2027. This assumption suits MAG's purpose of portraying the environmental impacts of the development as insignificant.

3.6 Even before the problems with the Boeing 737 Max, it was clear that the fleet replacement assumptions in the ES submitted by MAG in February 2018 were highly optimistic. Now that the B737 Max family of aircraft has been grounded since March 2019, following two crashes killing 346 people, MAG's fleet replacement assumptions are wholly implausible.

3.7 SSE analysis in October 2019[10] indicated that less than half of the Stansted fleet would be replaced by the end of 2027: some of this would be like-for-like replacement; some would be new cleaner and quieter aircraft types; and some would be different aircraft types which are not materially cleaner or quieter. Meanwhile, because MAG's wholly implausible assumptions about cleaner and quieter aircraft feed directly into its modelling, the ES significantly understates the adverse noise, air quality, carbon and health impacts. None of these assessments can therefore be relied upon.

4 Noise Impacts

4.1 The application relies on noise assessment metrics solely based on average noise levels over a 16-hour day and an 8-hour night, which are not sufficiently sensitive to the frequency of aircraft noise events and take no account of background noise or of the impact of cumulative effects. The DfT now accepts that it is not sufficient to rely solely on average noise metrics and the new UK Aviation White Paper is expected to set down a more comprehensive basis for the assessment of aircraft noise impacts.

4.2 Other shortcomings in the ES with regard to the assessment of aircraft noise include:

- MAG's use of the 57dB(A) Leq 16-hour noise contour as the definitive threshold for significant community annoyance is unsatisfactory when the DfT now recognises that significant community annoyance is observed from 54 dB(A) Leq;
- Adequate allowance for wind speed and direction has not been made and so a reasonably realistic 'worst case' scenario has not been assessed;

[8] Information disclosed by the DfT to SSE in connection with SSE's legal proceedings.
[9] MAG subsequently revised this to 56%.
[10] SSE Briefing Note on Planning Application UTT/18/0460/FUL Material Considerations: Fleet Composition Assumptions, October 2019 – available at https://stopstanstedexpansion.com/library/information-centre/stansted-airport-planning-application-for-43mppa/#collapse-4. SSE intends to update this analysis for the Public Inquiry.

- Arrivals and departures are aggregated for both runway directions, whereas aircraft can only use one runway direction at any time depending on wind direction;
- Noise impacts are not adequately assessed in areas under flight paths where satellite-based navigation results in concentrations of flight paths;
- The study area of 25km x 30km is insufficient in size – it needs to cover an area of 30km x 40km to provide a satisfactory assessment of all the noise impacts including those arising from PBN[11] departure routes further out to the east of the airport; and
- Reliance on highly optimistic assumptions regarding the replacement of existing aircraft types with less noisy aircraft over the next ten years.

4.3 Night flights are a particularly sensitive issue at Stansted where the number permitted is more than twice as many as are allowed at Heathrow (and where night flights are due to be banned altogether within the next ten years as a condition of expansion). In addition, the rural environment around Stansted means that background noise levels are low, especially at night, and so aircraft noise impacts cause that much more disturbance and community annoyance. None of this is specifically addressed by MAG in its assessment of noise impacts even though MAG appears to envisage an increase in night flights, arising not least from its predicted increase in cargo movements.

4.4 With regard to ground noise impacts, the assessment seriously understates the adverse impact that aircraft operations on the ground have upon the neighbouring communities by:

- Restricting the assessment metrics solely to LAeq average noise levels;
- Using higher threshold levels for noise annoyance than defined by WHO and DfT guidance;
- Not taking proper account of natural variations in weather conditions; and
- Failing to provide maximum noise level LAmax measurements.

Even the limited comparison of the day and night average LAeq values for the 43mppa case and the baseline case at the nine receptor locations shows that the noise environment would worsen.

4.5 With regard to surface access noise impacts, all 38 link road locations surveyed around the airport currently exceed the WHO guideline value of 55dB LAeq 16-hour for serious annoyance, many by a considerable margin; and all locations would have increased noise levels in the 43mppa case. It also needs to be noted that shortcomings identified in Chapter 10 of SSE's main submission to UDC in April 2018 regarding the increase in road traffic arising from the proposed expansion have a direct consequence on surface access noise impacts and so these will be greater than identified in the application. Furthermore, the assessment of surface access noise is erroneously based on an 18-hour day, failing to take account of the fact that the airport operates on a 24-hour basis.

[11] Performance Based Navigation.

4.6 A further shortcoming in the Applicant's ES is that no assessment is provided for the cumulative environmental impacts on local residents.

4.7 Finally, UDC's Scoping Opinion asked MAG to provide an assessment of helicopter noise, but this has not been done. Helicopter noise is a particularly distressing issue for many local communities. It can be perceived as up to 15dBA louder than fixed wing aircraft.

5 Surface Access – Road

5.1 Much of the MAG Transport Assessment ('TA') is incomplete and at times inconsistent and misleading. It also fails to provide proper justification for implausible assumptions which underplay and/or mis-state road traffic impacts, particularly in relation to:

- Differences in assumptions on future staffing levels;
- Highway network errors and/or omissions;
- Forecast impacts on J8 of the M11; and
- Errors in respect of staff and passenger movements.

5.2 SSE's evidence relating to the above matters shows that the impact of the proposed development on local roads and highways will be significantly greater than predicted in the TA. It is clear, for example, that even with the proposed mitigation (such as it is) the proposed development would give rise to a significant increase in peak hour queuing at Junction 8 of the M11. Moreover, there is now some doubt about the provision of the proposed mitigation[12].

5.3 Guidelines published by the Institute of Environmental Management and Assessments ('IEMA') and Highways England make it clear that a central part of the TA process is to assess impacts on sensitive receptors including vulnerable groups. It is not possible to provide a meaningful assessment of the transport environmental impact without an understanding of the interaction of the level of sensitivity of receptors and the magnitude of changes in transport. The TA disregards this fundamental principle.

6 Surface Access – Rail

6.1 In this section we deal with the relevant information provided in the Appellant's TA and other contextual data available at around the same time. However, the Covid-19 pandemic has had a severe impact on rail travel, and there is considerable uncertainty about the outlook for the future. This caveat needs to be applied to paragraphs 6.2 – 6.5 below.

6.2 The application would not promote sustainable modes of transport. The TA projects a decline in public transport mode share to 48% in 2028 compared to 52% in 2019[13]. The growth in rail mode share in recent years has been at the expense of bus and coach travel

[12] Following an assessment of tender returns from potential contractors, Essex Highways recently announced that they will not proceed with the scheme at this stage "due to unforeseen financial and governance constraints".
[13] ES Volume 3, Table 6.3 and CAA Annual Passenger Survey 2019, Table 6a.

rather than private car use. Ongoing concerns about Covid-19 will further reduce the public transport mode share.

6.3 Loadings between Harlow and Tottenham Hale, as shown in the TA, demonstrate that trains are already almost full at peak periods. Even with a 35mppa cap, additional capacity will be needed to cope with airport growth to 35mppa together with the housing growth planned for Uttlesford, East Herts and other districts served by the West Anglia Main Line ('WAML').

6.4 Passenger standing capacity on trains has been wrongly calculated, giving an assumed capacity 65% higher than the seating capacity. This is neither realistic nor acceptable. It is contrary to DfT guidance and physically incapable of being safely achieved.

6.5 The single track on the Stansted branch line is a constraint on any increase in capacity; and the limitations of the WAML mean that there is little scope to improve journey times over the next ten years. Crossrail 2, if approved, would increase capacity south of Tottenham Hale, but could not be delivered until the 2030s. In the meantime, it would be wholly unreasonable to rely upon a degradation in commuter services to facilitate improved airport rail services.

7 Air Quality/Pollution

7.1 A 2016 report from the Royal College of Physicians 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. 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 of the air quality (AQ) impacts cannot be overstated.

7.2 Stansted handled 189,900 aircraft movements in 2019. Although permission currently exists for 274,000 aircraft movements, SSE analysis shows that only about 226,882 movements can be achieved with a 35mppa cap[14]. The application would therefore result in a 44% increase in aircraft movements compared to 2019 [274,000/189,900] and a 21% increase compared to the base case [274,000/226,882].

7.3 MAG claims that the adverse emissions impact of the increased aircraft movements and road traffic will be more than offset by a fleet renewal programme whereby "*from a 2016 baseline of virtually no 'next generation' aircraft, the proportion of these new jets … is forecast to exceed 80% by 2028*". This assumption is not supported by the evidence and is viewed as absurdly optimistic.

7.4 MAG's modelling further understates AQ impacts by considering emissions only up to

1,500 feet, whereas the threshold recommended by the International Civil Aviation Organization is 3,000 feet.

7.5 New research on the adverse health impacts of airborne particulate matter published in 2018 and 2019, including in the British Medical Journal ('BMJ') in November 2019, has shown that fine carbon particles ($PM_{2.5}$) can have serious health impacts even when the level of concentration is below WHO guideline limits.

7.6 $PM_{2.5}$ emanates from fuel combustion and transport sources and is one of the major issues associated with airport expansion, not only because of the additional air pollution caused by the increased flights, but also because of the air pollution from the additional road traffic generated by the increase in passengers and freight traffic.

7.7 The adverse health impacts of $PM_{2.5}$ include respiratory and cardiovascular diseases, as well as Parkinson's and diabetes. More recent studies have also found evidence of health impacts not previously associated with $PM_{2.5}$, including septicaemia, fluid and electrolyte disorders, and urinary and skin infections.

7.8 Stansted Airport is already a significant source of $PM_{2.5}$ pollution and, if the proposed development were to be approved, the airport would be responsible for putting 13.6 tonnes of fine carbon particles ($PM_{2.5}$) into the air annually, 25% more pollution than today[15].

7.9 Increased emissions of oxides of nitrogen ('NOx') arising from the proposed development would have adverse impacts on the health of Hatfield Forest SSSI[16] at one end of the runway; and Elsenham Woods SSSI at the other end. Hatfield Forest is also a National Nature Reserve and one of the few surviving examples of an ancient hunting forest.

7.10 The ES does not address AQ uncertainties, for example, by providing best-case and worst-case scenarios as well as a central forecast. Further, it does not adequately address cumulative AQ impacts because it only considers additional housing-related road traffic from *committed* developments; and it only covers the period up to 2028, rather than to 2033 in line with the intended planning horizon for the Local Plan.

8 Socio-Economic Impacts

8.1 The prediction in the ES that 3,000 new jobs would be created compared to the Base Case rests on an assumption of no productivity increase between 35mppa and 43mppa, even though MAG's consultants say that there is a "strong relationship between passenger growth and productivity growth over the long term"[17]. Both MAG and STAL have a long and consistent record of overstating the number of jobs created by airport expansion projects.

[14] See para 2.10 above.
[15] ES Volume 1, Chapter 10, Table 10.10.
[16] Site of Special Scientific Interest.
[17] ES Volume 2, Chapter 11, para 11.75.

8.2 Based on productivity improvement in line with the historic trend, SSE estimates that the proposed development could create some 2,000 additional jobs at Stansted compared to the Base Case. However, in a competitive market with spare capacity, new jobs at Stansted would be at the expense of jobs at rival airports where the local economy may be in greater need of new job opportunities, and where the jobs would deliver greater socio-economic benefits.

8.3 Based on the official labour market data from the Office of National Statistics, it can clearly be shown that average earnings of airport employees are significantly below local average earnings, whereas the ES claims the opposite. In a local labour market where there is already (effectively) full employment, economic benefits do not directly arise from job creation; economic benefits only arise when more productive use is made of the available labour resources. This is generally achieved by people moving to higher rather than lower paid employment.

8.4 The number of airport employees who are Uttlesford residents has declined in recent years, despite an increase in the total number of airport jobs and a significant increase in the number of Uttlesford residents, indicating that Stansted Airport has outgrown the local jobs market. However, Stansted is still an important local employer and the dominance of Ryanair (accounting for 82% of Stansted's passengers in 2016), together with Brexit risks, gives rise to potential risks to future employment. The ES gave no consideration to these risks. Since then, the social and economic impacts of Covid-19 have created even more doubt about any anticipated growth in airport jobs.

8.5 Quantification of economic benefits is a fundamental yardstick for any major infrastructure planning application with significant environment impacts, as in this case, and yet MAG does not provide any economic quantification. If applications are to be decided on their merits, any applicant who is unable to quantify the benefits of the proposed development will be at a severe disadvantage because determination must be evidence-based.

8.6 The ES does, however, show an economic cost. Using MAG's own figures for inbound and outbound visitors and average spend, the proposal would have an adverse impact on the UK trade balance amounting to an additional £910m trade deficit in 2028 compared to the Base Case; and an additional £2,940m trade deficit in 2028 compared to the 2016 Baseline.

8.7 Costs which cannot be quantified and can only be subject to qualitative assessment are the costs to the community arising from reduced quality of life through degradation of the local environment; the social nuisance of increased aircraft noise and road traffic; and the additional pressure on local infrastructure and services. Perhaps unsurprisingly, MAG has chosen not to carry out a proper socio-economic assessment addressing quality of life impacts, or any transparent survey of local community views/concerns.

8.8 For an application of this type to be approved, the applicant needs to demonstrate that the benefits outweigh the harms. In this regard, few benefits have been evidenced; whereas significant disbenefits can clearly be shown, including economic disbenefits as well as harmful impacts in relation to local quality of life and wider community impacts.

9 Carbon Emissions and Climate Change

9.1 Emerging Government policy as set down in December 2018 in the 'Aviation Strategy Green Paper'[18] states as follows:

> *"To implement the government's long-term vision and pathway for addressing UK aviation's impact on climate change, the government also proposes to:*
>
> *…*
>
> *• require planning applications for capacity growth to provide a full assessment of emissions, drawing on all feasible, cost-effective measures to limit their climate impact, and demonstrating that their project will not have a material impact on the government's ability to meet its carbon reduction targets."*

9.2 MAG claims that the additional carbon dioxide ('CO_2') emissions that would arise from the proposed development are insignificant, but this claim does not withstand scrutiny when considered in the context of current and emerging Government policy.

9.3 MAG has not explained the calculations behind its emissions projections which SSE estimates to have been understated by 20-25%[19] due to:

- Unrealistic assumptions about the pace of aircraft replacement with cleaner types;
- Impact of the additional long-haul passenger routes (which are said to be the driving force behind the application); and
- Impact of the projected 58% increase in cargo movements, much of it long-haul.

9.4 SSE will provide evidence to demonstrate that MAG's projections are materially higher than the provision made for Stansted by the DfT in its framework for containing UK aviation CO_2 emissions and meeting the UK's statutory targets under the Climate Change Act 2008.

9.5 If the application were to be approved, MAG projects CO_2 emissions of up to 2.5Mt in 2028, which is 1.1Mt (82%) more than the DfT provision for 2028. The percentage overshoot would lessen slightly in the years to 2050 such that the proposed development would generate, cumulatively, an additional 27Mt of CO_2 (+69.5%) between 2023 and 2050 compared to the DfT's provision for Stansted, this provision having been made as part of the DfT's framework for controlling total UK aviation emissions.

[18] 'Aviation 2050. The future of UK aviation', DfT, Dec 2018, para 3.96.
[19] DfT estimates that each Stansted ATM will generate, on average, 8.01 tonnes of CO2 in 2050. This is 22% more than the average of 6.57 tonnes used by MAG (ES, Chapter 12, Table 12.12).

10 Health and Wellbeing

10.1 MAG's Health Impact Assessment (HIA) has all the characteristics of a superficial box-ticking exercise and its main conclusion that the health benefits of the proposals outweigh the harms is as predictable as it is erroneous. The HIA was carried out without any degree of independence or expert advice from any eminent health professionals. MAG's consultants, RPS, also worked with Stansted Airport on the "G2" planning application in 2008 when, as soon as they were appointed, they declared as follows in a press release:

> *"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****."* [20]
>
> [our emphasis]

10.2 In the light of what the above statement says about the ethos of RPS, we are disappointed that MAG engaged the same consultants to assist with this Application. The health and wellbeing of the community should take priority over RPS's sense of duty to its paymaster.

10.3 The adverse health impacts of aircraft pollution, including noise pollution, are wide ranging and include respiratory and cardiovascular diseases and the effects of stress and anxiety. There are also adverse health impacts associated with climate change. SSE rejects the assertion by RPS that all of these impacts are insignificant in this case.

10.4 RPS asserts, without any valid evidence, that community wellbeing would be enhanced by the proposed development. The volume of individual objection letters submitted to UDC regarding this application by local residents indicates that the community does not agree.

10.5 In the case of the 2006 'G1' application, a 'Quality of Life' survey was carried out by STAL to assess the impact that expansion would have on community wellbeing. The results showed widespread concerns amongst local residents 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, SSE totally rejects RPS's preposterous assertion that community health and wellbeing would be enhanced by the proposed development.

11 Concluding Points

11.1 The EIA carried out by MAG is unreliable in a number of major respects. The harms in relation to noise, air quality, road traffic, carbon emissions and health are significantly understated; whereas economic and employment benefits are significantly overstated. In

[20] SSE's main submission to UDC on UTT/18/0460/FUL, April 2018, Appendix F.

reality, the overall effect is that the harms outweigh the benefits by a considerable margin, such that the planning balance favours refusal of the application.

11.2 This planning application for 43mppa is described by MAG as making "best use of the existing runway". MAG previously described its planning application for 35mppa in like terms. However, if this current application were to be approved, it is clear that MAG is already planning to expand Stansted to 50mppa on the existing runway. Doubtless that will also be described as "best use". This strategy of creeping incrementalism has characterised the development of Stansted for the past 30 years, misleading the local community at each stage. SSE will present evidence to the Inquiry not only to demonstrate the foregoing but also to show that MAG intends in due course to seek approval for a second Stansted runway. The Inquiry will need to decide whether it is acceptable for an applicant to game the planning system by salami slicing development proposals in this way.

11.3 SSE expects to have cause to cross-examine all of the Appellant's witnesses.

Annex A

Presentation of Evidence

Proofs of evidence will be presented on the following topics:

- Local Context
- Historical Background
- Planning Considerations
- Air Traffic Forecasts/Projections
- Noise Impacts
- Surface Access – Road
- Surface Access – Rail
- Air Quality/Pollution
- Socio-Economic Impacts
- Carbon Emissions & Climate Change
- Health & Wellbeing

Annex B

Table of Relevant Documents

Note: In compiling the list below (which is in chronological order) we have sought to avoid duplication with the Appellant's list of documents and it is assumed that all of the submissions to the LPA in respect of Planning Application UTT/18/0460/FUL will be added to the Inquiry bundle by the LPA.

SSE01	Guidelines for Community Noise, World Health Organisation ('WHO')	April 1999
SSE02	Halcrow Report ref Stansted Airport Employment Survey 2003	August 2004
SSE03	Aircraft & Road Traffic Noise: Impact on Children's Cognition & Health	June 2005
SSE04	Calculating the Environmental Impact of Aviation Emissions	June 2005
SSE05	Stansted G1 Environmental Statement, Vol 6 – Employment Effects	April 2006
SSE06	The Economics of Climate Change, Stern for HMT, (relevant extracts)	October 2006
SSE07	Stansted G2 Environmental Statement, Vol 7 – Employment Effects	March 2008
SSE08	Stansted Airport Employment Survey 2007	August 2008
SSE09	Planning Act 2008 (relevant extract (p1-35))	November 2008
SSE10	Statement by Transport Secretary to House of Commons	15 January 2009
SSE11	'Airport Jobs: False Hopes, Cruel Hoax', Sewill	March 2009
SSE12	WHO Night Noise Guidelines for Europe	October 2009
SSE13	Aircraft Noise and Children's Leaning, ERCD Report 0908, CAA	February 2010
SSE14	London Stansted Employment Strategy 2010-2015	December 2010
SSE15	Financial Times Report of Interview with MAG CEO	28 February 2013
SSE16	Committee on Climate Change Aviation Factsheet	May 2013
SSE17	Capacity for Growth, MAG submission to Airports Commission	July 2013
SSE18	Financial Times Report of Interview with MAG CEO	19 July 2013
SSE19	MAG Press Release	19 July 2013
SSE20	Financial Times Report of Interview with MAG CEO	14 October 2013
SSE21	Airports Commission Interim Report (without technical appendices)	December 2013
SSE22	Financial Times Report of Interview with MAG CEO	06 October 2014
SSE23	Committee on Climate Change Letter to Airports Commission	February 2015
SSE24	Airports Commission Final Report (without technical appendices)	July 2015
SSE25	Financial Times Report of Interview with MAG CEO	22 July 2015
SSE26	RCP Report on Air Pollution	February 2016
SSE27	Stansted Airport Employment Survey 2015	August 2016
SSE28	STAL Planning Statement for New Arrivals Terminal (extract)	December 2016
SSE29	UDC notes of meeting with STAL-MAG	03 May 2017
SSE30	UDC notes of meeting with STAL-MAG	17 May 2017
SSE31	Minutes of STACC Corporate Affairs Group	04 July 2017
SSE32	Beyond the Horizon. The Future of UK Aviation, DfT, July 2017	21 July 2017
SSE33	SSE File Note of meeting with UDC	28 July 2017

SSE34	Assessing Aviation Noise Impacts During Airspace Changes, DfT	August 2017
SSE35	STAL Press Release	17 October 2017
SSE36	STAL Press Release	22 February 2018
SSE37	SSE Letter to Communities Secretary	19 March 2018
SSE38	The Hundred Parishes: An Introduction	April 2018
SSE39	Statement by Transport Secretary to House of Commons	05 June 2018
SSE40	STAL Press Release	08 June 2018
SSE41	DfT Officials' Briefing for Transport Secretary (Disclosure to SSE)	14 June 2018
SSE42	Response to SSE on behalf of Communities Secretary	21 June 2018
SSE43	Letter from Transport Secretary to SSE	28 June 2018
SSE44	Stansted Airport: Our History	July 2018
SSE45	Luton Airport Development Proposals (relevant extract)	July 2018
SSE46	DfT Forecasts & CO2 Projections for Stansted (Disclosure to SSE)	September 2018
SSE47	DfT Passenger & ATM Airport Forecasts to 2050 (Disclosure to SSE)	September 2018
SSE48	STAL Press Release	13 September 2018
SSE49	Financial Times Report	13 November 2018
SSE50	STAL Press Release	14 November 2018
SSE51	SSE Briefing: Assessment of Noise Impacts (not in UDC web-file)	November 2018
SSE52	SSE Briefing: Assessment of Air Quality Impacts (not in UDC web-file)	November 2018
SSE53	DfT Document Disclosures to SSE re MAG/STAL meetings etc	28 November 2018
SSE54	Committee on Climate Change Letter to Transport Secretary	12 February 2019
SSE55	Committee on Climate Change Report (relevant extract)	May 2019
SSE56	Statement by Business Secretary to House of Commons	12 June 2019
SSE57	London City Airport Draft Master Plan (relevant extract)	June 2019
SSE58	Gatwick Master Plan (relevant extract)	July 2019
SSE59	DfT Disclosures to SSE of Forecasts & Projections	July 2019
SSE60	Rail Passenger Numbers & Crowding, Notes & Definitions, DfT	July 2019
SSE61	Committee on Climate Change Letter to Transport Secretary	14 September 2019
SSE62	SSE Briefing: Number of Aircraft Movements (not in UDC web-file)	October 2019
SSE63	SSE Briefing: Fleet Composition Assumptions (not in UDC web-file)	October 2019
SSE64	SSE Briefing: CO_2 Emissions & Climate Change (not in UDC web-file)	October 2019
SSE65	Health Impacts of Fine Particulate Matter, Wei Y, Wang Y, Di Q et al.	16 October 2019
SSE66	SSE Briefing: 'Making Best Use' Policy (not in UDC web-file)	November 2019
SSE67	House of Commons Briefing Paper: Net Zero in the UK	December 2019
SSE68	Stansted CAA Traffic Statistics, Time Series Data, 1990-2019	February 2020
SSE69	London Airports CAA Traffic and Local Economy Statistics	April 2020
SSE70	Travel Trends, Office of National Statistics, 2019 (relevant extracts)	May 2020