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22 July 2008

The Rt Hon Hazel Blears MP
Secretary of State
Department for Communities and Local Government
Eland House
Bressenden Place
London SW1E 5DU

The Rt Hon Ruth Kelly MP
Secretary of State
Department for Transport
Great Minster House
76 Marsham Street
London SW1P 4DR

Dear Secretaries of State

Town and Country Planning Act 1990 - Section 78: Appeal by BAA Ltd and Stansted Airport Ltd against the decision of Uttlesford District Council; land at Stansted Airport, Stansted, Essex CM24 1QW ("the Stansted G1 project").

Town and Country Planning Act 1990 - Section 78; Planning (Listed Buildings and Conservation Areas) Act 1990; Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2005: Proposed second runway at Stansted Airport ("the G2 project").

We refer to the letters of 21 July 2008 from the Government Office for the East of England addressed to the Chief Executive of Uttlesford District Council and to BAA Ltd (both referenced E1/C1570/02/04/05) announcing the decision of the Secretary of State for Communities to call in the planning applications for the Stansted G2 project. This results in a situation whereby the Secretaries of State are now dealing with the G1 and G2 applications concurrently which, we submit, means that it is no longer tenable to consider the G1 and G2 planning applications in isolation.

Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 requires the developer's environmental statement to include:

'A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:

- (a) the existence of the development;*
- (b) the use of natural resources;*
- (c) the emission of pollutants, the creation of nuisances and the elimination of waste..."*

Patron: Terry Waite CBE

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

The requirement to assess 'the direct effects and any indirect, secondary, cumulative, short, medium and long-term' etc. effects cannot in our view be satisfied if the G1 and G2 projects are considered in isolation from one another. Our interpretation is supported by, inter alia, the EC *Guidelines for the Assessment of Indirect and Cumulative Impacts* which define cumulative impacts as:

*'Impacts that result from incremental changes caused by other **past, present or reasonably foreseeable** actions together with the project.'*¹ [our emphasis]

The Inspector at the G1 Public Inquiry made clear from the outset that the Inquiry would be concerned solely with the G1 project and would *'not address any other proposals, such as for a second runway'*² At that time he did not of course have before him any information on the environmental impacts of the G2 project to enable these to be considered. However, such information is now available to the Secretaries of State.

We submit that it would be procedurally wrong for any decision on G1 to be made without reference to G2, particularly now that the Secretaries of State are dealing with both applications concurrently and are aware that the G1 and G2 applications relate to sequential phases of BAA's development plan for Stansted. In addition there are material discrepancies between the G1 case that was presented by BAA to last year's Public Inquiry and the G1 base case presented by BAA in the G2 environmental statement.

The Secretaries of State will also have noticed that BAA's G2 application adopts a base case for the environmental statement of 35 mppa and 265,000 ATMs – i.e. it assumes that the G1 appeal has been allowed. We submit that the G1 and G2 applications have become so intertwined that the proper procedure is for the applications to be determined only after having regard to their cumulative effects, both negative and positive.

Finally, we are attaching a schedule of additional information which we consider the applicant needs to provide in order to remedy shortcomings in the G2 environmental statement which we have identified to date. We would ask you to consider including this in a Regulation 19 Notice as soon as possible, not least, in the interests of making the most efficient use Public Inquiry time.

Yours sincerely



Carol Barbone
Campaign Director

Enc

cc Planning Inspectorate

¹ 'Guidelines for the Assessment of Indirect and Cumulative Impacts', European Commission, May 1999.

² Stansted G1 Public Inquiry: Inspector's Pre-Inquiry Meeting Notes, 5 March 2007.