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14 July 2006

Dear John

Planning Application UTT/0717/06/FUL

I have pleasure in enclosing our detailed response to the above planning application by BAA plc and Stansted Airport Limited.

Our response consists of Volume 1, containing our own commentary, and Volume 2 which contains a number of reports that we commissioned from external consultants together with a review of the Sustainability Appraisal. We have not yet completed our review of the Health Impact Assessment but hope to deliver this to you by the end of July.

After the most thorough consideration we have no hesitation in recommending that this planning application should be refused for planning reasons that are fundamentally incapable of mitigation. These reasons are clearly set out in Volume 1 of our response.

In writing, I would like to remind you of the important point which our Chairman, Peter Sanders, made in his letter to all Members of the Council on 7 April 2006. He drew Councillors attention to the very significant statement by the Secretary of State for Transport during the 2004 judicial review of the Air Transport White Paper, accepting that 'a local planning authority's obligation to consider an Environmental Impact Assessment before granting development consent necessarily carries with it an obligation to consider whether that development consent should be refused because of alleged environmental impacts even if such refusal would frustrate Government policy'.

In other words, if the Development Control Committee, as the statutory planning authority, were to decide, after weighing up all the evidence, that the proposed development would be unacceptable, it is perfectly entitled to refuse the application regardless of Government policy support for the proposed development.

Please be assured that in the event of the Council, after full consideration, determining this planning application by refusal – as we believe you must – Stop Stansted Expansion will support the Council to the fullest possible extent in working to defend and uphold such a decision.

In the meantime, we would be pleased to discuss any aspect of this submission.

Yours sincerely

Carol Barbone
Campaign Director
Encs

cc All UDC Councillors (with enclosures)