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Hertfordshire County Council**

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Dear Sir/Madam,

Discussion Paper 06: Utilisation of the UK's Existing Airport Capacity

The County Council has the following comments.

Planning Constraints

Are there particular pros and cons to airport developments moving through the NSIP or Town and Country Planning process for a) developers or b) communities?

a) Developers

The pros to developers of the NSIP process are probably three-fold:

- speed.
- obtaining a multiplefacted consent.
- cost.

The cons to developers – reduced speed, a single consent, increased cost.

b) Communities

The current arrangements (NSIP and TCPA regimes) seem to reflect two potentially fundamentally conflicting aspects of Government policy – the necessity to increase the speed at which nationally significant infrastructure projects obtain consent and the Government's commitment to local communities being meaningfully involved in development proposals being brought forward in their areas, consistent with the principles of Localism. Perversely, the scale of infrastructure projects that are most likely to generate the greatest level of concern and desire for involvement from local communities are those that are actually fast-tracked through the NSIP process where the opportunities to engage are more restricted.

Could either the NSIP or Town and Country Planning process be improved, either the process itself or development of supporting policy, to support developers and meet the needs of local communities?

NSIP

Recent experience at London Luton Airport suggests that there is considerable room for improvements to NSIP processes. In this particular case the proposals for growth at the airport are close to (and in some parties' view probably exceed) the threshold at which the proposals should be considered to constitute a NSIP.

Prior to the submission of the planning application the County Council called for the issue of whether the NSIP threshold would be breached to be established prior to any application being submitted – that seemingly being the intention of legislation and giving certainty to communities. That did not happen and the application was submitted to the TCPA procedure with the issue remaining unresolved.

Despite repeated calls for technical throughput evidence and legal opinion, the involvement of officials at the DfT and CLG, the involvement of the SoS Transport and CLG, that was not secured until very late in the process – virtually at the point of determination of the application by Luton Borough Council. This served to cause confusion amongst communities, an alleged delay in the grant of planning permission, uncertainty to the developer and unnecessary cost to the public purse (Luton Borough Council having found itself in the position of securing expert aviation advice and legal opinion which arguably should have been provided by the applicant prior to submission of the planning application).

It is difficult to see how current arrangements that have enabled this to happen could not be improved in some way. One relatively simple way would be to introduce a legislative or guidance requirement for there to be agreement between scheme proposer and the two potential responsible determining authorities in advance of submission of a planning application – informed by all necessary technical evidence and legal opinion if necessary.

Is there a current case for lifting planning caps for any airports in London or the South East? If not now, when should these caps be reviewed?

London Luton Airport

The planning cap at London Luton Airport of 18mppa has just been put in place which fully utilises available capacity of the airport. It is anticipated that a throughput of 18mppa will be achieved by 2028. There is no purpose to be served in reviewing the planning cap.

London Stansted Airport

The capacity of the runway at Stansted is believed to be in the region of 40-45 mppa but is subject of a planning cap of 35mppa. The current throughput of

the airport is 18.2mppa and the owner does not envisage reaching a throughput of 35mppa until the mid-2020s.

The Airports Commission and DfT passenger forecasts indicate that Stansted will have unused capacity for 10 years.

As the airport is likely to have unused capacity for perhaps a decade or more, there does not appear to be any current case for lifting the planning cap.

Yours sincerely,

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**Environment Department
Hertfordshire County Council**