

THE PLANNING INSPECTORATE
APP/L2250/V/10/2131934 & APP/L2250/V/10/2131936

SECTION 77 TOWN AND COUNTRY PLANNING ACT 1990 – REFERENCE OF
APPLICATIONS TO THE SECRETARY OF STATE FOR COMMUNITIES AND
LOCAL GOVERNMENT

TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND)
RULES 2000

**REBUTTAL PROOF OF EVIDENCE OF STUART COVENTRY
MA
CARBON MANAGEMENT AND CLIMATE CHANGE
MATTERS**

In respect of:

Planning Application Reference: Y06/1647/SH (New Terminal
Building)

Planning Application Reference: Y06/1648/SH (Runway
Extension)

relating to land at London Ashford Airport, Lydd, Romney Marsh, Kent,
TN29 9QL

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1. Introduction

- 1.1. This Rebuttal Proof of Evidence has been prepared in response to certain evidence and written statements submitted by a number of Rule 6 parties in connection with carbon and climate change. In particular, I deal in this Rebuttal with certain parts of the evidence of Sean Furey on behalf of CPRE (CPRE/06/A), Brian Lloyd on behalf of Protect Kent (CPRE/01/A) and the Written Representation from the RSPB (RSPB 5/A).
- 1.2. I set out my comments on this evidence and statement by way of assistance to the inquiry. These comments are not intended to be exhaustive and, where I do not refer to a specific point, this does not mean that I accept it. I reserve my position to make further comment in evidence at the inquiry.
- 1.3. I have organised this Rebuttal according to themes and will refer to points in other parties' Proofs by theme as they arise. The themes which I cover are:
 - Climate change issues in aviation policy and airport expansion decisions
 - Emissions from aircraft using London Ashford Airport
 - Information provided by the Applicant

2. Climate Change Issues in Aviation Policy and Airport Expansion Decisions

- 2.1. Sean Furey for Protect Kent (CPRE/06) states in paragraph 3.5.1 of his evidence that the point from the Stern Review about being locked in to high carbon infrastructure forms the basis of the CPRE objection on this topic (ie climate change). Whilst acknowledging that the emissions are primarily from the aircraft using the Airport rather than the Airport itself, he seeks to rely upon a report from the Tyndall Centre that “Growth in regional airports and expansion of existing airports results in a “ratchet” on the growth in aviation emissions”.
- 2.2. However, Mr Furey presents no purported explanation of the background to, or meaning of, this quotation. Having reviewed the Tyndall Centre report, I find the conclusion to be unsubstantiated and spurious and, at best, irrelevant to the argument proposed by Mr Furey. In particular I would observe that all significant airport expansion would need appropriate planning consents and the extent to which those expansion plans would contribute to national ATM growth, and thus carbon emissions, would be reviewed in the light of the national carbon budget position at the time.
- 2.3. The RSPB in paragraph 3.1 of its written representation refers to the Heathrow judgment's reference to the Stern Review's comments on high carbon infrastructure. In fact the judgment only referred to this in passing and did not appear to give it any significant weight in forming a conclusion. The RSPB's reliance upon such decisions will be a matter for legal submission in due course.
- 2.4. Mr Lloyd on behalf of Protect Kent (CPRE/01) asserts in paragraph 4.38 of his evidence that “Mr Furey demonstrates that the greenhouse gas emissions from Lydd expansion are contrary to national and international policy for emissions reductions”. He further claims in paragraph 4.42 that “the evidence from Mr Furey ... demonstrates that the proposals do not contribute towards achieving the Government's climate change programme and a reduction in greenhouse gas emissions. Furthermore, the proposals cannot be amended to make them so and in accordance with the supplement it should be refused”
- 2.5. Firstly, it should be noted that Mr Furey's evidence does not address international policy. Secondly, in respect of UK policy, Mr Furey refers to the UK government's target that aviation emissions in 2050 should be below 2005 levels, but does not explain or demonstrate why expansion at the Airport would be detrimental to meeting this target.
- 2.6. In paragraph 7.6 of their written statement, the RSPB refers to the recent judgement in the London City Airport challenge. Again, the reliance upon this judgment will be a matter for legal submission in due course, but I note (amongst other things) the conclusions in paragraphs 38, 42 and 43 of the judgment, as follows:

- *“Mr Hoon’s statement of 15 January 2009 announcing a target for aviation emissions in 2050, neither expressly nor by implication, created a limit on increased capacity at existing smaller airports in the South East such as London City”* (paragraph 38)
- *Integral to Mr Hoon’s statement of 15 January 2009, when announcing the target, was that he had asked the CCC to advise on the best basis for its development. That is a clear indication that the means of achieving the target had not been decided upon and that reliance would be placed on the requested report of the CCC. Their report post dated the decision challenged but is significant in confirming the policy of increases in capacity at, amongst other airports, London City Airport. Some restriction on development to full utilisation of planned capacity at existing airports in the UK was then expected and in which an increase in ATMs of about 55% by 2050 was considered acceptable. That must require a substantial increase in runway capacity.* (paragraph 42)
- *Lord Adonis accepted in December 2009 that such an increase in flight numbers is compatible with the 2050 target. In his parliamentary statement of 15 December 2009, Mr Clarke confirmed the Government’s view that there is considerable potential for airports like London City to grow.* (paragraph 43)

2.7. These statements in the judgment reinforce my opinion that current UK aviation policy does allow growth to occur at existing small regional airports.

2.8. I consider that my opinion is reinforced by the recent decision by the Secretaries of State for Communities and Local Government and Transport in respect of increasing the capacity of Farnborough Airport to 50,000 aircraft movements per annum. In allowing the appeal the Secretaries of State agreed with the Inspector that emissions of carbon attributable to aircraft in flight are more properly dealt with through the forthcoming EU Emissions Trading Scheme. In particular the Inspector had stated in summary (paragraph 614) that *“in the light of national policy on emissions charging, I do not consider that emissions of carbon and other pollutants attributed to aircraft in flight should be treated as a significant factor in the determination of this appeal. The effects of aviation cross national boundaries, and the ETS (ie the European Emissions Trading Scheme) is designed as far as possible to create a level playing field between operators and between countries. It would be inappropriate to assess the proposal on the basis of en-route cruising emissions, which could arise irrespective of the specific point of take off and landing, and for which responsibility lies primarily with the aircraft operator.”*

3. Emissions from Aircraft using London Ashford Airport

- 3.1. In paragraph 4.10 of his evidence, Mr Furey seeks to present an analysis of the carbon footprint of travelling from Ashford town centre to Brussels town centre by various modes including rail, car and aircraft. Whilst the conversion factors are shown to be taken from Defra 2010 guidance, it should be noted that the conversion factor used for aircraft is for domestic flights and that for international rail is taken from work commissioned by Eurostar. I would also point out that there is no account taken in the rail scenario of travel to and from passengers home to Ashford station. Therefore, whereas I accept that trip emissions per passenger for a journey from Kent to Brussels is likely to be less by rail than by air, especially using current vehicle technology, I would advise that the savings are overstated in the calculation.
- 3.2. I also consider that the savings would not be as significant for longer journeys, or for journeys to places not well served by the Eurostar network, and that conversion factors for air travel in future will be significantly reduced from those used in this example. There may be some situations where calculations of this type would demonstrate that air travel would have the smallest carbon footprint between two places.
- 3.3. I also note that Mr Furey's calculations show that travel using London Ashford Airport has a significantly smaller carbon footprint than using London Heathrow.
- 3.4. Notwithstanding the comments that I have made above, I would also note that passenger's decisions on whether to travel by road, rail or train would also take into account other factors such as cost, time, numbers travelling together, safety, start point and destination. The balance between these factors will change considerably in future due to a range of influences including infrastructure developments, capacity and crowding, and carbon taxation. In my opinion, aviation will remain an appropriate solution especially for medium to long journeys, and would comply with the UK carbon targets.

4. Information Provided by the Applicant

- 4.1. Mr Furey in paragraph 4.3 of his evidence asserts that no quantitative assessment has been done of the greenhouse gas emissions associated with the Applications, and claims there is no quantitative evaluation of the mitigation measures.
- 4.2. In Section 4 of my evidence I presented the results of a quantitative evaluation for Airport activities including aircraft in the Landing Take Off cycle, but excluding flights to and from the Airport. I consider that this represents good practice in assessing the emissions related to airport development.
- 4.3. In paragraphs 4.5 to 4.8 Mr Furey states that an assessment of emissions from aircraft in flight could be made using the aircraft mix presented in the business case, or Louise Congdon's evidence (LAA/4/A), and a theoretical range of destinations. I do not agree that such an exercise is appropriate or relevant, nor that it would be helpful to the Inspector in determining the merits of the Applications, particularly given that the Farnborough decision has shown that the Secretaries of State consider that emissions from aircraft in flight "are more properly dealt with through the forthcoming EU Emissions Trading Scheme." In my opinion the more relevant issue is whether the expansion proposals, and therefore the associated emissions in flight, can be allowed without contravening the target of overall UK emissions being no greater in 2050 than 2005. In my evidence I set out that this can indeed be achieved.

5. Summary and Conclusion

- 5.1. Evidence and Representations from Rule 6 parties seek to show that expansion at the Airport would be counter to UK Climate Change policy. Mr Furey makes the point that expansion at the Airport would 'lock in to high carbon infrastructure' and 'ratchet growth in aviation emissions'. I find no support in his evidence to either statement. On the contrary, I consider that expansion at the Airport would not be incompliant with UK Climate Change policy and that this has been demonstrated by the London City Airport Judgment and the Secretaries of State decision in respect of the Farnborough Airport Appeal.
- 5.2. Mr Furey seeks to show that travel by air from the Airport would have a significantly higher carbon footprint than travel by rail and car. Whilst this is true for the example that he has provided, I observe that the savings shown in his calculation are overstated, and also that Mr Furey shows that the footprint of air travel from the Airport is lower than for travel from London Heathrow. I also consider that Mr Furey has taken an extreme example to make his point and that for many destinations to be served from the Airport the differences would not be significant. Notwithstanding this, the Farnborough appeal decision found that the carbon from aircraft in flight were not relevant to the planning decision on increasing aircraft movements to and from Farnborough.
- 5.3. I have shown that Mr Furey's assertion that a quantitative assessment should have been done of the greenhouse gas emissions associated with the Airport is not relevant, particularly, but not solely, in the light of the Farnborough decision. I should also point out that a quantitative assessment for airport operations has been undertaken.
- 5.4. I therefore do not consider that the evidence and written representations presented by Rule 6 parties provides any compelling reason why climate change and carbon should obstruct the grant of planning permission for the expansion proposals at the Airport.