



Department
for Transport

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Tim Crosland,
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Dear Mr Crosland,

DECISION ON REQUESTS TO REVIEW THE AIRPORTS NATIONAL POLICY STATEMENT UNDER THE PLANNING ACT 2008

I am writing to you as an individual or organisation that has requested that the Secretary of State for Transport review the Airports National Policy Statement (“ANPS”) under section 6 of the Planning Act 2008. The Secretary of State has carefully considered all review requests in accordance with the requirements of the Planning Act 2008 and this letter communicates his decision. Having taken account of the factors in section 6(3) and (4) of the Planning Act 2008 and the section 10(2) objective of contributing to the achievement of sustainable development (and in particular the desirability of mitigating and adapting to climate change – see section 10(3)), the Secretary of State has decided that it is not appropriate to review the ANPS at this time.

As to the main matters raised in the review requests:

Climate change

The Secretary of State has decided that it is not appropriate to review the ANPS on the basis of climate change or carbon policy at this time. He considers that changes to HM Government’s and the Climate Change Committee’s position on climate change (including the target of net zero by 2050 now enshrined in the revised Climate Change Act 2008, the CCC's aviation specific advice following its report on net zero, the announcement by the Government that it would target a 68% reduction in UK emissions by 2030 compared to 1990 levels pursuant to Article 4 of the Paris Agreement, and the inclusion of international aviation emissions in the sixth carbon budget and its target to reduce emissions by 78% by 2035 compared to 1990 levels), as well as Parliament’s declaration of a “climate emergency”, represent a significant and unforeseen change in circumstances that was not anticipated at the time of designation of the ANPS. However, he considers that it is not possible to conclude properly that any of the policy set out in the ANPS would have been

materially different had these circumstances been anticipated at the time of designation.

He considers that the question of whether or not to review the ANPS should be considered again after the Government's Jet Zero Strategy ("JZS") has been finalised following a consultation which was launched on 14 July 2021. This sets out proposed policies that will be needed for aviation to meet net zero emissions by 2050. These policies will influence the level of aviation emissions the sector can emit and the cost of flying in the future, both of which are relevant to considering whether any of the policy set out in the ANPS would have been materially different had these circumstances been anticipated at the time of designation. The timing of any re-consideration of the appropriateness of whether to review the ANPS after the JZS is finalised will need to have regard to the availability of long-term aviation demand forecasts at that stage.

COVID-19

The Secretary of State considers that COVID-19 has had a profound effect on aviation demand since March 2020. However, he has decided that it is not appropriate to review the ANPS on the basis of COVID-19 at this time as it is too soon to be able to determine what the effect of the pandemic will be on the longer term aviation demand upon which the ANPS is predicated. The impact of COVID-19 on aviation passenger demand will continue to be monitored by the Department and it is intended that medium to long-term forecasts will be produced as and when the data is available, and the outlook is more certain. The timing of any new forecasts will require some stability of the aviation sector and its operating environment and will also need to have regard to when it can be established if previous relationships between aviation demand and its drivers remain valid or have changed.

Noise

In relation to noise, the circumstances described in the relevant review requests are not considered to constitute a significant change in any circumstances on the basis of which any of the policy set out in the ANPS was decided, particularly as no noise policy and/or legislation upon which the ANPS was based has changed since the ANPS was designated.

The use of Performance Based Navigation is relevant to the airspace modernisation programme and the benefits of its use are not considered to be a significant change of circumstances affecting the ANPS. All new airspace change proposals are subject to a separate airspace decision-making process established by the Civil Aviation Authority. The evidence presented about the effects of noise on school children and the costs to society pre-date both ANPS designation and the thorough noise assessment carried out, and consulted on, for the ANPS.

The Secretary of State remains supportive of the use of the Survey of Noise Attitudes but the outcome of the Department for Environment, Food and Rural Affairs (Defra's) Interdepartmental Group on Costs and Benefits Noise Subject Group's review of the World Health Organization's 2018 noise guidelines is not

yet complete, and work to develop a new aviation noise attitudes survey is ongoing.

Air Quality

In relation to air quality, the Secretary of State does not consider that the circumstances described in the relevant review requests constitute a significant change in any circumstances on the basis of which any of the policy set out in the ANPS was decided, particularly as no air quality policy and/or legislation upon which the policy in the ANPS was based on has changed since the ANPS was designated.

The main evidence presented about the effects of air quality on local health and the costs to society pre-date ANPS designation and the thorough air quality assessment carried out, and consulted on, for the ANPS. No evidence has been found that the data from the airport specific monitors in question, that has been in place since 2007, is flawed.

The Department is also aware that Defra are intending to set two new air quality targets in legislation enacted under the Environment Bill, which is currently making its way through Parliament. It is not considered to be realistic to undertake an assessment of the impact of any new target on the policy in the ANPS until the specific details of the target are known.

Scheme Costs

In terms of scheme costs, the Secretary of State does not consider that the circumstances referred to in some of the review requests constitute a significant change in any circumstances on the basis of which any of the policy set out in the ANPS was decided. The scheme costs of £32bn highlighted in the review requests are not directly comparable with the £14-18bn costs used for the ANPS. The estimated £14-18bn figure was the original cost envelope for opening a runway in 2026 and the £32bn figure relates to the whole project costs up to 2050, which includes non-expansion capital costs.

There is a clear process in place whereby the Civil Aviation Authority regulates the costs of the scheme and tests that it is efficient and financeable. Any division of surface access costs between the scheme promoter and the Government will align with Government policy on this matter, as set out in the ANPS.

Health and regional inequalities

In terms of health and regional inequalities, the Secretary of State does not consider the circumstances referred to in some of the review requests constitute a significant change in any circumstances on the basis of which any of the policy set out in the ANPS was decided. It is considered too soon to be able to determine the health effects of the COVID-19 pandemic on local communities around Heathrow Airport as the pandemic and vaccination programme is ongoing. The Secretary of State does not consider the Government's levelling-up ambitions will conflict with Heathrow expansion, particularly as the ANPS concluded regional airports were expected to continue to see passenger growth.

Scheme disbenefits in HAL's consultation

In terms of scheme benefits, the Secretary of State has considered whether HAL's Airport Expansion Consultation provides new evidence about the disbenefits of expansion and how the scheme aligns with the parameters and boundaries set by the ANPS. The Secretary of State does not consider there to have been a significant change in any circumstances on the basis of which any of the policy set out in the ANPS was decided.

The way in which a scheme promoter interprets the requirements of the ANPS is not a matter for the Department to comment on and the promoter's proposals would be appropriately considered at the Development Consent Order application stage by the Planning Inspectorate and the relevant decision-making Minister.

As to the achievability of the construction timetable, this is not considered to be a significant change in any circumstances on the basis of which any of the policy set out in the ANPS was decided and it is not considered that there is sufficient evidence to support the claim that the promoter would not be able to achieve the delivery timeframe identified within the ANPS. As to the number of local jobs the scheme promoter would deliver, the material presented by those requesting a review is not comparable with that set out in the ANPS, and the scheme promoter has stated in its consultation that employment data is likely to change.

Cumulative impact of growth at other airports

The Secretary of State does consider the impact of other airport growth proposals to be a significant change in circumstances on the basis of which policy set out in the ANPS was decided. However, the growth of other airports was foreseen.

The Airports Commission's Final Report recognised the need for an additional runway in the South East by 2030 but also noted that there would be a need for other airports to make more intensive use of their existing infrastructure. In June 2018 the Department published its policy 'Beyond the horizon: The future of UK aviation - Making best use of existing runways' (MBU), which set out its support for airports making best use of their existing runways across the whole of the UK.

Airport development proposals under MBU are taken forward under the Town and Country Planning Act 1990 or the Planning Act 2008. As part of any planning applications airports will need to demonstrate how they will mitigate local environmental issues, in consultation with local communities. The ANPS requires that an applicant for a Northwest Runway scheme includes an assessment of cumulative impacts in its application, which will be considered by the Examining Authority. The applicant will, therefore, be required to consider the cumulative effects of any relevant plans in place at the time it

makes its application. This will then be appropriately considered by the Planning Inspectorate and the relevant decision-making Minister.

No other matters

The Secretary of State has concluded that no other matters have been identified, whether raised by persons requesting a review or otherwise, which cause him to think it appropriate to review the ANPS at present. Overall, none of the matters raised make it appropriate to review the ANPS now, when assessed either individually or cumulatively. As mentioned above, this conclusion is also made taking into account the section 10(2) obligation of contributing to the achievement of sustainable development, and in particular the desirability of mitigating and adapting to climate change (see section 10(3)).

Next steps

The Government and the Secretary of State recognise the importance of having up to date National Policy Statements to maintain the integrity of the Nationally Significant Infrastructure Projects regime. The Secretary of State takes seriously his duty to consider whether it is appropriate to review the ANPS and will continue to consider whether it is appropriate to do so in line with the requirements of the Planning Act 2008.

The details of the Secretary of State's decision are being published on the Department's website and are being provided to Heathrow Airport Limited and to Heathrow West Limited as interested parties.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Authorised signatory on behalf of Secretary of State for Transport