

6. HOW DO I COMMENT ON AN ENVIRONMENTAL STATEMENT?

6.1 Introduction

Most planning applications for such airports and airport-related projects must be accompanied by an 'environmental statement' prepared by the developer, often using expert consultants, which discusses the project's impacts and how they will be minimised. This statement is considered alongside the planning application when the local authority makes its planning decision. The preparation of the environmental statement, and public consultation on that statement, is part of a longer process called 'environmental impact assessment' (EIA).

EIA has been required in the UK since 1988 as a result of European legislation, and both local authorities and developers understand the process quite well. They are unlikely to make mistakes about whether EIA is required, or whether an environmental statement is prepared on time and circulated to the right people. However environmental statements are prepared by the developer, who may miss certain impacts and who will write the statement so that it is most helpful to their case. You can check the environmental statement to make sure that it is accurate and unbiased. This will help the local authority to ensure that it makes its decisions based on the best available information.

Environmental statements are usually bulky, multi-volume documents that are daunting even for planners. However ***you do not need to be an expert to identify gaps and mistakes in an environmental statement.*** So if you can bear to even touch one, then...

This section explains [when EIA is required](#) and [what the environmental statement must contain](#). It then gives a series of [questions](#) that someone reading an environmental statement can ask, to check if the environmental statement includes all the information that it should include. [Box 6.1](#) gives links to further information about environmental impact assessment, including the background legislation.

Box 6.1 Legislation and guidance on EIA

The Town and Country Planning (Environmental Impact Assessment) England and Wales Regulations 1999, <http://www.opsi.gov.uk/si/si1999/19990293.htm>

Circular 02/99 Environmental impact assessment, <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958>

DCLG (2001) Environmental impact assessment: A guide to the procedures, <http://www.communities.gov.uk/documents/planningandbuilding/pdf/157989>

Glasson, J., R. Therivel and A. Chadwick (2005) Introduction to Environmental Impact Assessment, Routledge, ISBN 0-415-33837-9.

6.2 When is environmental impact assessment required?

EIA is required for many types of projects, including airport-related projects. It is *always* required for:

- Construction of airports with a basic runway length of 2100 metres or more

It is required for:

- Construction of smaller airfields
- Changes and extensions to airports and airfields
- New roads to/from airports, and changes and extensions to these roads
- 'Industrial estate development projects' (which would include employment sites related to airports)

where these are likely to have significant impacts. Rules for determining this are given in the legislation ([Box 6.1](#)). The process of deciding whether EIA is required is called 'screening'. In cases of uncertainty, local authorities will generally 'screen in' projects (require EIA). ***If you think that EIA should have been carried out but hasn't, then ask your local authority to explain to you how they have carried out their screening process.***

6.3 What must the environmental statement contain?

The environmental statement must include information on:

- *The proposed development:* A description of the project, including physical characteristics of the project, land use requirements, production processes, and residues and emissions;
- *Alternatives:* An 'outline of the main alternatives studied by the applicant and the main reasons for his choice';
- *Baseline environment:* A description of aspects of the environment likely to be significantly affected by the project, including population, fauna, flora, soil, water, air, climatic factors, material assets, architectural and archaeological heritage, landscape and the inter-relationship between the above factors;
- *Impacts of development:* The likely significant effects of the development on the environment, including direct, indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects;
- *Mitigation measures:* Measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment;
- *Non-technical summary;* and
- *Difficulties* encountered by the applicant in compiling the required information

Local planning authorities and developers often agree, early in the EIA process, what the 'scope' of the environmental statement should be: what alternatives and impacts it should consider, what impact prediction methods it should use etc. The scoping process does not involve the public. However, ***you could ask whether a formal scoping process has been carried out, and what the results of the process are.***

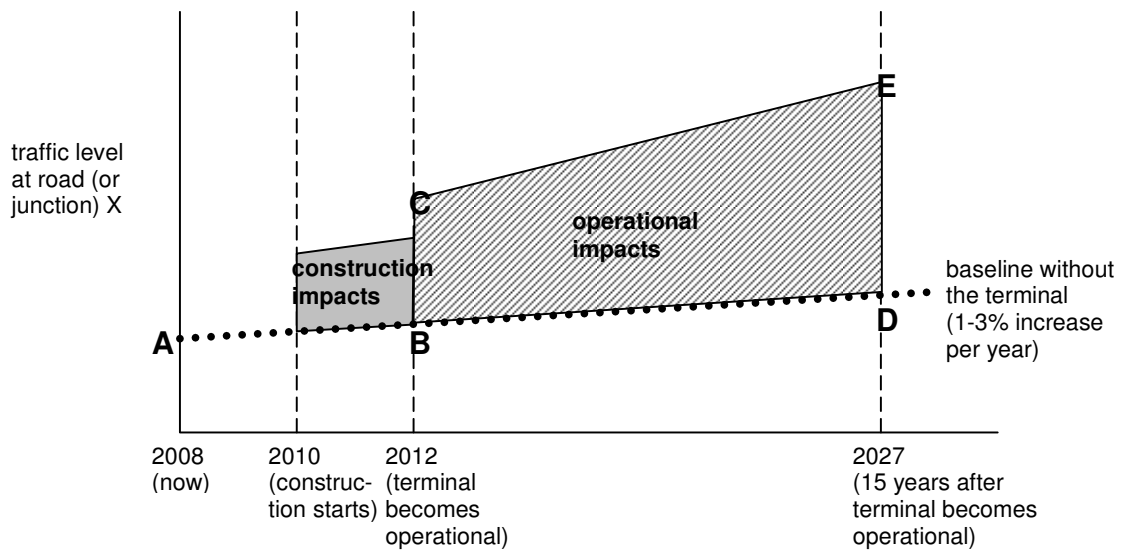
Unfortunately the EIA requirements for *alternatives* are not very strong, and there is only limited scope to challenge a developer's consideration of alternatives (though do feel free – the guidance from [Box 6.1](#) gives more information on this).

An important concept in impact assessment is that of the *baseline environment*: the likely future situation without the proposed project. For instance, road traffic levels in the UK have been increasing at 1-3% per year for the last two decades, and are projected to keep increasing at roughly this rate. Because of this, even without a new airport-related development, road traffic levels on the roads near the airport would increase. In such a case, it makes sense to compare road traffic levels near the airport for a range of scenarios, as shown in [Figure 6.1](#):

- A. baseline levels (without the new airport development – the 'project') today
- B. baseline levels in the year when the project would become operational
- C. levels in the year when the project would become operational: baseline plus project
- D. baseline levels 10 or 15 years after the project would become operational
- E. levels 10 or 15 years after the project would become operational: baseline plus project

Other scenarios could relate to the traffic impacts of construction.

Figure 6.1 Possible scenarios for road traffic levels near an airport



The *impacts* of a project – the difference in the future situation with and without the project - can be described in a range of ways:

- Monetary: in money terms, either as costs or benefits. This is mostly done for economic benefits;
- Quantitative: in non-monetary but other quantifiable terms, for instance as parts per billion of air pollution, decibels of noise, or numbers of jobs;
- Qualitative: A few types of impacts cannot be described quantitatively, for instance most impacts on landscape or on local communities. In such cases, photos, maps, descriptive accounts etc. are usually used.

Cost-benefit analysis is usually a key factor in decisions about airport-related projects, so impacts that can be monetised are often given disproportionate weight. Simply showing that an airport will cause significant environmental or social harm may not be enough to counter arguments about its economic benefits (airports can also have economic costs – see [Section 2.5](#)). Some studies have tried to monetise the costs of air pollution, noise, climate change etc. However they cover only a limited range of issues. so the resulting monetised costs are always lower than the total costs; and the results are often uncertain and thus prone to challenge.

Environmental statements are expected to propose '*mitigation measures*' for any major negative impacts: the measures proposed to prevent, reduce and offset the impacts. The distinction between these measures has been described as:

- prevent/avoid: I don't break your leg (I don't build a new access road outside your house)
- reduce/mitigate: I break your leg but provide you with a crutch (I build the access road but put in sound barriers and promote public transport)
- offset/compensate: I break your leg but pay you (I build the access road and pay you to put in double glazing).

Prevention is best, mitigation (first at the source of the impact, then at the pathway between the source and the receiver, and finally at the receiver's end) is second-best, and compensation is least good.

6.4 Reviewing and commenting on an environmental statement

You don't have to be a technical expert to comment on an environmental statement. In fact, you are almost certain to be more of an 'expert' on your local area than the people who prepared the environmental statement.

Three key things that only people who really know an area can pick up when reading an environmental statement is:

- Does the baseline description of the local area in the environmental statement include everything that it should? (For instance, if there are fritillaries in a field that are only visible for a few weeks every year, have they been mentioned in the environmental statement?);
- Do the impact predictions in the environmental statement include everything that they should? (In particular, do they adequately cover all the likely impacts that local residents will feel?);
- Do the judgements made in the environmental statement about impact significance match yours? (Or does it, for instance, describe noise impacts as being 'insignificant' when you think that they'll be significant?).

The way to comment on an environmental statement is simply to write to your local authority saying "I don't think that the environmental statement is correct because..." or "I don't think that the environmental statement has covered...". ***Write in before the end of the consultation period on the planning application and environmental statement.***

Below are a series of questions that may help you to critically analyse the environmental statement. It may be helpful to also read Section 2 of this handbook (impacts of airports) while you are reading the environmental statement.

General

- Has the ES covered all of the relevant impacts of the project (see [Table 2.1](#))? The construction as well as the operational stage? Terminal and ground operations, flights, airport access and associated projects?
- Does the ES focus on key impacts? Does it include 'red herring' chapters that draw attention away from key impacts? For instance, if air pollution and noise are key concerns, are those chapters longer than the one on (say) water use? Are some impact chapters very detailed because the underlying legislation is very specific, even though the topic is not terribly significant; and conversely are some impact chapters limited because there is not much legislation or guidance on those topics, even though they are significant?
- Does the ES split up impacts that should be considered together? For instance, are the noise impacts from aircraft operations and ground transport considered in separate chapters and never brought together, despite the fact that a nearby resident would hear both of them jointly?
- List all of the project's likely impacts, and (separately) all of the proposed mitigation measures. Note how likely the impacts are to happen, and how likely the mitigation measures are to be put in place. Does the size and certainty of the mitigation measures roughly correspond to that of the impacts?
- Do the mitigation measures follow the hierarchy of prevent – reduce – offset?

Air pollution (see [Sec. 2.2](#))

- Has the ES identified relevant sources of air pollution, including off-site sources (e.g. traffic to/from the airport) and atypical conditions (e.g. fire training)?
- Has the ES described 'baseline' air pollution levels: those without the project now and in the future?
- Do any of the baseline levels exceed, or are they close to exceeding, national air quality standards, now or in the future (see [Table 2.2](#))?
- Has the ES adequately identified any significant air pollution impacts?
- Has it considered all of the project's air pollution impacts together (rather than, say, splitting them into construction and operation chapters and not bringing them together)?
- Would the project cause any national air quality standards to be exceeded?
- Has the ES proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Biodiversity (see [Sec. 2.3](#))

- Has the ES identified relevant sites of nature conservation importance within 10km of the project?
- If the project is likely to have a significant impact on a Special Protection Area, Special Area of Conservation or Ramsar site, has an [appropriate assessment](#) been carried out?
- Has the ES, where appropriate (dependant on the project and location), discussed:

- habitat loss, fragmentation and disturbance; noise and disturbance of the construction stage?
- bird strike, road kill, light pollution, noise and disturbance from aircraft movements of the operational stage?
- Has it adequately identified any significant biodiversity impacts?
- Has it proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Climate change (see [Sec. 2.4](#))

- Has the ES considered the climate change impacts of flying and ground traffic as well as airport buildings?
- Has it quantified these impacts? Has it used a 'radiative multiplier' for the impacts of flying?
- How does it propose to avoid or minimise any significant negative impacts? If it is through the Emissions Trading System and/or carbon offset schemes, how certain are these to actually be put in place and when? Will they work?

Employment and economic benefits (see [Sec. 2.5](#))

- Has the ES described the number and type of direct and indirect jobs that would be created? Are they high or low wage jobs? Are they the kinds of jobs needed locally?
- Are local unemployment levels high and would the additional jobs be welcomed? Or would the additional jobs simply be on top of already high levels of employment¹?
- What would be the proportion of predicted journeys by UK residents v. foreign residents? Has the ES discussed how this would affect the trade deficit?
- Has the ES discussed the external costs of the project, e.g. the cost of noise, climate change, air pollution to society?
- Where appropriate, has it proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Heritage/cultural assets (see [Sec. 2.6](#))

- Has the ES identified and described all relevant heritage/cultural assets including parks and gardens?
- Has it clearly identified likely impacts on each of these, including indirect impacts such as vibration and air pollution?
- Have the county archaeologist and/or local conservation officers clearly been consulted during impact identification and proposals for mitigation measures?
- Where appropriate, has it proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Land take (see [Sec. 2.7](#))

- Has the ES identified (on a map, and as a total of acres/hectares) how much land will be developed as part of the project, and for what uses?
- Does this include indirect land take, for instance for roads and car parks?

¹ The Department for Pension and Work (2007) Green Paper 'In Work, Better Off' suggests that 'full employment' is roughly equivalent to an employment rate of 80%

- Has the ES, where appropriate (dependant on the project and location), discussed:
 - The amount and quality of agricultural land that will be lost?
 - Other impacts of land take, for instance increased urbanisation?
- Has the ES discussed past and current trends in urbanisation in the area, i.e. changes to the baseline landscape without the project?
- Where appropriate, has it proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Landscape and visual impacts (see [Sec. 2.8](#))

- Has the ES described the existing landscape and likely future changes to it?
- Would the development affect an AONB, National Park or Heritage Coast?
- Has the ES shown from where the development would be visible (zone of visual intrusion) and identified who would be affected? Does this include people who are only in the area sporadically, e.g. users of recreational areas and footpaths?
- Has the ES described changes to this landscape as a result of the development?
- Has the ES done a before-and-after analysis of how many people would be affected by visual impacts and how badly?
- Has the ES discussed light pollution where relevant?
- Does the analysis include the impacts of any associated/indirect development such as car parks, changes to access roads and hotels? Construction and operation?
- Where appropriate, has it proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Noise (see [Sec. 2.9](#))

- Does the assessment show the baseline noise contour and future contours including a worst-case scenario?
- Does the assessment include night-time noise (as the official index for aircraft noise only covers a 16 hour day from 0700 to 2300)?
- Is the data used in modeling transparent? (aircraft types, weights, flight paths etc – this is important as they often form the basis of planning conditions)
- Are other noise metrics used to show the impact of single events and frequency? This is not a requirement but it is regarded as best practice.
- Is there an assessment of other noise sources e.g. surface access, construction, on-site activities and vehicles?
- Has any assessment been made of ground noise from aircraft (braking, taxiing and maintenance)?
- Where appropriate, has it proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Risk to third parties (see [Sec. 2.10](#))

It is unlikely that the environmental statement will address risk, except possibly from wake turbulence: this is normally done through other forms of legislation. However arguably the ES is a good place to discuss how risk has been avoided and mitigated, so you could check:

- Has the ES discussed third party risk: from road accidents, airplane crashes, terrorism, wake turbulence?

- How is the local planning authority calculating the risk of airplane crashes: on the basis of individual risk or total/societal risk (individual risk times the number of people potentially affected)?
- Where appropriate, has it proposed measures to avoid, minimise or compensate for any significant negative impacts? How certain are they to be put in place? Will they work?

Social and equity impacts (see [Sec. 2.11](#))

- Has the ES discussed social and community impacts at all? If so, what impacts are covered (for instance house prices, community facilities)? Were any impacts missed out?
- Do the impacts that it discusses accord with what you (and the local community) think the impacts will be? Were local residents consulted when this section of the ES was prepared?
- Does the ES split up the project's social impacts into separate sections, each of which concludes that the impact won't be significant, whereas all of the social impacts together *would* be significant?
- Where appropriate, has it proposed measures to avoid, minimise or compensate for any significant negative impacts? How certain are they to be put in place? Will they work?

Traffic (see [Sec. 2.12](#))

- Has the ES described existing traffic levels and likely future levels without the project (the baseline)? Does it consider future impacts 10-15 years after the project becomes operational?
- Has the ES considered the impact of other projects that are likely to go ahead and that would increase traffic levels significantly above the general baseline, for instance any retail or office parks that would use the same roads as the proposed development, have been given planning permission, but have not yet been built?
- Will the baseline already exceed the carrying capacity of roads, junctions etc?
- Has the ES discussed the total traffic levels arising from the baseline, airport workers, freight traffic, passengers, and operational traffic (if this overlaps with any of the others)?
- Does the ES consider peak traffic levels?
- Does it compare this with the carrying capacity of relevant roads and junctions? Will the total future traffic levels exceed any of the carrying capacities?
- Has the ES discussed severance, where appropriate?
- What measures does the ES put forward to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?
- Will the mitigation measures themselves have impacts, for instance light pollution or increased noise from widened roads?

Water pollution/quality (see [Sec. 2.13](#))

- Has the ES identified all relevant water courses near the development that could be affected by water pollution? Are any of these waterbodies designated (e.g. as Special Protection Areas)? Do they contain listed species of plants or animals?
- Has the ES discussed water quality/pollution during construction? rainwater/surface water during operation? sewage from airport operations? fuel dumping?

- The Environment Agency must be consulted for any planning application involving an environmental statement: is there any indication of the Environment Agency's stance on the proposed project?
- Where appropriate, has the ES proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

Water use (see [Sec. 2.14](#))

- Has the ES discussed water use?
- Is the development proposed in an area of water stress²? If not, is the ES's discussion of water use a red herring to draw attention away from other, more significant, issues?
- Has water use during construction been discussed? This is typically higher than during operation.
- Does the ES propose that water will be extracted from boreholes rather than from the mains?
- What is the Environment Agency's view of whether water use from the development will be a problem?
- Where appropriate, has the ES proposed measures to avoid or minimise any significant negative impacts? How certain are they to be put in place? Will they work?

² see Figure 1 (page 9) of Environment Agency (2007) Identifying areas of water stress: Consultation document, <http://publications.environment-agency.gov.uk/pdf/GEHO0107BLUT-e-e.pdf>