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Dear Planning Policy Consultation Team,

**Levelling-up and Regeneration Bill: Reforms to National Planning Policy
Aviation Environment Federation's consultation response**

Q.39: What method and actions could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

Following the UK Parliament's climate emergency declaration in 2019, hundreds of local planning authorities (LPAs) followed suit, many setting ambitious net zero targets for their areas and undertaking to include these targets in local plan and decision making. However, in the context of those airport expansion applications that fall within the 1990 Town and Country Planning Act, a significant problem has arisen concerning whether carbon emissions from increased passenger movements should be factored into LPA decision-making. This problem is not related to the supply of data: applicants seeking approval for airport development are required to include a raft of information about projected carbon and GHG emissions from, as examples, new terminals surface access and increased air traffic. Instead, the issue relates to the role and scope of such information in determining applications.

The 2018 policy document *The future of UK aviation: Making best use of existing runways* (MBU) states: "It is right that decisions on the elements which impact local individuals such as noise and air quality should be considered through the appropriate planning process and CAA airspace change process" (p. 4). It goes on to state that: "There are, however, some important environmental elements which should be considered at a national level", referencing here increased carbon emissions resulting from additional air traffic (p.5). The NPPF states that local plan-making "should take a proactive approach to mitigating and adapting to climate change" (p.43). However, it also states that planning policies and decision should focus on land use (p.54).

LPAs have interpreted these provisions differently. Some authorities (for example at Leeds, Southampton and Luton) recently granted permission for airport expansion stating that CO2 emissions from flights do not fall within their remit, while other authorities (for example Bristol and Stansted) refused permission because of the additional emissions from increased passenger movements, citing their carbon reduction commitments.

Scrutinising challenges to these decisions, the Planning Inspectorate and the High Court have interpreted MBU and the NPPF to mean that carbon emissions from increased flights should be considered nationally, and not at local level.

However, and crucially, potential emissions from airport expansion applications under the 1990 TCPA are not being considered at a national level except on a rare and ad hoc basis when LPA planning decisions are called in on climate (and sometimes other) grounds. Recent applications at Bristol and Stansted were determined, on appeal, by the Planning Inspectorate without reference to the Secretary of State. In both cases, the Inspectorate had little or no knowledge of airport emissions at other airports, either currently or resulting from current planning applications, to assess the national position.

In this context, AEF would welcome clear guidance in the NPPF on how the climate impacts of aviation, and other transport projects, should be considered. Local and regional authorities should be empowered to assess the impact of airport expansion on local climate change targets by factoring in impacts of increased flights in addition to ground works – in both local plan and decision making. This measure would remove uncertainties and conflict around meeting local, as well as national, net zero commitments and would help to ensure that the planning system supports the transition to a low carbon future. In addition, local assessments should be submitted to central government for scrutiny of the potential cumulative impacts of airport operations in England and Wales. Collating local authority climate assessments would enable the Government to implement its Jet Zero policy to decarbonise the aviation sector in a way that is balanced, proportionate, transparent and fair.

Yours sincerely,

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