



The environmental impacts of airspace change

Briefing for AEF seminar “Flight paths: where next?”

Summary

Aircraft noise remains the primary concern of most AEF members, and airspace management is one of the most important means of managing this impact.

A number of trials have recently been conducted of alternative approaches to managing flight paths, many of which have generated a great deal of community interest, and some have had to be abandoned early after strong public opposition.

In 2008 NATS consulted on proposed changes to London airspace – specifically to ‘Terminal Control North’ – but announced in 2010¹ that the changes were to be postponed. Opposition to the proposals had come from a range of stakeholders, including MPs concerned about the impact on racehorses in Newmarket².

The ongoing Europe-wide reorganisation of airspace to create a ‘Single European Sky’, however, has meant that it was only a matter of time before plans for airspace changes re-emerged. Regardless of whether or not a new runway in the South East is approved, therefore, we at AEF are anticipating an increasing number of proposals for flight path changes, and we are keen to ensure that we accurately represent our members’ interests going forward.

AEF’s role

AEF has a longstanding relationship with both the Department for Transport (for whom we are a primary environmental stakeholder) and the Civil Aviation Authority in relation to airspace issues. We act as the sole environmental representative on the National Air Traffic Management Committee, and provide a community voice on the CAA’s environmental panel, as well as having input into the CAA’s consideration about how to discharge its environmental information duties under the Civil Aviation Act 2012.

Historically we have participated in the CAA’s initiative to work with NGOs and national parks on approaches to identify and preserve the character or tranquil areas, and we were part of a group including Heathrow, NATS and the local community at Heathrow examining whether precision navigation could be used to create respite along existing flight paths.

Why airspace has started to change

¹ <http://www.nats.aero/news/airspace-changes-postponed-following-drop-in-flights/>

² <http://news.bbc.co.uk/1/hi/england/beds/bucks/herts/7397761.stm>

- A Europe-wide reorganisation of airspace has begun, which aims to make the system more efficient. Its two primary goals are minimising fuel burn and allowing for a growth in traffic. Implementation in the UK of this ‘Single European Sky’ programme is through the Future Airspace Strategy (the FAS, known as “fas”).
- At the same time, aircraft technology has developed to permit more accurate track-keeping using ‘precision navigation’ (PR Nav). Flight paths are therefore tending to become more concentrated along specific pre-defined routes.
- Changes in airport use (such as the runway lengthening at Birmingham) can necessitate changes to flight paths. The increase in air traffic associated with a new South East runway would require a number of FAS changes to have taken place.

Noise as the primary environmental consideration for airspace change

The Aviation Policy Framework (APF) published in 2013³ specifies that “at the local level, individual airports working with the appropriate air traffic service providers should give particular weight to the management and mitigation of noise, as opposed to other environmental impacts, in the immediate vicinity of airports, where this does not conflict with the Government’s obligations to meet mandatory EU air quality targets. Any negative impacts that this might have on CO₂ emissions should be tackled as part of the UK’s overall strategy to reduce aviation emissions.”

Managing environmental impacts from airspace change

(i) The legal context

Alongside its primary duty to consumers introduced by the 2012 Civil Aviation Act, the CAA has a number of legal responsibilities in relation to the management of airspace, including, for example, to have regard to the purposes of National Parks and Areas of Outstanding Natural Beauty.

There is, however, little legal recourse for individuals who consider themselves negatively impacted by airspace change. The Land Compensation Act allows for homeowners to be compensated for any devaluation of their property as a result of qualifying airport development on the ground, but there is no comparable provision for loss of value as a result of flight path changes, and more generally, the aviation industry has for decades been exempt from noise nuisance legislation.

(ii) The policy context

The Government set out in the APF⁴ its belief that “aviation needs to grow, delivering the benefits essential to our economic wellbeing, whilst respecting the environment and protecting quality of life”.

In relation to noise impacts, the Government’s primary aim is to ‘limit and where possible reduce the number of people adversely affected by aircraft noise’. In general the Government supports a policy of concentration, with aircraft using the fewest possible number of specified routes, and avoiding densely populated areas. However, the APF also advises that “in certain circumstances, such as

³ <https://www.gov.uk/government/publications/aviation-policy-framework>

⁴ Ibid

where there is intensive use of certain routes, and following engagement with local communities, it may be appropriate to explore options for respite which share noise between communities on an equitable basis, provided this does not lead to significant numbers of people newly affected by noise.”

In January 2014 the Government published revised guidance to the CAA which sets out high level principles in relation to environmental considerations for airspace management⁵, including, for example, the prioritisation of noise concerns over fuel burn considerations for airspace up to 4000 feet, and a requirement for continued focus (though allowing for fuel burn considerations to be taken into account) on noise impacts on densely populated areas for flights between 4000 and 7000 feet.

Opportunities for community involvement in the decision-making process

The full consultation process for airspace change is set out in CAP 724⁶ and CAP 725⁷. The CAA also provides a 2-page summary of the process⁸.

The CAA requires consultation on airspace change proposals to be undertaken by the ‘change sponsor’, but has responsibility for overseeing the process and ensuring that the consultation meets its required standards.

After an initial meeting with the CAA’s ‘Directorate of airspace policy’ (DAP), the change sponsor must, CAA advises, engage with relevant stakeholders – both individuals and groups – who are likely to be affected by the change. This should inform the proposal which is then put out for consultation for a minimum of 12 weeks. The sponsor then considers responses in making its final proposal to the DAP. DAP either approves the proposal or rejects it, in which case modifications may be made and further consultation undertaken. Any changes that are approved are reviewed by DAP after 12 months, and a review of whether the anticipated benefits have materialised will be published by the CAA.

The rules governing the Airspace Change Process do not apply to trials however, so these may be conducted with little or no consultation. There is also little clarity at present on what constitutes a trial, and we understand that in some cases flight paths that were introduced as trials are still operational more than a decade later. The guidelines published by the Department for Transport earlier this year⁹ advise that “trials should be approved by the CAA and have a confirmed start and end date, although the CAA may extend the period of the trial if it considers this appropriate”, and that “[It] is not always practical or prudent to disestablish a temporary airspace change whilst steps are being taken to make it permanent. In such instances, the CAA may consider extending temporary arrangements whilst the airspace change process is being undertaken”.

⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269527/air-navigation-guidance.pdf

⁶ CAA CAP 724 Airspace Charter <http://www.caa.co.uk/docs/33/cap724.pdf>

⁷ CAA CAP 725 CAA Guidance on the Application of the Airspace Change Process <http://www.caa.co.uk/docs/33/cap725.pdf>

⁸ <http://www.caa.co.uk/docs/7/Airspace%20Change%20Process.pdf>

⁹ See footnote 5

Opportunities for meaningful community input through consultation may be limited in these scenarios, and the process appears out of step with changes in the planning system more generally (with communities now encouraged to provide input even before a planning application is made in order to have a chance of impacting the final decision).

Emerging issues

There is an obvious financial benefit to airlines in routing aircraft as directly as possible. In addition, any reduction in fuel burn will also help reduce CO2 emissions, but if air traffic increases in parallel the overall impact may not be beneficial in terms of climate change. AEF's focus in relation to the environmental impact of airspace change is therefore on minimising noise disturbance, for which there is often little direct incentive for airlines.

In some cases, improving the efficiency of airspace may also benefit communities; reductions in stacking for example produce 'wins' on all fronts. But a one size fits all policy of concentration to minimise the number of people affected clearly doesn't work in every case. For example, while an increased concentration of air traffic may at first sight appear to conform to DfT policy on limiting the number of people 'significantly' affected by noise, this objective may not be achieved if implementation of PR Nav results in moving from a situation where a large number of people are slightly affected by noise to one where a smaller number of people are heavily affected.

More generally we continue to have concerns that the noise level at which the Government considers significant annoyance to begin does not reflect either our members' experience or the latest evidence, and that noise impacts further away from an airport need to be considered.

Finally, many of our members have concerns in relation to communication and consultation. Some airspace trials have been conducted with scant consultation on the basis that alerting people to a change may itself prompt complaints, thereby skewing the results of any assessment of community response. But such an approach risks feeding resentment among communities, and can appear to confirm suspicions of attempts to introduce potentially unpopular changes by stealth. More generally, many communities feel that public information on airspace management is either inaccurate or impenetrable. We are interested in whether the CAA could help to address this problem in the context of its environmental information duties.

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