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29th May 2015

Dear Sir Howard,

Consultation on Air Quality Assessment

Thank you for the opportunity to respond to this consultation. This response is submitted by the Local Authorities' Aircraft Noise Council (LAANC) on behalf of twenty Local Councils (comprising Boroughs, Unitary Boroughs, London Boroughs, County and Parish Councils) serving a wide area around Heathrow Airport.

The Constitution of LAANC covers environmental issues as well as noise and represents a very large community many of whom have direct contacts with Heathrow.

LAANC notes that in its initial consultation, the Commission asked consultees eight questions relating to its appraisal of the three options for increasing airport capacity. In the current consultation on air quality assessment, the Commission highlights three of the initial eight questions.

The following responses were discussed and endorsed by the Chairman and members of the Executive Committee before submission.

Our comments are referenced to the relevant section in the current consultation.

General Comments

LAANC respectfully wishes to remind you that at a meeting with 2M local authority leaders on 16th June 2014 you confirmed that further expansion at Heathrow would be conditional on Heathrow meeting EU Air Quality targets and limits. In LAANC's view the latest assessment produced by the Commission does not provide sufficient confidence that this can be achieved.



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Time Frame for Response: We have found the reports in this consultation difficult to assess within the available time. The highly technical nature of the content is directed at a sophisticated audience. Many people have found this an impenetrable consultation to comprehend and respond to. It is a pity that the Commission did not take the opportunity to engage with local authority stakeholders before the official launch of the consultation.

National Planning Policy Framework (NPPF)

In LAANC's view the consultation has failed to clearly set out the conclusions of its own air quality assessment within the current UK planning policy framework. For example the assessment does not address the potential policy conflicts of opting for either of the two Heathrow proposals. The conflicts arise as the NPPF states that the planning system should perform an environmental role to minimise pollution. One of the twelve core planning principles notes that planning should "contribute to reducing pollution". Specifically in relation to air quality impacts, the NPPF states that: "Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan".

The Commission's assessment shows that there is a significant risk that any expansion of Heathrow would have material negative impacts on local air quality. It is therefore difficult to see how either shortlisted Heathrow option can comply with current national planning policy guidance as neither option will contribute to pollution reduction or contribute towards meeting national or EU Air Quality Limit Values.

The consultation is also silent on the fact that there is currently no National Policy Statement on Airports. This means that the Commission effectively has no direct policy guidance document to refer to for its shortlisted options. However emerging national infrastructure planning policy can be found within the National Policy Statement for National Networks relating to road and rail networks. Advice within this NPS in relation to air quality impacts is clear and includes the following statement in relation to air quality impacts: "*The Secretary of State should refuse consent where, after taking into account mitigation, the air quality impacts of the scheme will affect the ability of a non-compliant area to achieve compliance within the most recent timescales reported to the European Commission at the time of the decision*".

Although it is accepted that this NPS has no direct read across for airports, it does nevertheless, in LAANC's view, provide an indication of emerging government policy in respect of other national transport infrastructure projects. The Commission's air quality assessment forecasts detrimental air quality impacts at Heathrow for a 3rd runway or extended



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northern runway and shows that expansion would affect the ability of areas not complying with EU air quality standards to achieve compliance with the NO₂ limit values.

In summary the Commission's own assessment fails to demonstrate that either of its shortlisted Heathrow expansion options are capable of complying with national policy or guidance.

Regional policy in the form of the London Plan requires developments to be at least 'air quality neutral' and to not lead to further deterioration of existing poor air quality such as areas designated as Air Quality Management Areas (Heathrow and the surrounding areas are designated as such). The Commission's work makes no reference to whether or not an expanded Heathrow could be air quality neutral. The air quality assessment shows that expansion will cause a negative air quality impact by increasing emissions, increasing concentrations and increasing exposure. LAANC does not believe the Commission's assessment has adequately considered whether either of the shortlisted Heathrow options are capable of meeting the London Plan requirements.

Compliance with Legal Air Quality Standards: So far as Heathrow is concerned it is clear that future compliance with EU Air Quality limits is in doubt post expansion, particularly if the promoters' assumptions, such as cleaner aircraft; cleaner road vehicles; and no more airport related traffic on the roads, do not materialise in reality. If the improvements in air quality do not occur in reality, and if a new runway were to be built, Heathrow it would face the prospect of not being legally allowed to operate the new runway at an economic level.

The conclusion that flows from this can only be that Heathrow is not the right place for airport expansion.

Associated Impacts - Noise: The Council would also like to express concern that the Air Quality Assessment sets out (for example at pages 29 and 59 – section 5.1) future modes of operation for both the Heathrow Hub expansion proposal (Extended Northern Runway) and the HAL proposal for a new North West Runway. Both options envisage the adoption of mixed mode working. In respect of the current southern runway the proposed modes operation indicate that residents living under both the easterly and westerly arrival flight paths could potentially be exposed to landing noise for a continuous period of around 10 hours at a time. Clearly such a proposal would result in significant adverse noise impacts for communities so affected. So far as LAANC can ascertain these impacts have not been modelled or identified to date as part of the Commission's previous work on noise.

As a point of fairness and transparency where proposals to mitigate air pollution will have an impact on previous noise assessments, these should be made clear.



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Specific Questions (From the Commission)

Q5: Do you have any comments on how the Commission has carried out its appraisal of specific topics (as defined by the Commission's 16 appraisal modules), including methodology and results?

Answer: Whilst the appraisal of air quality as a specific topic appears to have used established models (with verification) to calculate the dispersion and dilution of pollutants and predict ground-level concentrations, LAANC is concerned that the use of year 2030 for the "Do Something" assessment may have underestimated the future impacts for 2040 and 2050. As regards Heathrow an expanded Heathrow is predicted to be at 722,000 atms by 2030. The difference amounts to around 50 movements per day below the claimed realistic operating capacity of around 740,000 atms for a three runway airport. The extra 50 movements per day can be predicted to introduce a further 10,000 passengers every day through airport compared with the forecast 2030 scenario.

Q6: Do you have any comments on the Commission's sustainability assessments, including methodology and results?

The local air quality model assessment

Answer: The Commission's assessment, as highlighted above has provided a snapshot of the expansion position in 2030. For Heathrow it is predicted that with the Northern Runway Option the airport will be accommodating 125 million passengers per annum (mppa). LAANC is concerned that this underestimates Air Quality impacts for the years 2040 and 2050 given that the Carbon Traded, Global Growth scenario for Heathrow indicates that by 2040 the passenger throughput will have increased to 138mppa and by 2050 to 148mppa.¹

The assessment appears to contain no new evidence to indicate that the air quality assessment has been updated to include the impacts on the local road network or that there has been accompanying quantification for the predicted increases in freight associated with the schemes, including taking into account the position in 2040 and 2050.

- **The assessment does not therefore present the full implications that the options to expand Heathrow could bring and it therefore potentially under-estimates the air quality impacts of the expansion proposals.**

Further, in LAANC's view there is an over reliance on the benefits to be accrued from future vehicle technologies in reducing tail pipe emissions to help solve the air quality issues in 2030. The over-reliance on technology to address the air quality issues has been misplaced to date, as shown by reference to the UK 2011 Air Quality Plan submitted to Europe. This

¹ See 6.58 (Table) APC Document "Strategic Fit – Jan 2015"



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foreshadowed compliance with European legislation in the Heathrow area by 2020. These predictions were most recently updated in 2014 by Defra and now suggest that compliance will now not be achieved until post 2030. The reason for the delay in compliance is stated by Defra as:

This is largely due to the failure of the European vehicle emission standards for diesel cars to deliver the expected emission reductions of NOx". (Updated projections for Nitrogen Dioxide (NO₂) compliance, Defra 2014)

LAANC believes that at this juncture there is insufficient evidence to gain confidence that future reductions in NO_x and NO₂ emissions from, as yet unproven, future vehicle technologies, will be delivered in the real world. The claims should therefore be treated with caution.

In the event that Heathrow expansion is sanctioned it will be the local communities who suffer the adverse impacts of the failure to meet the air quality objectives set to protect health and the ensuing consequences and costs of the need for further mitigation measures to ensure the health limits are met.

Assessment against the EU limit values

The national Defra model used by the Commission shows that in 2030 the Heathrow area, even without further expansion, will still be non-compliant in terms of the EU limit value for NO₂.² The additional pollution from the expansion of the airport can be predicted to exacerbate this situation which in turn will expose the UK and especially local council councils near to Heathrow potentially to being fined by the EU and /or introduce the need to impose even more stringent mitigation measures in the surrounding area in order to attempt to secure compliance.

LAANC notes that the recent Supreme Court Judgement on the UK's failure to meet its EU Air Quality obligations has highlighted the importance of securing air quality compliance "as soon as possible".

There should be plans in place to address the current poor air quality situation experienced by the local communities and ensure that the Heathrow zone is fully compliant with European legislation as soon as possible. Until this is done, and the emission reductions fully secured, expansion at Heathrow should not be considered.

LAANC considers that it would be grossly unfair to subject local communities to ever more stringent mitigation measures, which may impinge further on their quality of life, just to enable the expansion of Heathrow airport.

² See page 66 of the May 2015 APC Consultation document.



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Health

The Airports Commission's assessment shows that, even taking into account reductions in emissions from future vehicle technologies, which are as yet untested, expansion at Heathrow will lead to the exposure of around 49,000 properties (over 121,000 people) being subjected to increases in pollution concentrations. LAANC believes this may well be a significant underestimate as in addition to the optimistic assumptions being made about vehicle emission performance it does not appear that account has been taken of the increased numbers of dwellings that are being created for example on the A4 by the conversion of former (now redundant) airport offices to residential use. For example Axis House alone (located on the Bath Road) is currently being converted to provide around 95 new apartments and we believe that the former Heathrow Point West Offices is being similarly renovated for future residential occupation.

Extra Hospital Admissions Further reference to the Commission's own "monetised health impacts" show they are significantly greater for both of the Heathrow options, with the Heathrow North West option the highest, including up to £10.8m in relation to extra hospital admissions (ref Appendix G of the Jacobs Report). These monetised health impacts, which put complex theoretical values on the years of life lost because of earlier deaths of members of the public caused by the pollutants emanating from the activities of a commercial organisation, are enormously alarming statistics. The sums quoted for both the Heathrow North West Runway option (Table 5.8, page 68 of the Jacobs report) and the Extended Northern Runway (Table 6.8, page 96 of the Jacobs report) indicate the enormity of the health threat to the public (Table 6.9 similarly details the threats to the environment). These should be an absolutely conclusive reason for banning any further runway development at Heathrow.

In addition, the Commission's assessment highlights that the latest scientific evidence indicates that adverse health impacts are associated with nitrogen dioxide levels far below the current EU limit value level. For the area around Heathrow this would indicate that many more communities would have a potentially harmful level of exposure than was previously thought simply by reference to the EU limit values.

With the emerging health evidence suggesting caution on health grounds for levels even lower than the current limit value for Nitrogen Dioxide. It would, in LAANC's view, be unacceptable to knowingly give a recommendation to increase a pollution source that would lead to the exposure of over 121,000 people to increases in nitrogen dioxide exposure in an area where the current population are already disadvantaged, in terms of health.

LAANC is also concerned at the comment made in the Consultation documents in relation to the provision of a more detailed Impact Pathway Assessment which it is stated would accompany: "*a more detailed air quality analysis which is anticipated for any chosen*



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*scheme*³". In the council's view the Commission's appraisal process is meant to be assessing each scheme equally in order to inform a final recommendation. Any further "detailed air quality analysis" and full Impact Pathway Assessment we believe needs to be done before final recommendations on location are made.

Surface Access

The Commission's Consultation document itself casts doubt as to whether the HAL vision (for an increase to over 50% modal shift in public transport access) to ensure total airport-related road vehicle trips to and from the airport does not increase relative to the 2009 baseline, is actually deliverable. In the event that expansion at Heathrow were to be permitted but HAL be unable to deliver the modal shift, additional mitigation measures would be need to be implemented. One of the mitigation measures is aimed at reducing traffic volumes whilst another envisages securing emission reductions by the introduction of both a congestion charge and the implementation of an ultra low emission zone. It is difficult in the council's view to understand how road traffic and pollution could be reduced in a future expansion scenario when so many passengers (54% extra flights by bigger aircraft) and 112,400 additional employees (or 180,000 by reference to the latest "Back Heathrow" newspaper adverts) would need to travel by road to Heathrow.

Further, even of mitigation on the scale required can theoretically be bought LAANC has doubts as to whether it can be afforded at a cost of £20bn (estimated by TfL). As has been stated above, LAANC is of the view that the Commission is relying on is inadequate data in supporting the additional mitigation proposals. It has not in LAANC's view properly assessed the full requirements needed to mitigate the future impacts of the airport at full passenger capacity on both roads and public transport.

Question 7

Do you have any comments on the Commission's business case, including methodology and results?

Legal implications;

One conclusion that can be drawn clearly from the Commission's assessment is that expansion of Heathrow by either of the shortlisted options would delay even further compliance with the EU Limit Value. This could have legal and financial implications as the European legislation states compliance should be reached "as soon as possible" and it should be noted that the EU have the ability to pass down fines to failing Member States.

³ (See Jacobs Report - Appendix G, p 171).



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Constrained use of new infrastructure.

If the mitigation proposals for reducing air pollution around the airport do not prove to be adequate, the use of the new runway could be heavily constrained in terms of its use and its ability to realise full capacity. This will have knock on impacts for Heathrow's wider economic business case.

Adequate surface access

As has been stated above in LAANC's view the Heathrow surface access appraisal is inadequate and has not properly assessed the full requirements needed to mitigate the impacts of the airport at full passenger capacity on both roads and public transport.

The Consultation documents together cast doubt as to whether the HAL vision, which is for an increase to over 50% modal shift in public transport access (to ensure total airport-related road vehicle trips to and from the airport do not increase relative to the baseline) is actually deliverable. The Jacobs report goes on to highlight the potential need for two further mitigation measures; one aimed at reducing traffic volumes and the other at reducing emissions, namely a congestion charge and the implementation of an ultra low emission zone.

In LAANC's view proposed mitigation for Heathrow in respect of local roads and public transport have not been assessed at an adequate level of granularity to be confident of the ability of the proposed mitigation measures to be implemented (in terms of not only the costs of such schemes but also other potential impacts such as effects on the local economy). These should be evaluated and fully costed before any decision is made as to which is the most appropriate location for airport expansion.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. [unclear]', written in a cursive style.

Director LAANC