Update to the Review of Luton Airport proposal to allow 19mppa: implications for carbon emissions

Report for Luton Borough Council on

Planning Application 21/00031/VARCON to vary conditions to Planning Permission 15/00950/VARCON

Report ref ED15094100

Customer:

Luton Borough Council

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1 Purpose of this note

1. My original note assessing climate impacts was provided on 28 May 2021. There has been significant policy development since then which is important to the decision, and which is updated here.

2 The basis for advice

2. I acted as expert witness on carbon emissions for North Somerset Council at Bristol Airport and Uttlesford District Council at Stansted Airport at appeal and public inquiry, following the refusal of planning permission for both airports' expansion proposals on grounds which included carbon.

3. I have drafted the energy strategy for the DCO for the decarbonisation of ground based emissions for the proposed DCO for Luton Airport.

4. Ricardo also audits the airport for LLAOL under Airport Carbon Accreditation Scheme.

5. Because I have not been involved in the assessment of aviation emissions, which is the major issue with the planning application being considered (ref: 21/00031/VARCON), I do not feel that there is any conflict of interest in assessing the impacts of the proposal. All parties (the applicant, the council and LLAL) have been aware of this position from the outset.

3 Policy up to the original advice on carbon in May

6. Policy has been evolving rapidly but in summary:

    a. Aviation policy is set by ANPS and MBU which were written on the basis of an 80% cut by 2050.

    b. In 2019 UK Climate Change Act target increased from 80% to net zero.

    c. International Aviation has been outside the scope of Climate Change Act, with a planning assumption which allowed for aviation emissions, as part of the remaining 20% of emissions, but there is no room for a planning assumption if emissions are zero.

    d. The Climate Change Committee provided advice on the sixth carbon budget in Dec 2020, advising a 78% cut by 2033-37 budget period, to include aviation within net zero.

    e. Government accepted the 6th Carbon Budget headline targets but not the policy detail

    f. The mechanisms to deliver were trading schemes (UK ETS and CORSIA) and taxes (APD) but further measures were needed to deliver this more demanding target.

7. The Advice in May concluded:

a. The Planning Statement was considered to be out of date because it was based on the 'planning assumption' and it was difficult to see how MBU was compatible with the sixth carbon budget and net zero

b. The Environmental Statement at the time was remiss in that surface access, ground activities, and Domestic Aviation have been included in the UK carbon target since 2008, and since 2018, this target has been net zero by 2050. There are new intermediate targets and since 2020 and the UK NDC, this has been a 68% reduction by 2030. Proposed mitigations are limited energy efficiency improvements to airport buildings and promotion of the use of public transport for airport employees and passengers, and other measures were considered to be needed in order to achieve net zero for these activities. This has since been addressed by the draft Carbon Reduction Plan.

c. If the proposal is consented there is a need for conditions to make the application acceptable in relation to carbon emissions.

4 Policy since the original advice note in May

8. Since the end of May the need for further policy to meet more demanding policy targets has been addressed by:

a. The **Transport Decarbonisation Plan**[1] and with it the **Jet Zero consultation**[2] (both 14 July 21) which proposed supporting improved technology (including efficiency, Sustainable Aviation Fuels, electric and hydrogen aircraft, and offsets and removals of remaining carbon emissions) over capacity constraint in order to achieve net zero carbon emissions from aviation.

b. **A Consultation on Sustainable Aviation Fuel Mandate**[3] (23 July 21) a key technology with proposals for a mandate for up to 75% SAF by 2050.

c. **The UK Hydrogen strategy**[4] (17 August)

d. **Updated Carbon Valuation for use in policy assessment** [5], (2 Sept) which will underpin policy including decisions on (for example) UK Emissions Trading Scheme, a Mandate on Sustainable Aviation Fuel and Air Passenger Duty. The value of carbon has increased by a factor of 10 today, 4 by 2030 and 2 by 2050. If fuel costs go up through

[1] https://www.gov.uk/government/publications/transport-decarbonisation-plan

[2] www.gov.uk/government/consultations/achieving-net-zero-aviation-by-2050

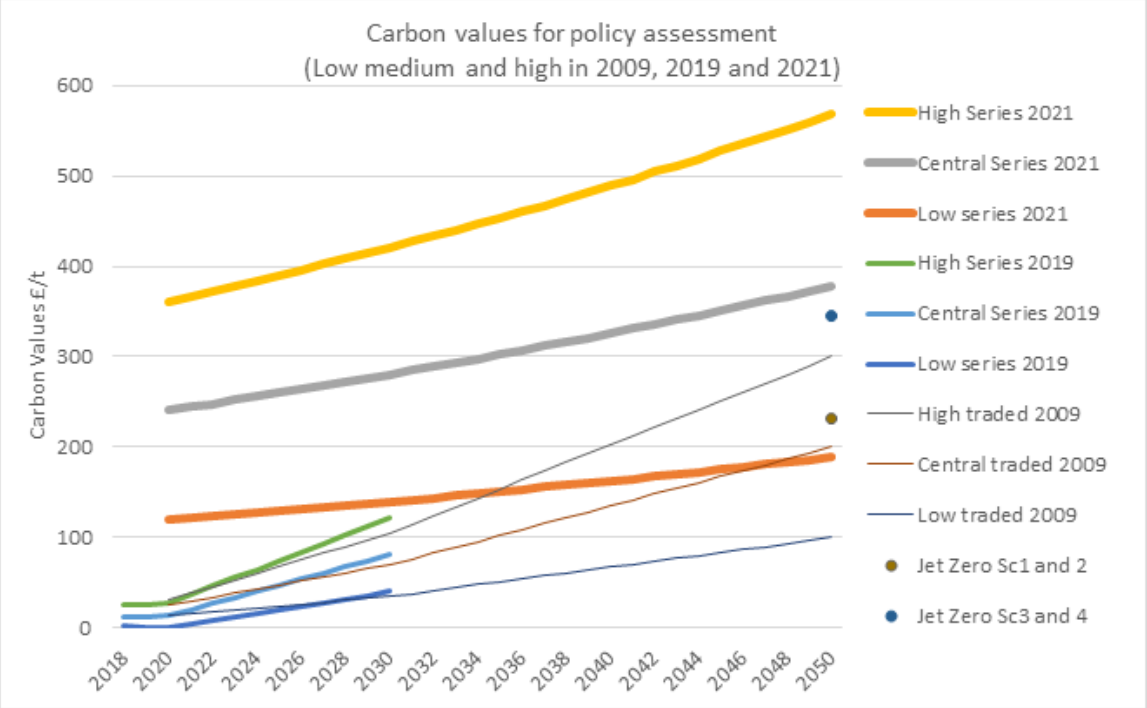
[3] www.gov.uk/government/consultations/mandating-the-use-of-sustainable-aviation-fuels-in-the-uk

[4] www.gov.uk/government/publications/uk-hydrogen-strategy

[5] www.gov.uk/government/publications/valuing-greenhouse-gas-emissions-in-policy-appraisal/valuation-of-greenhouse-gas-emissions-for-policy-appraisal-and-evaluation

policy, then this may need reflecting in ticket prices, and this may significantly impact calculations of cost effectiveness of airport expansions.

Figure 1 Carbon Values in UK policy assessment (2009, 2019, and 2021)



e. **Decision on requests to review Airports National Policy Statement (ANPS)**[6] – (6th Sept), where Ministers considered whether there was a need to review the Airport National Policy Statement at the present time, and concluded they did not need to, but may revisit after the publication of decisions following Jet Zero. The clear implication is that Government considers ANPS, and by implication its sister publication for smaller airports, MBU, still stand.

f. The Governments over-arching **Net Zero Strategy**[7] (19 Oct) published just before COP26, reinforced the strategy of delivering technology change rather than behaviour change. The PMs foreward is particularly telling and said "*this strategy shows how we can build back greener, without so much as a hair shirt in sight. In 2050, we will still be driving cars, flying planes and heating our homes, but our cars will be electric gliding silently around our cities, our planes will be zero emission allowing us to fly guilt-free, and our homes will be heated by cheap reliable power drawn from the winds of the North Sea*". The emphasis on technical change not capacity constraint is clear.

[6] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1015207/decision-on-requests-to-review-the-anps.pdf

[7] www.gov.uk/government/publications/net-zero-strategy

g. At COP26 in Glasgow government announced an **International Aviation Climate Ambition Coalition**[8], (10 Nov), where countries committed to ambitious action on international aviation emissions, including through a new global goal and promotion of cleaner fuels and technologies. Among other things, member states of the coalition have committed to working together to raise the ambition of the (currently relatively unambitious) CORSIA offsetting scheme via ICAO (the International Civil Aviation Organization). In a sense this is the culmination of policy in that the government recognises that capacity constraint is not a policy that can be sold internationally, whereas ambition on technology is.

h. **The Union Connectivity Review**[9] (26 November) reinforced the technology development over capacity constraint view of restraining aviation emissions. There is an opportunity for the UK Government to adopt a more interventionist approach to slot assignment at London airports in support of domestic routes where there is not a viable road or rail alternative.

5 Policy Conclusions

9. **The conclusions and recommendations are that**

a. **CCC recommendations on 6CB.** Advice is just advice not policy. The government said it would take on board the advice, including bringing international aviation under the carbon budget, but was explicit in not accepting individual policy measures.

b. **Stansted appeal decision**. Inspectors stated that MBU is a recent expression of government policy, that it thoroughly tests the potential implication in terms of climate change and was given in the full knowledge of the government commitment to CCA. This was reinforced by the High Court decision in Oct 2021.

c. **Jet Zero consultation** –Government did not take on board the capacity constraint that CCC advocated, and Jet Zero was explicit that MBU and APF are the most up to date national aviation policy and still carry full weight, and the consultation lays the ground for a 60% increase in passenger numbers. Net zero in this context will be very hard to deliver and was severely criticised at the Bristol Airport public inquiry because it did not explore capacity constraint options (which CCC said were the cheapest form of carbon emission reduction), and it did not assess the risks that targets would not be delivered. Whilst it will be extremely challenging to deliver the Jet Zero strategy, it is currently hard to see an inspector or court setting aside the emphasis on technology rather than

[8] www.gov.uk/government/publications/cop-26-declaration-international-aviation-climate-ambition-coalition

[9] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1036027/union-connectivity-review-final-report.pdf

capacity constraint which is now consistent across several policy publications and decisions. However, under the Climate Change Act, the Secretary of State still has a duty to meet net zero, and if technology does not deliver the carbon savings anticipated in Jet Zero, Government may need to revisit the issue of capacity constraint.

5.1 Assessing the application against policy

10. In this case

    a. The increase in capacity does not need additional physical development but is achieved within existing facilities. There is no embedded carbon and no additional investment in facilities at risk.

    b. The additional capacity is achieved largely by bigger aircraft. The increase in flights is <1% of current total (going from 141k to 142k).

    c. Emissions from aircraft can be addressed by national policy and airlines (with or without the development) will have to meet UK policy objectives. The proposal is within the bounds of modelling under Jet Zero and under MBU.

    d. Emissions can be further influenced through conditions, including a Carbon Reduction Strategy which should be reviewed regularly, eg in line with UK policy and in line with UK Carbon Budgets.

5.2 Conditions

11. LLAOL could be conditioned to update the Carbon Action Plan for ground based emissions, reviewed in line with UK carbon budgets.

    a. Including targets of a 68% by 2030 in NDC, and the 78% cut by 2033-37 in 6CB (in order to meet UK climate change objectives)

    b. Meet Luton target of net zero for ground based operation by 2040 (in order to be consistent with local policy)

    c. Electric vehicle charging is a particular issue. The Outline Carbon Reduction Plan states (p21) "*In partnership with LLAL and LBC provide the infrastructure for 40 to 60 electric vehicle (EV) charging points by 2030, considerate of EV charging requirements, in line with the planned phase out of new petrol and diesel cars in the UK by 2030*", i.e. circa 0.5% of spaces, when by 2030, National Grid is projecting 15-30% EV uptake, so 15-30% of spaces may need access to chargers. (in order to support national policy objectives)

    d. The Carbon Reduction Strategy should going forward show how the airport will implement UK targets for net zero aviation, including changes in infrastructure within the airport boundary to support airlines in decarbonising.

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