

**S.77 TOWN AND COUNTRY PLANNING ACT 1990**  
**APPLICATIONS BY LONDON ASHFORD AIRPORT, LYDD**

**PINS REF: APP/L2250/V/10/2131934**  
**& APP/L2250/V/10/2131936**

**Closing Statement – CPRE Protect Kent**

**Harry Rayner**

**1. Introduction**

Good morning, my name is Harry Rayner. I am here at the request of my colleague Richard Knox-Johnston, who has asked me, as the Chairman of the CPRE-Protect Kent Transport Committee, to present this closing statement. Richard has experienced considerable difficulty in meeting the demands of the scheduling and re-scheduling of this Inquiry.

In this closing statement I will be addressing the following matters:

I will begin with Planning Policy Considerations, followed by Quality of Life, Tranquillity Issues, and the impact Greatstone Primary School, all of which we consider to be the greatest challenges to this application.

I will then address matters of transport, including air operations, followed by carbon reduction issues.

Lastly, I will address the application's economic case, with reference to Manston, together with potential impact on jobs and local businesses, followed by our conclusions.

So, to begin with ...

## 2. Planning Policy Considerations

### 2.1 National Policy on Aviation

2.1.1 In his evidence to the Inquiry Mr Lloyd considered the White Paper ‘*The Future of Air Transport*’ (CD5.24), published in 2003 (see CPRE/01/A, paras 3.2 – 3.9). He accepts that the White Paper remains the Government’s only currently published guidance on aviation policy.

2.1.2 However, he explained that there have been significant changes since it was published in 2003. Firstly, the Climate Change Act of 2008 has set legally binding targets for emissions, which were not taken into account by the White Paper. Secondly, the Country has experienced a deep economic recession which will inevitably mean that the assumptions about demand and aspirations for growth on which the White Paper is based are likely to be very different now. Thirdly, there is now a new Government that has made it clear that it does not support all of the content of the White Paper.

2.1.3 In March the Government published a scoping document for its new ‘*sustainable framework for UK Aviation*’ (CD5.36). When finalised the framework will replace the White Paper and provide the Government’s new policy on aviation.

2.1.4 The scoping report, as the first step in replacing the White Paper, is material to this inquiry in that it begins to flesh out the Coalition Government’s thoughts on the future of aviation policy in the UK and expresses serious concerns with the White Paper. This is encapsulated in paragraph 1.14 of the document, which states that:

*“While some elements of this white paper might still be relevant, many of its provisions are no longer fit for purpose. They fail to recognise the importance of addressing climate change and give insufficient weight to the local environmental impacts of aviation.”*

2.1.5 Furthermore, the Secretary of State for Transport in his foreword to the scoping document is scathing in his comments on the White Paper. He states that it is *“fundamentally out of date, because it fails to give sufficient weight to the challenge of climate change”*. And he goes on to say that the *“previous government got the balance wrong”* in supporting new runways in the face of local environmental impacts and mounting evidence of aviation’s growing contribution towards climate change.

2.1.6 In the light of these comments there is every indication that the aviation policy being developed by the Government will be significantly different to that promoted in the White Paper by the previous Government. Whilst the White Paper sought to achieve a balanced strategy, it is clear from the scoping document that the Coalition Government considers that the White Paper got the balance wrong in its essentially pro-growth position. The clear message is that in future there needs to be a better, more sustainable, balance between the positive and negative impacts of aviation.

2.1.7 This is further evident from the National Infrastructure Plan, published by the Government in October 2010, and considered by Mr Lloyd in his statement CPRE/01/A at paras 3.11 & 3.12. This promotes the continued development of the high-speed rail network and rail connections between the north and south of the country to further reduce journey times to Glasgow and Edinburgh, so that a large proportion of domestic airline travel on these routes transfers to the train, reducing carbon emissions and releasing airport capacity.

2.1.8 The emphasis of the Coalition Government's emerging policy has clearly moved from a position that supports expansion of airport capacity *nem com*, to one that seeks to make better use of existing capacity and to promote alternative high-speed rail connections that will free-up existing capacity. Importantly, whilst the White Paper envisaged that it would be through the expansion of the smaller airports that pressure would be relieved from the major airports, the Government now sees this as being achieved by the promotion of high-speed rail connections. The Government is actively pursuing this, for example through High Speed 2, and of course in Kent we already have High Speed 1 which provides a quick and easy link between London and the south east of England and much of mainland Europe – the very market that an expanded Lydd airport is likely to be aiming at.

2.1.9 As a consequence, it is clear to us that the weight to be attributed to the White Paper should be diminished, in particular in regard to its proposals for an increase in airport capacity.

## **2.2 Regional Policy on Aviation and Sub-regional Strategies**

2.2.1 The applicant places great emphasis on the general support that the White Paper gives to expansion of the smaller regional airports. The South East Plan, and other sub-regional and county level strategies, also generally support the expansion of airport capacity, including at the smaller airports. This is not unsurprising as they have been prepared in the context of the Air Transport White Paper.

2.2.2 However, regional policy and sub-regional strategies do provide a more local interpretation of the application of national aviation policy. These, in effect create a three-tier hierarchy of airports, as explained by Mr Lloyd in paras 2.16 – 2.18 of CPRE/01/D.

2.2.3 Policy T9 of the South East Plan (CD7.1) deals with the first two tiers of the hierarchy. This places the major airports of Gatwick and Heathrow at the top of the hierarchy and then, beneath them, come Southampton and Kent International Airport (Manston) as second tier airports to be enhanced as airports of regional significance. Finally, in paragraph 8.30 of the supporting text to Policy T9 (importantly not in the policy itself) the third tier of smaller airports is dealt with. Here it is recognised that smaller airports *“could play a valuable role in meeting local demand and contributing to regional economic development”*. Whilst this text gives support to the development of the smaller airports it does not proactively promote expansion.

2.2.4 In Kent, the strategic approach outlined in the South East Plan has then been taken further forward in various plans and strategies put together primarily by Kent County Council, as considered by Mr Lloyd in paras 3.23 – 3.48 of CPRE/01/A (and up-dated in CPRE/01/D). It was Mr Lloyd's conclusion from his analysis of these strategies that in Kent it is the expansion of Manston airport that is being proactively promoted, not the expansion of Lydd. Importantly, the most recent of these documents – 21st Century Kent (CD11.27), the East Kent Sustainable Community Plan (CD11.20) and the LEP bid (CD11.26) – there is a clear shift in emphasis away from general support for aviation expansion towards the role of high speed rail, and the linking of Manston Airport to it. This, undoubtedly reflects the recent introduction of the High Speed 1 services and the dramatic changes in journey times from the eastern parts of Kent to London that have now become a reality, and the changed circumstances since the White Paper was published to which I have already referred. In our view, this even more undermines the case for expansion at Lydd, which we believe would be at odds with this new emphasis.

2.2.5 Although there was some minor criticism of Mr Lloyd's analysis of the various Kent strategy documents by Ms Congdon (in LAA/4/D), his conclusions were not challenged. It is clear to us, that the strategic emphasis in Kent is firmly on Manston airport rather than Lydd, particularly given its closer association with the high speed rail network. The applicants claim that Lydd would be complimentary to Manston, but no firm evidence has been presented to demonstrate this. No operators are signed up to Lydd, so it is impossible to say that Lydd will not offer routes and services that will also be offered by Manston. It appears to us that both airports will be competing for the same airlines and same routes, and so they will be in direct completion, not complimentary. Potentially expansion of Lydd will undermine the more strategic priority to develop Manston as Kent's premier airport.

## **2.3 Local Plan Policy on Aviation**

2.3.1 With regard to the Shepway District Local Plan Review (CD7.5), saved Policy TR15 supports expansion of Lydd subject to no significant impacts, particularly on wildlife. Mr Ellames for the District Council claims that the Local Plan Policy reflects the 2006 Kent and Medway Structure Plan (para 3.4 of SDC/4/A). However, this linkage is wrong and misleading. It is clear from paragraph 1.2 of the Local Plan that the Shepway Local Plan Review was prepared in the context of the Kent Structure Plan of 1996, which predates the White Paper. In our view this older context for the Local Plan places question marks over the weight to be attached to Policy TR15.

2.3.2 Policy TR15 itself provides no specific guidance on what expansion of Lydd airport might comprise. Paragraph 11.41 of the supporting text refers to a scale of 1 to 2 million ppa, but there is nothing in the supporting text or the policy that explains what development would be necessary or appropriate to achieve this. There is no mention of an extended runway or the provision of a new or even improved terminal.

The Policy is entirely open ended and only the extent of the existing airport is shown on the Proposals Map.

2.3.3 However, Mr McGrath (para 8.105(a) of LAA/14/D) claimed that in formulating Policy TR15 *“the matter of the potential effect of the Airport expansion on neighbouring uses has been considered in detail in the plan-making process.”* He presented no evidence to back up this claim, and it is difficult to see how this was possible given the lack of detail in the Local Plan. We do not consider that any regard can be given to this unsubstantiated claim.

2.3.4 The Council is evolving a new development plan policy on Lydd, as they are currently preparing their Core Strategy. When Mr Lloyd gave his evidence to the Inquiry there was a committee draft of the proposed submission Core Strategy available (CD7.12). In this draft there is no strategic policy that relates to the airport. It is not identified as a strategic site. It was suggested in the preferred options document (CD7.6) that a strategic policy would be considered, but this has clearly been rejected.

2.3.5 It is explained in paragraphs 5.117 to 5.119 of the draft that the applications have been considered under saved local plan policy TR15 of the Local Plan. Paragraph 5.118 explains that whatever the outcome of the applications the spatial strategy for Romney Marsh as included in the Core Strategy will remain applicable. There is no specific policy in the draft that sets out the spatial strategy for Romney Marsh, but proposed Policy SS1 provides the District spatial strategy. In regard to Romney Marsh this makes no mention of a role for the airport. It seems that if the applications are unsuccessful, the Council is content that its economic development objectives for the Romney Marsh Area can be achieved without any reliance on airport expansion.

2.3.6 In cross examination, Mr Brown asked Mr Lloyd if he thought the Council was going ‘wobbly’ on the airport. Mr Lloyd answered that he thought they were, as the approach in the draft Core Strategy was silent on the role of the airport, and even if the current applications were approved the Core Strategy did not support the airport’s aspirations to expand to 2 million ppa as in the current Local Plan. Furthermore, he explained that this was also the view of LAA as expressed in their representations on the preferred options of the Core Strategy (see appendix 5 in CPRE/01/F), as they wanted the pro-expansion Local Plan Policy TR15 rolled-forward to the Core Strategy. This has not been done.

2.3.7 The proposed submission Core Strategy was formally published under Regulations 27 and 28 of the Development Plan Regulations on 29<sup>th</sup> July. The approach towards the airport remains as in the draft, though there have been some minor wording changes.

## 2.4 Other Policy Considerations

2.4.1 The expansion of the airport must be acceptable in planning policy terms and must not have adverse impact on the environment that cannot be mitigated. We agree with Natural England and the RSPB that there will be significant impact on the internationally important nature conservation interests that surround the site, and that for these reasons alone the applications should be refused. We rely on their evidence in this regard.

2.4.2 It is our case that in addition the proposed expansion of the airport will have an unacceptable impact on the character of the surrounding countryside (including the Kent Downs AONB) due to loss of tranquillity. Consequently, we consider that the proposals will impact on the quality of life of the nearby communities and of those that visit and enjoy this unique corner of rural Kent.

2.4.3 Witnesses for LAA did not accept that tranquillity was a policy issue to be taken into account. In fact they did not consider it a policy issue at all. This in marked contrast to the views of Mr Ellames for the District Council, who in his two reports to the Council's Planning Committee (CD1.48 & CD1.51) saw reason to reject the applications on grounds of both noise and tranquillity, and that the proposals failed to satisfy saved Local Plan Policy SD1 and South East Plan Policy CC1 for these reasons (as well as others).

2.4.4 Tranquillity is a policy matter that needs to be taken into account, and evidence from Mr Willis (CPRE/02/A) demonstrates that the Romney Marsh/Dungeness area is amongst the most tranquil areas in the South East. I deal separately in this closing with the criticism levelled at Mr Willis's evidence, but here I shall deal with the issue of tranquillity as a policy consideration.

2.4.5 In his evidence Mr Lloyd explains in detail that it is recognised in Government Policy that tranquillity is a characteristic of the countryside and a reason why people visit and enjoy the countryside. This is clear from the Rural White Paper as explained in paragraphs 4.7 – 4.11 of Mr Lloyd's statement CPRE/01/A. Great weight is placed by the applicants on the Aviation White Paper, but the Rural White Paper has equal weight as an expression of extant national policy – a point accepted by Mr McGrath in cross examination, though he considered they had different aims.

2.4.6 It is also the case that in the draft National Planning Policy Framework (NPPF), issued for consultation by the Government in July, the need to protect tranquillity is recognised in paragraph 173. This is a point we have highlighted to the Inspector in our e-mail of 4<sup>th</sup> August in response to a request for comments on the NPPF from the Planning Inspectorate in a letter dated 28<sup>th</sup> July.

2.4.7 The Rural White Paper, like the Aviation White Paper, provides overarching national policy which provides the context for subsequent national, regional and local planning policy.

So when PPS1, PPS4, PPS7 and the South East Plan, which post-date the Rural White Paper, all refer to protection of the countryside (as explained by Mr Lloyd in paragraphs 4.12 – 4.20 and 4.27 – 4.31 of CPRE/01/A), then tranquillity must be one of the features of the countryside that needs to be protected, even if the word ‘tranquillity’ itself is not used in individual policies. To simply dismiss tranquillity as a policy consideration because the word is not specifically included in planning policies, as Mr McGrath and Mr Self do, is untenable.

2.4.8 To illustrate this point, Mr Lloyd referred to the Dover District Core Strategy that was adopted in February 2010. Here, in the preamble to its countryside policies, the Council clearly see the protection of the countryside relating to “...*the erosion of the countryside as a physical resource and also to its inherent tranquillity which can be reduced or spoilt through impacts such as noise and light pollution*” (para 7.7 of CPRE/01/D). In the subsequent countryside policies the Council do not include the word tranquillity, but it is clear to the reader of the Plan from the supporting text that tranquillity is part of the character of the countryside that they are seeking to protect. This is how the Rural White Paper should also be seen – providing the context for the application of subsequent policies. Thus, saved Policy CO1 of the Shepway Local Plan should also be seen in this way.

2.4.9 Whilst the Shepway Local Plan makes no specific reference to tranquillity, it is interesting to note that in the draft committee version of the proposed submission Core Strategy the need to “*maintain the sense of openness and tranquillity of the countryside and undeveloped coast*” is a specific aim arising from ‘Strategic Need B’ (CD7.12). It clearly is the case that Shepway District Council, like neighbouring Dover District Council, see tranquillity as a feature of its countryside, and it is a feature that needs to be maintained.

2.4.10 As I have already said, Mr Ellames for the Council accepted in his reports to the planning committee that in part planning permission should be refused because of impact on tranquillity. However, he did not see this, together with noise, being a reason that could be sustained on its own. We disagree with that view. We consider that a rise in passenger numbers from the current 3 – 4,000 ppa to 500,000 ppa will inevitably have a significant detrimental impact on the character of the countryside of the Romney Marsh/Dungeness as a result of more frequent flights and the associated disruption to tranquillity that will arise both visually and audibly from more frequent and noisier aircraft movements. This in our view makes the proposals contrary to policies SD1 and CO1 of the Local Plan as Mr Lloyd explains in paragraphs 5.28 & 5.29 of CPRE/01/A and 3.38 – 3.49 of CPRE/01/D.

2.4.11 Furthermore, although the applicant has presented noise evidence to the Inquiry which shows that certain national noise standards will not be breached, the assessment of tranquillity is not about simple compliance with noise standards. As explained in his evidence (para 3.25 of CPRE/01/D), Mr Lloyd considers that paragraph 18 of PPG24 is also an important consideration. This paragraph states that:

*“Authorities should also take into account the fact that the background noise level in some parts of suburban and rural areas is very low, and the introduction of noisy activities into such areas may be especially disruptive.”*

2.4.12 This requirement, as Mr Lloyd explained, is not a matter for noise studies and compliance with national noise standards, but demands a judgement to be made having regard to the particular nature of the area potentially impacted on. Lydd airport is located in a rural area where background noise is currently very low. This is what makes it particularly attractive to visitors. The increased aircraft activity that will arise if these applications are accepted will be especially disruptive. There is clearly a need to have regard to paragraph 18 of PPG24. This is not least because of the noise impact on Greatstone Primary School.

## **2.5 The 1992 Decision**

2.5.1 Mr McGrath for LAA sees the 1992 planning decision as the “*back drop*” to the consideration of the current applications (para 7.21 of LAA/14/A). Whilst the 1992 call-in decision is a matter of fact and the Inspector will come to a view on its relevance to this inquiry, it was a decision made 19 years ago based on the then prevailing policy context and the requirements of the time to assess planning applications. These policy changes are explained in detail by Mr Lloyd in paragraph 3.10 of CPRE/01/D, and his analysis is unchallenged. Clearly much has changed in the intervening years, which means that little weight can be given to the 1992 decision. It certainly is not the case that the decision provides the backdrop to the consideration of these applications, as claimed by Mr McGrath.

2.5.2 Furthermore, whilst the 1992 decision related to an extension of the runway by 296m, about the same as now proposed, it did not include the 150m starter extension proposed now and it did not include a new or improved terminal to facilitate 500,000 ppa. The fact that no new or improved terminal was included in the proposal is particularly significant, as it means that the previous application could only have been assessed in the context of the capacity of the existing terminal, i.e. a maximum of 300,000 ppa. The 1992 decision, therefore, related to a very different proposal that did not comprise the expansion now proposed. It is also important to note that the 1992 permission was never implemented, which suggests that the aspirations then to ‘kick start’ the airport failed. We can see no reason why in the context of the even more competitive market of today Lydd will be more successful than it was in the early 1990’s – especially given the track record of near-by Manston airport.



### **3. Quality of Life**

#### **3.1 General**

3.1.1 Much has been made during their evidence from witnesses who live and work in the area of the special ambiance of Romney Marsh. There can be no doubt that anyone who visits the area will be impressed with its tranquillity and remoteness. Evidence was submitted that people visit the area to enjoy a quiet day out away from the hustle and bustle of life in a town.

3.1.2 Dungeness is very remote and has the largest shingle beach in Europe. It attracts artists, photographers, fishermen, walkers and cyclists. There is also the extensive area of the Kent Downs AONB which is much enjoyed by walkers for its tranquillity, as outlined in their evidence. All these important attributes would be greatly affected by the expansion of the airport and the jets it would attract.

3.1.3 If the area were to be wracked by extensive noise from jet aircraft it is unlikely that people will find it so attractive for a holiday or a day by the sea. Ms Congdon suggested in her evidence that plane spotters would flock to the area but did not supply any evidence of the numbers that would be attracted. It must be assumed that this hobby only attracts small numbers and would not replace the loss of those who come to the area for tranquillity.

3.1.4 There has been considerable concern expressed by those who live in the area and who will suffer if the appeal were to be granted. Approximately 200 people appeared at the one open evening and all but a handful were against the development.

### **4 Tranquillity**

#### **4.1 Background**

4.1.1 The approach taken to tranquillity mapping has evolved since its inception in the early 1990s. It has always been technical and rational despite dealing with an aspect of experience of the countryside which is personal and subjective.

4.1.2 A new approach was developed in response to statements on tranquillity in the Rural White Paper 2000. There were also identified weaknesses in the 1990s tranquil areas mapping work. The early threshold based analysis of tranquil areas has been superseded by a superior GIS based approach incorporating national data sets and based on a relative scale and in maps published in 2006/2007.

4.1.3 The maps are now based on multiple positive and negative factors and multiple parameters applied consistently across England with selection of factors and their weighting determined by public consultation.

The assessment of tranquillity presents is a publicly grounded one based on national data as evidence of the presence or absence of factors in and around specific squares.

4.1.4 These maps show that on a national scale that the Romney Marsh area is nationally significant for its high levels of tranquillity despite recognised disturbance factors. Though there are factors which disturb the area they are not currently major factors i.e. large scale urban development or major roads. There are many positive aspects such as natural land cover, openness and remoteness and, importantly, the presence of the sea.

4.1.5 The planned expansion to 500,000 passengers p.a. will increase regular instances of high noise levels from jet aircraft. Tranquillity would be significantly damaged by these incremental effects. There will also be further effects from the visual impact of aircraft and induced road traffic.

4.1.6 The applicants have attempted to undermine tranquillity as a concept. However they have not challenged the consistency or rigour of the national work done nationally. They have merely attempted to contrast it with earlier and less complex work from the 1990s.

4.1.7 They have attempted to challenge its application to the Lydd area on the basis of Mr Self's assessments of the impact of factors which disturb the area. However Mr Self both claims the concept is difficult to interrogate (LAA/10/A 5.2) and then applies the concept in judging that the area is not tranquil. This is done without any criteria given for this assessment or technical basis.

4.1.8 Arguments in the inquiry that the mapping does not account for very local factors such as fencing or gravel workings misunderstand the granularity of the national mapping both in terms of what it does and what would be possible to do in a national map. The tranquillity map is an indicator developed in 2000s to attempt, as far as possible, to support planning decisions in a consistent and transparent way. It is a technically complex methodology which enables commonly and publicly appreciated aspects of the countryside and/or the human experience of it, to be factored into such decisions. This is increasingly recognised in public policy at national and local levels.

## **4.2. LAA's treatment of tranquillity**

4.2.1 It is important to note that the issue of tranquillity has not been dealt with in any substantial way by the witnesses for LAA in either written or oral evidence. Mr Perkins noise evidence refers to Mr Self's evidence, as Mr Perkins finds tranquillity difficult to quantify. He makes no attempt to consider the various methodologies used to assess tranquil areas or tranquillity.

4.2.2 Mr Self deals with an assessment of landscape and visual aspects of the development, not noise. So the impact of noise – particularly aviation and induced traffic noise – falls between the gaps in these positions.

4.2.3 This omission was made more glaringly obvious in Mr Self's oral evidence where he concluded that policy in relation to tranquillity or tranquil areas generally relates to noise rather than visual disturbance. Mr Self also made the point that most people think tranquillity refers to noise.

4.2.4 LAA's case on tranquillity depends totally on the evidence of Mr Self who appears to have a very limited grasp of the concept of tranquillity, as confirmed in his evidence and cross-examination.

### **4.3. LAA's confusion of tranquil areas with tranquillity**

4.3.1 The main thrust of Self's case is that, in his judgement, an area with a power station, firing range or airport could not be considered a tranquil area. No criteria are given for this judgement. No threshold for when an area becomes less than tranquil is given. No attempt to assess the tranquillity of the wider area, beyond the features mentioned, for its tranquillity despite the absence of major noise from road traffic, its remoteness or the presence of open farmland, shingle and beach which may all contribute towards tranquillity in the area.

4.3.2 We have shown that Self's evidence is based on confusion between a threshold based concept of a tranquil area – effectively bounded by lines on map – and tranquillity which has been mapped on a relative scale and which does not set boundaries or thresholds for establishing when an area is tranquil or not. The researchers from Newcastle University indeed make the point, that owing to human influence on the English landscape over millennia, this has to be so. Nowhere is entirely natural or undisturbed by human influence.

### **4.4. LAA has not challenged the rigour of the tranquillity mapping work**

4.4.1 There has been no challenge to the rigour of the national tranquillity mapping work or a challenge to its findings in general. In the main this is because there has been very little engagement by the applicant with the methodology at all. Mr Self's written submission merely reports findings from CPRE's website.

4.4.2 This is important because the map has been generated using multiple factors with consistent treatment for 40-50K squares across the surface of England using existing national data sets and GIS. It is therefore an analysis based on a standardised treatment of visual and noise factors for all locations. The results for any given location depend on the underlying factors and data. The rigour and objectivity of this analysis has not been challenged.

#### **4.5 The challenge to the value of the tranquillity map as an indicator of tranquillity in the Lydd area is based on a number of misconceptions**

4.5.1 The applicant's counsel sought to question the validity of the mapping because it failed to account for local features such as security fencing or former gravel workings. This assumes that all such factors which are locally relevant could be accounted for in a national mapping process. It totally misunderstands the scale and granularity of the national mapping work.

4.5.2 Despite the national scale of the Tranquillity Map being clear in our evidence, the applicant has sought to show that it cannot work at a detailed local scale. This is an error of analysis. The applicant's analysis also fails to take into account that, where features cannot be accounted for in the mapping, this is done consistently across the country, so that in relative terms the comparison on a relative scale must stand although there may be variation at a more detailed level locally.

4.5.3 The applicant sought to show that an area could not have high levels of tranquillity with a nuclear power station present – images of Dungeness power station were included to show this. However, photographic images do not illustrate that the value for tranquillity. Any square takes a 360 degree view into account for visibility of intrusive features. This means that the salience of the power station is weakened by the surroundings which in most cases are open, agricultural, views of the sea. The impact of specific features positive or negative is averaged for each square. A single dominant feature will not necessarily outweigh a predominantly natural landscape.

4.5.4 The emphasis placed on Dungeness power station may reflect its dominant presence (the NCA text says this) but we should point out that the power station is largely silent and generates little traffic. The most significant negative item in the tranquillity factors is constant road traffic. Power stations were not mentioned frequently enough by the public that they required separate listing in the set of factors. It is clear that any such list of factors would need to be considerably longer if it were to account individually for given types of building (e.g. power stations, oil refineries, warehousing, telecoms masts, ports, incinerators, hospitals, factories, bridges, oil terminals, gas storage depots, water towers, grain silos, industrial scale farm buildings, glasshouses and railway stations). It would also depend on there being a data set which included all these buildings. While this kind of detailed analysis would be desirable, it is easy to see that at the national level this would require an extraordinarily detailed data set of building location, scale, height, type, shape etc. which is of course not available. Demanding this of a national indicator is we argue unreasonable.

4.5.5 The applicant failed to account for the range of positive factors (or absence of strong negatives) which can outweigh even significant negatives such as power lines i.e. remoteness, openness, natural land cover, views of the sea/water, absence of major roads, limited urban development, absence of major noise intrusion from traffic / significant air traffic etc.

#### **4.6 Failure to properly consider tranquillity means the impact on people's experience of the countryside has not been assessed for the application**

4.6.1 The applicant has relied on noise measures related to onset of community annoyance i.e. the 57Db level; however, tranquillity analysis is not based on this noise threshold.

4.6.2 The noise analysis within the methodology is based on noise levels modelled as they decline to an ambient level (as the disturbance of the experience of rural tranquillity, almost by definition, is based on the level of disturbance above ambient noise – which is generally much lower in the countryside than urban area). The mapping also depends on an assessment of the quality of noise i.e. bird song can be very loud as can wave roar but neither were cited as disturbance factors. Bird song, despite noise levels, was judged in the research to contribute to tranquillity.

#### **4.7. The complexity of tranquillity**

4.7.1 Perhaps one of the most difficult aspects of the tranquillity case is the complexity of the methodology which in some ways is opposed to the simplicity of the concept. Most people have an understanding and experience of tranquillity. It is generally understood and used in advertising in holiday programmes, as an example.

4.7.2 It is clear also from surveys presented in evidence that it is valued and therefore has entered public policy in various ways. It is also clear that the Romney Marsh area and Dungeness peninsula attract many hundreds of thousands of visitors for their remoteness, stark beauty and their tranquillity.

4.7.3 There is little doubt that the Romney Marsh and the South Downs AONB will be affected by expansion of Lydd Ashford Airport and the introduction of passenger jets. Thus an area which is the most tranquil in South East England will be lost.

### **5 Greatstone Primary School**

#### **5.1 Background**

5.1.1 The Greatstone Primary School is within the settlement of Greatstone. The school has in excess of 320 children aged between 4 and 11 with 63 staff. It also has a nursery section with approximately 50 children from the age of two which feeds the primary school with a staff of 12.

5.1.2 The school was built in the early 1973 and was extended in 1995 and 1997. It is a prefabricated structure. It has outdoor teaching areas and a large playing field. Both the primary and the nursery schools have excellent OFSTED reports.

5.1.3 If the application by LAA is allowed then the school will be 600m from the end of the proposed runway. When challenged, LAA were unable to produce any evidence of any school in England which is as close or closer to a runway.

## **5.2 The building**

5.2.1 There are several weak points in the building design and in the report produced by Parsons Brinckerhoff these are alluded to. These include the roof area which acts as a sound box increasing the level of noise. In addition there are a number of roof lights which are not soundproofed which increases the noise levels.

5.2.2 Most of the walls built in 1973 are made of ship lapped wooden cladding. The later extensions are constructed of a double skinned block work with cavity.

## **5.3 Inspection of the school buildings**

5.3.1 Prior to this inquiry opening no inspection was carried out on the school buildings as to their construction and the effects of noise within the classroom. Neither LAA nor Shepway Council carried out any form of research on the school.

5.3.2 What is even more surprising is that Kent County Council, the education authority with responsibility for the children's education have not authorised an inspection. Surely they should have taken the proper responsibility in order to protect the children and give them the best chance of achieving a good education. Why, so it appears, have they not taken any interest in the future of the school?

5.3.3 An inspection was eventually arranged when it became clear that the future of this school was an important element in the inquiry. The inspection took place on the 20<sup>th</sup> April 2011. It included a representative of LAA, included a council planning officer, a council environmental health representative and a council building control representative. There was no-one from KCC, the education authority, again why not?

5.3.4 The report was promised, in an email from Mr Ellames, a senior Shepway planning officer, dated the 21<sup>st</sup> April 2011, "sometime towards the end of May/early June". The report was eventually produced on the 3<sup>rd</sup> August 2011 after the Chairman of the Governors of Greatstone Primary School had given his evidence. Why was this?

5.3.5 When the report was published, LAA did not want it to be an Inquiry document. Why was this? It could be concluded from this series of events that both LAA and KCC were not prepared for the serious situation at the school to be considered by the Inspector and the Secretary of State.

## **5.4 Section 106 agreement**

5.4.1 We recognise that admirable efforts have been made by Shepway District Council and LAA to accommodate the concerns of the school within the draft Section 106 Agreement (almost to the last minute). A number of these have been adequately met.

5.4.2 However, despite realistic considerations being given under Paragraph 16 of the Section 106, there still remains some outstanding issues to which an answer has not been given, or possibly no answer can be given.

5.4.3 The most significant of these is the forecast impacts of noise on the nursery block, the outside teaching area, and the playground, all of which (as stated in the Executive Summary to the report by Parsons Brinkerhoff) “cannot be reasonably protected from the effects of noise”.

5.4.4 The consequence of this and the other outstanding matters to be resolved is that the school will suffer serious detrimental impacts should the application receive approval and the development go ahead. This could extend to the loss of the nursery facilities at the school, disadvantaging some 50 pre-school children. Perhaps for this reason alone the application should be refused.

## **6. Transport**

### **6.1 Air Operations**

6.1.1 It has been agreed, during the inquiry, by all parties that almost all existing short-haul airline operators could use Lydd as it is now. Its current runway (1505 metres) is 306 metres longer than that of the highly successful London City Airport (1199 metres). However there is no evidence to this inquiry that, as yet, any airline operator is interested in using the Lydd despite its lengthened runway.

6.1.2 The extended runway would however be suitable for pilot training on jet aircraft, giving rise to all the environmental problems without the employment benefits. The airfield management would look to actively promote this.

6.1.3 Whenever firing ranges are operational all jet aircraft would have to use runway 21 even with a tailwind. This would result in the aircraft having a higher groundspeed on touchdown which would create greater noise and be undesirable to airline operators.

6.1.4 Jet aircraft on approach to landing would be wheels down, flaps down and engine under power, causing very high noise locally including to the school 600 metres away. Aircraft taking off would use normal maximum power with the same effect to the level of noise.

6.1.5 Whenever jet aircraft are either on approach to landing or about to take off, private and general aviation aircraft would need to be held off, adding to local disturbance (although those on downwind leg would be asked to orbit over the sea).

## **6.2 Road Transport**

6.2.1 During his evidence Mr Sowerby conceded that traffic flows have been calculated from "adjusted flight profile" which smooths the flight pattern as much as possible to 1 flight per hour except for 2 at 9.00am during the morning. Leeds Bradford is said to have been used for comparison, but this airport has a very high peak. At 500,000 ppa traffic peak flows could be double those anticipated. Other highways authorities appear to have been satisfied only because of the reduced traffic flows arising from the "adjusted flight profile". We believe this is unrealistic and creates an inaccurate assumption on traffic flows.

6.2.2 Leeds Bradford, as a comparator, has been quoted as having 83% of passengers travelling less than 60 minutes to the airport. By contrast the majority of Lydd passengers would be at or over the 60 minute target, making the comparison invalid.

6.2.3 Lydd is in the most remote (and consequentially tranquil) areas of the southeast. All passenger movements (and staff) would be by motor vehicle, mostly private cars and taxis, with maybe some 10% by bus, significantly affecting the area. The effect of the considerable extra traffic on the narrow access roads to Lydd could be considerable, making life stressful for local people and passengers alike.

6.2.4 The effects of the peak morning flows, particularly through Rye, Hastings, Ashford, Folkestone and Dover, which are already congested, have not been put forward to the Inquiry. These would be considerable. In addition staff and service vehicles cannot be presumed to avoid peak traffic times, so adding to the problem.

6.2.5 The proposed shuttle bus to Ashford would have very low occupancy, making it non-viable and therefore likely to be dropped. The length of time the bus would take from the station to the airport was inaccurately computed by Mr Sowerby in his evidence as he was unaware that the domestic high speed train (Javelin) stops at the domestic station and not the international station. This would increase the estimation of the journey time as the domestic station can only be reached by going into central Ashford.

6.2.6 The car parking requirements cannot be estimated without knowledge of the type of airline operation, particularly whether scheduled or holiday charter, and are likely to be far higher than is being proposed. We contend that the number of parking spaces has been greatly under-estimated and will lead to car parking on the road leading to the airport, causing further congestion and a block to service vehicles including those required for an emergency.



6.2.7 The effect of construction traffic cannot be properly estimated without any knowledge of the appointed contractor or source of materials.

## **7. Carbon Reduction**

7.1 Much has been made by LAA of the saving of CO<sub>2</sub> which an airport closer to population areas in Kent and Sussex would save. No scientific evidence has been produced by LAA. The statement made was that because the airport was nearer it would save journey time.

7.2 This is a simplistic argument and fails to take into account the destinations that are likely from Lydd. Whether or not Lydd was closer, it would not be used if it did not provide flights to the desired destination.

7.3 Gatwick, which has a large number of destinations is close enough to provide a very strong competitor and is easily reached by those living in Kent by the M26, M25 and M23. The time taken, outside congestion periods, is normally just within an hour.

## **8. Economic case**

### **8.1 Evidence to the Inquiry**

8.1.1 In her evidence, Louise Congdon admitted that LAA had already invested over £30m in the airport and still had not been able to attract any operator to work from Lydd. She said that if the runway was extended and the terminal building erected at a cost of a further £20m then this should attract operators.

8.1.2 However when questioned she admitted that no operator has shown any interest so far. She claimed that this was usual in the aviation industry. When questioned about her own company she admitted that she would not expand unless she was sure of the business to warrant the expansion.

8.1.3 This application is made on the assumption that the new runway will attract new business to the airport and yet no evidence has been produced to the Inquiry that this will be the case.

### **8.2 Manston**

8.2.1 Throughout this inquiry there has been the question of Manston airport – its past, present and future. Although Manston already has one of the longest runways in the country it has been unable to attract many operators. Several businesses have failed and the airport is still attempting to find the right formula.

8.2.2 Manston does have much better access than does Lydd. It is on the extension of the M2 and there is a dual carriageway up to a short distance from the airport. It has railway stations in the vicinity which are on the new high speed Javelin train links. Its access to London and the Southeast is far superior to that of Lydd. Plans are being considered to build a station, Manston Parkway, which will be on the high speed link direct from London and will be within walking distance of the airport. Manston already has the facilities that Lydd would have to build and has considerable capacity.

8.2.4 It is obvious that government at all levels is keen to progress Manston and give it the best opportunity to succeed. Unlike Lydd which is not on any priority list and whose access will always be poor and unattractive.

### **8.3 Jobs and local businesses**

8.3.1 Local people have been promised jobs and the propaganda put out by LAA originally quoted 2000 jobs. However Ms Congden was more honest and said that there were likely to be between 200 and 300 jobs but over a period as the airport grew. The assumption that jobs will be created is that operators will be attracted to Lydd. Again there is no evidence to this inquiry that this will happen. Local people have been sorely and deliberately misled, as have KCC and Shepway Council.

8.3.2 During the inquiry many local businesses have written to say how their businesses will be affected by the expansion of the airport. These mainly include holiday and caravan parks and homes catering for the elderly. All have made it clear that with the extra noise and disturbance people will not want to visit or remain in the area. Their businesses would be badly affected and they may even have to close with the resultant loss of jobs.

8.3.3 One witness at the public meeting in New Romney ran two local businesses, one of which was shooting of game birds in an area close to the airport, confirmed that if the expansion of the airport was to take place he would close his businesses and his employees would lose their jobs.

8.3.4 Much has been made at this inquiry about the creation of jobs. There appears to have been no evidence or research into the loss of jobs which may well be more than those created. With the extra disturbance, noise and pollution that the extension of this airport will cause, many businesses, especially in tourism and caring for the elderly will suffer or even close down. Jobs will be lost and local people made unemployed.

8.3.5 Evidence was given at the inquiry about the deprivation experienced in Shepway. However, although this is a problem in the area it is not as much of a problem, even in other areas in Kent. Thanet is easily the most deprived areas in the Southeast and this has been recognised recently with the announcement of an enterprise area.

If the argument is to be whether Manston or Lydd should be expanded that Manston's claim would be the greater.

## **9. Conclusions**

9.1 From all the evidence given to this Inquiry, there can be no doubt that if this application were to be approved this quiet corner of Southeast England would be changed irrevocably. We totally endorse the evidence of Natural England and RSPB that there will be a significant impact on an important area of nature conservation. However it is people who will suffer the greatest impact.

9.2 The Romney Marsh is famous for its tranquillity and the landscape and seascape of the area. It has an important history and culture, a reason for its tourist trade. The AONB close by is famous for the walks and scenery. The impact on people and their quality of life of an expansion of jet passenger aircraft would be considerable and irreversible. The noise, pollution and increased traffic would destroy the character and solitude of the area.

9.3 Significant impacts on the quality of life of local residents have not been resolved, leaving local communities very concerned about the impacts of future airport growth. In particular, the forecast impacts of noise on Greatstone Primary School affecting those areas which cannot be suitably insulated, is a matter of grave concern.

9.4 As far as aviation planning policy is concerned the position has changed due to the financial situation and the need to reduce CO2 emissions. This has resulted in policy moving away from short haul flights, the very same that LAA wants to start, to high speed rail. There is no longer the pressure to increase airport capacity.

9.5 The strategic planning emphasis in Kent is firmly on Manston and not Lydd, particularly with its closeness to the High Speed link and the possibility of a new high speed railway station close to Manston. There is no evidence to show whether there will be competition between Lydd and Manston and if there was Manston would always have the stronger case.

9.6 As far as local policy is concerned, there was an attempt by the applicants to suggest that the expansion of the airport was part of their district strategy. However the airport is not identified as a strategic site.

9.7 There is no evidence to substantiate any operator wanting to use Lydd. There is the alternative at Manston which has better facilities and better accessibility.

9.8 This application has been based on the flimsiest of business cases. Already the appellants have spent some £30m on "improvements" to the airport and yet they have not attracted any new business. They are now going to spend a further £20m - £30m on extending the runway and building a terminal building, still without guarantee of any new business.

9.9 The jobs offered have always been a key element in the case for this inquiry. Much has been made about how many new jobs will be provided if the application should succeed. The jobs element was one of the major reasons why Shepway Council decided to reject the advice from their officers. No consideration has been given to the number of jobs that will be lost due to the destruction of the tourist and care industries in the area let alone the effect on other businesses.

9.10 CPRE – Protect Kent requests the Inspector recommends to the Secretary of State rejection of this application, to preserve this area for those who enjoy the wildlife, the landscape and the tranquillity of this very special area of Kent and England, so that people can continue to enjoy the Romney Marsh and its very special environment.