

**Town and Country Planning Act 1990**  
**Applications by London Ashford Airport Ltd**  
**APP/L2250/V/10/2131934 & APP/L2250/V/10/2131936**  
**Site at London Ashford Airport Limited, Lydd, Romney Marsh, TN29 9QL**

CPRE/01/A – Planning Policy

Statement by Brian Lloyd  
on behalf of Protect Kent (the Kent Branch of CPRE) on Policy Considerations

- 1.1 Protect Kent is the Kent Branch of the Campaign to Protect Rural England (CPRE). CPRE is a national charity which promotes the beauty, tranquillity and diversity of rural England. We advocate positive solutions for the long-term future of the countryside, as well as challenging proposals that will harm it. Founded in 1926, we have around 60,000 supporters and a branch in every county. The Kent Branch was established in 1929.
- 1.2 This statement has been prepared by Brian Edward Lloyd, and I am a chartered town planner employed by Protect Kent. I hold an honours degree in Geography from the University of Birmingham and a Masters degree in Town Planning from the University of Wales. I was elected as a corporate member of the Royal Town Planning Institute in 1989. I have 26 years professional experience, entirely in the field of planning policy.
- 1.3 I have been employed by Protect Kent since December 2007 as a Senior Planner. Between December 1984 and March 1992 I held various planning policy posts with Mid Sussex District Council and Horsham District Council. In March 1992 I joined Swale Borough Council in Kent as a Principal Planner and in October 1997 I was appointed as the Council's Planning Policy Manager. In that capacity I was responsible for overseeing the preparation of the Council's planning policy documents, including two borough-wide local plans, and providing advice to, and representing, the Council on strategic planning policy matters including in regard to the Kent Structure Plan and the South East Plan. I also provided policy advice to development control colleagues on planning applications, and assisted as a witness at several planning appeal inquiries.
- 1.4 For Protect Kent my main role is to provide input to the preparation of Local Development Frameworks throughout Kent to secure CPRE objectives, and to provide professional planning advice on major planning applications and on planning issues generally.

## 2 PART 1: INTRODUCTION

- 2.1 In this statement I seek to identify the planning and other policy context which provides the basis for Protect Kent's objections to the proposed development at Lydd airport. My analysis provides the basis and context for more specific evidence presented by other witnesses representing Protect Kent, to which I refer as appropriate.
- 2.2 The statement is presented in two main parts. Firstly, in Part 2, I consider policy in relation to aviation generally and more specifically as it relates to the expansion of Lydd. Secondly, in Part 3, I consider planning policy in regard to the following issues of concern to Protect Kent:
- Impact on tranquillity and quality of life;
  - Greenhouse gas emissions/climate change; and
  - Flood risk.
- 2.3 At the end of the statement, in Part 4, I provide a summary of my main conclusions.

### Status of Regional Planning Guidance

- 2.4 Since the establishment of the Coalition Government in May 2010 confusion has reigned over the status of Regional Planning Policy, as contained in the Regional Strategies, and the weight to be given to them.
- 2.5 Under Section 38(3) of the Planning and Compulsory Purchase Act 2004 (as amended by Section 82(1) of the Local Democracy, Economic Development and Construction Act 2009) Regional Strategies comprise part of the Statutory Development Plan for an area. On 27th May the Secretary of State wrote to local authorities in England advising them that it was the Government's intention to "*rapidly abolish Regional Strategies*", and that this intention should be a material consideration in future planning decisions. On the 6th July the Secretary of State went further and announced that with immediate effect all Regional Strategies were revoked and no longer formed part of the Statutory Development Plan.
- 2.6 This decision prompted Cala Homes to lodge a judicial review challenging the lawfulness of the Secretary of State's action, and on 10th November the High Court ruled that the Secretary of State had acted unlawfully in revoking the Regional Strategies. This meant that they were re-instated as part of the Development Plan. In the light of this, the Government's Chief Planner wrote to local authorities advising that the situation remained as previously advised in the Secretary of State's letter of 27th May, i.e. that the Government's intention to abolish Regional Strategies should be a material consideration in making planning decisions. He further explained that Regional Strategies would be repealed through the Localism Bill.
- 2.7 In response, the lawyers acting for Cala Homes lodged a further challenge in the courts to the Chief Planner's advice. On 29th November the courts placed a temporary stay on the Chief Planner's advice pending a full court hearing. However, the Secretary of State

challenged this decision in the courts, and on 3rd December a compromise position was agreed. This meant that the temporary stay was lifted and the following advice has been issued:

*"Pending determination of the challenge, decision makers in local planning authorities and at the Planning Inspectorate will in their determination of planning applications and appeals need to consider whether the existence of the challenge and the basis of it, affects the significance and weight which they judge may be given to the secretary of state's statements and to the letter of the chief planner."*

- 2.8 The challenge is now due to be heard in the courts in January, and the situation should be resolved by the time the inquiry opens.
- 2.9 On 13 December 2010 the Government introduced to Parliament the Localism Bill. This includes the proposal to repeal the Regional Strategies by the removal of Part 5 of the Local Democracy, Economic Development and Construction Act 2009. It is uncertain when the Bill will be enacted, but the Department of Communities and local Government have indicated this may not be until November 2011, and it is unlikely to come into effect until the early part of 2012.
- 2.10 For Shepway District, the South East Plan is the relevant Regional Strategy (CD7.1). This was approved by the Secretary of State in May 2009, and superseded the Kent and Medway Structure Plan adopted in 2006. The Structure Plan, therefore, is only of historical interest in the development of recent planning policy.
- 2.11 The forgoing paragraphs show that there has been, and continues to be, confusion and uncertainty surrounding the status of the South East Plan, and the weight to be given to it in this Inquiry. However, as things stand at the time of writing this statement the South East Plan potentially has the full weight as part of the Statutory Development Plan. Consequently, in this statement I highlight those policies that need to be taken into account.

### **3 PART 2: POLICY ON AVIATION**

- 3.1 In this part of my statement I consider policy in relation to aviation generally and more specifically as it relates to Kent and the expansion of Lydd. In this regard I look at policy documents at the national, regional, sub-regional/county and local levels.

#### **National Policy on Aviation**

- 3.2 The most recent Government policy position on aviation is presented in the White Paper 'The Future of Air Transport', published in 2003 (CD5.24). The stated purpose of the White Paper is to set out a strategic framework for the development of airport capacity in the United Kingdom over the next 30 years (paragraph 1.1). It explains that unlike for other strategic infrastructure the Government is not the primary provider (paragraph 1.2), but rather it is an enabler and regulator (paragraph 1.3). It is for airport owners to bring forward proposals that will be considered through the planning system in the normal way

(paragraph 1.4). This is an important point, because paragraph 1.4 goes on to explain that simply because a proposal is included in the White Paper does not mean that the granting of planning permission is automatically authorised – the White Paper is to inform and guide the consideration of specific planning applications.

- 3.3 It is an objective of the White Paper that there should be a balanced strategy for providing additional air traffic capacity - a strategy that provides additional capacity but which also has regard to wider impacts of such growth (paragraph 2.17). Chapter 3 of the White Paper explains in more detail the regard to be given to environmental impacts. It explains that the balanced strategy requires more to be done to reduce and mitigate the environmental impacts of air transport and airport development (paragraph 3.1). At the local level, paragraph 3.5 states that decisions about the location and amount of future airport capacity must properly reflect environmental concerns, and paragraph 3.6 sets out a series of local controls that should operate to manage the environmental impact of aviation in regard to noise, air quality, landscape and built heritage, water quality, access and biodiversity. More detailed guidance is given in regard to noise (paragraphs 3.10 – 3.27); local air quality (paragraphs 3.28 – 3.31); and climate change (paragraphs 3.35 – 3.43).
- 3.4 Chapter 4 of the White Paper examines the air transport sector, and generally paints a picture of growth in air travel and air freight over the coming years. Paragraph 4.31 explains that the larger airports attract passengers from a larger area, and consequently provide services to more destinations which would be unviable for smaller airports.
- 3.5 Paragraphs 4.49 to 4.54 consider alternative long-distance rail alternatives, and recognise that improvements in the inter-urban rail network will increase the attractiveness of rail as an alternative for short haul journeys. In particular, paragraph 4.52 considers that the completion of the high speed Channel Tunnel Rail Link (now called High Speed 1) will further enhance the competitiveness of rail between London and northern European cities. Paragraph 4.53 explains that regard should be given to the impact of investment in rail on demand for air travel when proposals to increase capacity are planned.
- 3.6 Paragraphs 4.55 – 4.59 consider the issue of access to and from airports, and advise that there must be easy and reliable access for passengers.
- 3.7 Chapter 11 deals with future demand for capacity in the South East, and where and how that capacity will be met. The first priority is to make the best use of existing runways at the major South East airports (paragraph 11.6). In addition, it is proposed that two new runways are needed – at Stansted as soon as possible and Heathrow after 2015 (paragraphs 11.8 and 11.11). General support is given to the development of smaller airports in the South East to meet local demands subject to environmental considerations (paragraph 11.11).
- 3.8 Paragraphs 11.93 – 11.103 consider in more detail the smaller airports in the South East. These are considered to have an important role to play in the future provision of airport capacity, particularly to meet local demand and to relieve pressure on the main airports (paragraph 11.93). With specific relevance to this Inquiry, paragraph 11.98 acknowledges

that the operators of Southend, Lydd and Manston airports consider that each could grow substantially and have plans to do so. The White Paper states that all these airports could play a valuable role in meeting local demand, and growth could be supported subject to environmental considerations (paragraph 11.99), though no details on the scale of such growth is given.

- 3.9 Clearly, the White Paper is a consideration in this inquiry, it being the Government's only currently published guidance on aviation policy, pending the preparation of the National Policy Statement on Aviation. However, there have been three 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 are likely to be very different now. Thirdly, there is now a new Government that has made it clear that it does not support many of the specific proposals included in the White Paper. These changes, in my view, significantly diminish the weight that should be given to the White Paper in this inquiry, in particular its proposals for an increase in airport capacity.
- 3.10 In *'The Coalition: our programme for government'* (The Coalition Agreement – CD8.7) the new Government has made a number of commitments, namely to cancel the proposed third runway at Heathrow; to refuse permission for additional runways at Gatwick or Stansted; to replace the Air Passenger Duty with a per-flight duty; and to establish a high speed rail network to help secure a low carbon economy.
- 3.11 Whilst the Government is still to announce its aviation policy in detail, in October 2010 it published its National Infrastructure Plan<sup>1</sup>. This seeks to set out the new Government's broad vision of the infrastructure investment required to underpin the UK's growth (page 3) and the key decisions and actions the Government is now taking to develop world class 21st century infrastructure both in the Spending Review period and beyond (paragraph 2.10). With regard to airport infrastructure, and echoing the commitments in the Coalition Agreement (CD8.7), the Plan proposes to:
- make best use of existing airport capacity to help improve the passenger experience (paragraph 4.23); and
  - continue 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 (paragraph 4.29).
- 3.12 The emphasis of the new Government's emerging policy has clearly moved from a position that supports expansion of airport capacity, as expressed in the White Paper, to one that

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<sup>1</sup> See <http://www.hm-treasury.gov.uk/d/nationalinfrastructureplan251010.pdf>

seeks to make better use of existing capacity and to promote alternative high-speed rail connections that will free-up existing capacity. Importantly, in the White Paper it was envisaged that it would be through the expansion of the smaller airports that pressure would be relieved from the major airports (paragraph 11.93), but now Government sees this as being achieved by the promotion of high-speed rail connections, which the Government is actively pursuing, for example through High Speed 2.

3.13 At Lydd, it is clearly the situation that the existing potential capacity is not being used, and in accordance with emerging Government policy the priority here should be to maximise this potential before any consideration is given to expansion, especially given the environmental impacts that such expansion will have. Furthermore, with High Speed 1 now operational across Kent, this is part of the new Government's preferred means to free up capacity elsewhere, not the expansion of the smaller airports such as Lydd.

3.14 However, there are some important general principles and conclusions in the White Paper that I consider remain valid, which accord with general planning principles contained in national planning policy, in particular:

1. that the environmental impact of proposals must be taken into account, in particular noise, air quality, landscape and built heritage, water quality, access, biodiversity and climate change/emissions;
2. that the impact of high speed inter-urban rail alternatives on local demand must be taken into account, particularly in this case given that High Speed 1 is now operational with an international station at nearby Ashford; and
3. the need for easy and reliable access to airports.

3.15 With regard to the proposals to expand Lydd airport, there are major concerns with all three of these considerations as explained in detail by many other witnesses presenting evidence to the inquiry. These considerations, together with the fact that emerging new Government Policy favours making better use of existing capacity rather than providing new capacity, conclusively demonstrates that the expansion of Lydd airport is inappropriate and should not be permitted.

3.16 PPG13 'Transport' (CD6.6), published in 2001, provides the most recent government planning policy guidance in relation to planning and transport. Importantly it pre-dates the 2003 Air Transport White Paper and it does not contain any specific policy guidance on strategy with regard to planning for aviation. However, Annex B provides some guidance on planning for aviation in Regional Transport Strategies and local plans. This is largely procedural advice, but the advice in paragraph 7 is relevant. This states:

*"Airports have become major transport interchanges and traffic generators, and attract a range of related and non-related developments. In preparing their development plans and in determining planning applications local planning authorities should consider the extent to which development is related to the operation of the airport, and is sustainable given the prevailing and planned levels of public transport."*

3.17 This is an important point because it suggests that as airports grow not only are they significant traffic generators in their own right but they will also attract a range of related and non-related developments. Whilst at this time such related and non-related development is not specifically proposed, regard needs to be given to the potential for this to happen and whether or not this is a sustainable location for such development to occur on the back of a much expanded airport. Indeed, it is the Council's Preferred Option for its Core Strategy to see airport related development, even without the proposed expansion of the airport (see paragraph 3.49 below). It is inevitable that expansion of the airport will, in due course, bring pressure for associated development. Consequently, the general objectives of PPG13 are important because they seek to:

1. promote more sustainable transport choices for both people and for moving freight;
2. promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
3. reduce the need to travel, especially by car.

It is CPRE Protect Kent's view that the prospect of such further development at the airport would lead to an unsustainable concentration of development in a remote rural area contrary to the objectives of PPG13. This issue is explored in more detail in the evidence presented by Mr. Thomas (CPRE/05).

### **Regional Policy on Aviation**

3.18 At the regional level planning policy guidance on aviation is essentially provided in the South East Plan (CD7.1), with chapter 8 of the plan forming the Regional Transport Strategy. It takes account of the 2003 Air Transport White Paper and, reflecting this, Policy T9 requires Local Development Documents and Local Transport Plans to:

1. support the development of Gatwick and Heathrow Airports;
2. encourage Southampton Airport to sustain and enhance its role as an airport of regional significance;
3. support an enhanced role for Kent International Airport at Manston as an airport of regional significance; and
4. take account of airport operator masterplans produced in accordance with the Air Transport White Paper.

3.19 Again reflecting the White Paper, paragraph 8.30 of the South East Plan states:

*"Other smaller airports could play a valuable role in meeting local demand and contributing to regional economic development. Subject to relevant environmental considerations, their development should be supported, and regional and local planning frameworks should consider policies which facilitate growth at these airports."*

- 3.20 Chapter 18 of the South East Plan provides more detailed guidance for the East Kent and Ashford sub-region. Whilst Policies EKA4 and EKA5 explain in more detail the sub-regional role for the Kent International Airport at Manston, reflecting the support given to this in Policy T9, there is no mention at all of a role for Lydd airport in the strategy of the sub-region.
- 3.21 In my view, reference to potential expansion at Lydd airport in the South East Plan is conspicuous by its absence. Indeed, the Examination Panel of the South East Plan concluded that a specific mention of Lydd airport in the Plan was inappropriate, though they considered that proposals for expansion could come forward through the development control process. However, in considering such expansion Policy T9 requires regard to be given to airport masterplans. There is no up-to-date masterplan for Lydd, which means that an important context for considering the plans for expansion does not exist. This makes it a purely speculative proposal.
- 3.22 It is clear from the South East Plan that Lydd airport has no strategic or identified economic development role either in Kent or in the East Kent and Ashford sub-region, unlike for the Kent International Airport at Manston. It is merely seen as one of a number of small airports in the South East region where expansion may be beneficial, as explained in paragraph 8.30 of the Plan. However, the basis of even this limited support is the Air Transport White Paper which has now been significantly overtaken by events and change in Government Policy, as I explain in paragraphs 3.9 to 3.13 of this statement. Therefore, I do not consider that the South East Plan provides clear and unambiguous support for expansion at Lydd.

### **Sub-Regional/County Policies and Strategies on Aviation**

- 3.23 Whilst the South East Plan provides policy guidance that has Development Plan status, there are other sub-regional documents that need to be taken into account. These are the Kent Local Transport Plan 2006-2011 (CD7.3), Integrated Transport Strategy<sup>2,3</sup>, Kent Prospects (CD7.4), Unlocking Kent's Potential<sup>4</sup>, 21st Century Kent<sup>5</sup>, East Kent Sustainable

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<sup>2</sup> KCC (2009) *Growth Without Gridlock, An Integrated Transport Strategy for Kent*, Kent County Council, Maidstone, 13 November 2009 (<http://www.kent.gov.uk/static/transport/integrated-transport-strategy.pdf>), accessed 15/12/2010)

<sup>3</sup> KCC (2010a) *Growth Without Gridlock, A Transport Delivery Plan for Kent – Executive Summary: the big, key, transport drivers for change*, Kent County Council, Maidstone, December 2010 (<https://shareweb.kent.gov.uk/Documents/News/growth-without-gridlock-summary.pdf>), accessed 15/12/2010)

<sup>4</sup> KCC (2010b), *Unlocking Kent's Potential: Kent County Council's framework for regeneration*, Kent County Council, Maidstone, (<https://shareweb.kent.gov.uk/Documents/community-and-living/Regeneration/Regeneration%20framework%20November%202009.pdf>), accessed 15/12/2010)

<sup>5</sup> KCC (2010c) *21<sup>st</sup> Century Kent: A Blueprint For The County's Future*, Kent County Council, Maidstone, April 2010 (<https://shareweb.kent.gov.uk/Documents/community-and-living/Regeneration/21stcentkentnew-3.pdf>), accessed 15/12/2010)



Community Plan<sup>6</sup>, and the joint Kent and Essex proposals for a Local Enterprise Partnership<sup>7</sup>. I look at each of these in turn.

### **Kent Local Transport Plan (CD7.3):**

- 3.24 The current version is the second Local Transport Plan 2006 -11 (LTP2) produced by the County Council for Kent (excluding Medway). It sets out the transport vision and strategy for the County to 2025.
- 3.25 Paragraph 2.25 of the LTP2 recognises that Kent has two main airports – Kent International Airport at Manston and Lydd. It goes on to explain that Kent International Airport has the potential to develop into a regional airport and that it will have a positive economic impact on the East Kent districts of Thanet, Canterbury and Dover. Lydd Airport, on the other hand, is seen as playing a more limited role in serving local business needs and providing the opportunity for recreational flying.
- 3.26 Chapter 3 of the LTP2 sets out the transport strategy for Kent, which includes ten strategic objectives. In discussion under two of the objectives – UK Gateway (paragraph 3.43 & 3.44) and UK Connections (paragraph 3.45) – reference is made to Kent’s aviation function. In both instances, though, the references are confined to Kent International Airport at Manston and the strategy makes no specific mention of a role for an expanded Lydd Airport.
- 3.27 In regard to the UK Gateway objective, paragraph 3.44 states:

*“Kent’s aviation function at Kent International Airport (Manston) is also evolving and has further diversified Kent’s gateway role.”*

- 3.28 In regard to the UK Connections objective paragraph 3.45 essentially highlights the need for better and faster rail connections from Kent to the rest of the UK in order to reduce journey times, improve access to labour markets and customers, and to address issues of deprivation in Thames Gateway and East Kent. The only reference to airports is that:

*“faster and more direct rail services would significantly improve access to Kent’s major seaports and the Kent International Airport at Manston, which are important to Kent’s future economic growth”.*

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<sup>6</sup> EKLSP (2009) Lighting the way to success The EKLSP Sustainable Community Strategy 2009, East Kent Local Strategic Partnership, 2009  
(<http://www.eastkentlsp.org.uk/files/webfm/site/East%20Kent%20Futures%20-%20Final%20Report%20-%2020090327.pdf>, accessed 15/12/2010)

<sup>7</sup> KCC/ECC (2010) *Unlocking the Potential: A proposal for a Kent and Greater Essex Local Enterprise Partnership*, Kent County Council/Essex County Council, September 2010  
([https://shareweb.kent.gov.uk/Documents/News/lep\\_proposal0910.pdf](https://shareweb.kent.gov.uk/Documents/News/lep_proposal0910.pdf), accessed 15/12/2010)

- 3.29 The issue of aviation is dealt with in more detail in paragraphs 8.56 to 8.59, with Policy UKG5 simply saying “KCC will support the sustainable development of Kent's airports.”
- 3.30 The supporting text to the Policy mainly explains the situation at the Kent International Airport at Manston, and concludes that the County Council will support the development of Kent International Airport into a regional airport with a capacity of up to 6 million passengers per annum by 2021. This is in line with the Air Transport White Paper and the South East Plan.
- 3.31 The final part of paragraph 8.59 considers the smaller airports, and interestingly considers Lydd and Rochester together. It states:

*“The airports at Lydd and Rochester play an important part in serving local business needs and providing opportunities for recreational flying. They should be safeguarded against development which would prejudice their operation. Any proposals to develop aviation will be assessed for their impact on the surrounding environment and local communities, how appropriate proposed mitigation measures are, and the choice of transport options providing access to the airport.”*

- 3.32 The LTP2 does not see a significant role for Lydd airport in the transport strategy for Kent. It defines Lydd's current role as serving local business needs and providing opportunities for recreational flying, and in this context Policy UKG5 offers general support for expansion. LTP2, though, does not see the expansion of Lydd as a significant commercial passenger airport as proposed by the applicants.
- 3.33 A third Local Transport Plan 2011-16 is under preparation, and a draft plan was published for consultation in November (LTP3)<sup>8</sup>. As a draft, therefore, it will only have limited weight in this inquiry. However, the draft LTP3 has much more to say about the role of the Kent International Airport at Manston than LTP2, though it reports less ambitious plans for growth of the airport than in LTP2 (for example see paragraph 2.16). The references to Lydd, though, are even more low key than in LTP2 and confined to factual statements. The only references are as follows:
- in paragraph 1.35 – acknowledging the existence of the airport;
  - in paragraph 1.36 – explaining its current role as providing scheduled passenger flights to Le Touquet and a number of other northern European cities, and for private flying; noting its ownership; and explaining that there are current planning applications for a new terminal and extension to the runway; and
  - in paragraph 2.16 – again noting the current planning applications.

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<sup>8</sup> See <https://shareweb.kent.gov.uk/Documents/roads-and-transport/road-policies/local-transport-plan-3/ltp-3-oct-10.pdf>

3.34 The draft LTP ventures no comment on the planning applications or on the future role of the airport. Unlike LTP2 there is no policy offering general support for airport expansion.

**Final Draft Integrated Transport Strategy ‘Growth Without Gridlock’ (KCC 2009):**

3.35 In November 2009 the County Council consulted on this document, which is intended to outline how the County Council proposes to achieve an integrated transport network as part of its overarching vision for regeneration (as presented in ‘Unlocking Kent’s Potential’ – see section below). The final document was launched at the beginning of December, but only the Executive Summary was available on the County Council’s web-site at the time of writing this statement<sup>9</sup>. There is no mention at all in the Executive Summary of Lydd airport.

3.36 Chapter 7 of the draft document is entitled ‘Kent’s Airports’. It explains that Kent has two commercial airports – at Manston and Lydd – and that both have ambitions to expand with Manston having potential to develop into a regional airport. It describes Lydd as “a full service international airport” and outlines its proposals for expansion. It explains that 75% of all air transport movements in the UK are in a South Easterly direction, and that therefore Lydd brings additional benefits by being the most South Easterly airport. It further explains that the airport is keen to utilise the existing rail connection between Hastings and Ashford and utilise a potential Parkway station at Appledore as well as integration with the bus network when demand enables sustained economic operations.

3.37 Chapter 13 provides an analysis of the transport issues and priorities for each of the Kent districts. Whilst for Thanet District the expansion of the Kent International Airport is promoted as a key transport priority, for Shepway the expansion of Lydd airport is not so included. In fact it is not even mentioned.

3.38 Taken at face value the draft document seems to support the expansion of Lydd airport, but it does not actually say this, and it is not included as a priority matter for Shepway District, unlike the expansion of Manston airport is for Thanet District. It would also seem the that the sustainability of expansion at Lydd was envisaged to involve use of the Hastings to Ashford railway line and a potential parkway station at Appledore, but this does not comprise part of the proposal before this inquiry. The point about the south easterly location of Lydd seems to be an entirely superficial one, given that Manston is also located in East Kent and that the few minutes potentially saved in the air will be lost because of the more difficult access to Lydd.

**Kent Prospects 2007 – 12 (CD7.4):**

3.39 This document, published in 2007, comprises the economic development strategy for Kent for the period 2007 – 2012. Like other documents produced by Kent County Council it acknowledges the airport at Lydd as one of the gateways to Kent along with the Kent International Airport at Manston, Eurotunnel at Folkestone, the county’s seaports, and the

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<sup>9</sup> See <https://shareweb.kent.gov.uk/Documents/News/growth-without-gridlock-summary.pdf>

international rail stations at Ashford and Ebbsfleet. However, other than giving general support to growth at such gateways no specific proposals are put forward, though it is clear that there is envisaged to be more potential at Manston because of associated development.

**‘Unlocking Kent’s Potential’ – Kent County Council’s Framework for Regeneration (KCC 2010b):**

3.40 This 82 page document published by Kent County Council in 2009 provides a framework for regeneration in the County setting out the key opportunities and challenges facing the County over the next 20-25 years. Whilst it is an objective of the framework to maximise “the role of High Speed One services and the opportunities of Manston and Lydd airports together with the expansion of the Port of Dover and the development of a third Lower Thames Crossing” (page 23) to secure economic regeneration, there are clear difference in the expected role of these respective pieces of infrastructure. As explained on page 70, whilst Kent International Airport offers “considerable potential to provide much needed airport capacity in the south east and will support economic regeneration in Thanet and the surrounding area”, Lydd Airport is seen simply as offering “potential capacity”. There is clearly a very limited role that Lydd will play in the strategy.

**‘21st Century Kent’ – A Blueprint for the County’s Future (KCC 2010c):**

3.41 This document, published in January 2010, sits alongside ‘Unlocking Kent’s Potential’ and presents a wide-ranging spatial vision for Kent setting out the County Council’s ambitions for the future. It makes no mention of a role for Lydd airport as part of these ambitions. However, it does see integration between Kent International Airport at Manston and the High Speed 1 railway by way a new multimodal interchange. In this way it is intended that Manston will form part of a co-ordinated national airport network linked to the high speed rail network, which will be further enabled by an airport check-in facility at Ashford International Station.

**‘Lighting the Way to Success’ - East Kent Sustainable Community Plan (EKLSP 2009):**

3.42 This document, published in 2009, seeks to set out a clear and long-term vision for East Kent, covering the districts of Canterbury, Dover, Shepway and Thanet. Whilst it acknowledges that both Kent International Airport and Lydd are underused and that both are looking to expand, it is the Kent International Airport where the greatest potential is envisaged. Along similar lines to that presented in ‘21st Century Kent’ it sees the HS1 rail services as providing the main artery linking the area to London and beyond, and that Kent International Airport will be expanded with a dedicated link with the HS1 and served by a Parkway rail station (page 13). The establishment of this direct link between HS1 and Manston Airport is promoted as a priority.

**‘Unlocking the Potential’ - Joint Kent and Greater Essex proposals for a Local Enterprise Partnership (KCC/ECC 2010):**

3.43 This document comprises the successful bid made to Government in September 2010 by Kent County Council and Essex County Council for the establishment of a joint Local Enterprise Partnership (LEP). With regard to airports, it explains that Southend is due to expand and that there is “capacity to accommodate further growth in South East air traffic at London Manston” (page 6).

3.44 Later, on page 10, it explains:

*“We will also work to realise the opportunities presented by the Kent and Greater Essex rail and air infrastructure. By making the most of the economic asset of Stansted Airport through its already consented expansion, alongside expanding air services at London Manston and London Southend. We can also create employment where it is most needed: we aim to increase passenger movements at Manston to 6 million per year, with every million passengers creating 1,000 new jobs. We will support the growth of London Southend airport to 2 million passengers per year, with associated business development of some 7,000 jobs in its specialised aviation cluster. We will make the case for investment at Southend and Manston, investigating solutions to infrastructure provision. Building on Kent’s experience in taking advantage of High Speed One, we will also consider the long term potential of Crossrail and seek to gain oversight of Transport for London’s operations as they impact on Kent and Greater Essex. Enhanced rail connectivity is key to our ability to attract inward investment and therefore increase job creation.”*

3.45 Conspicuous by its absence in this strategy is the expansion of Lydd airport, which has similar ambitions to expand to a capacity of 2 million passengers a year as Southend.

### **Conclusions on Sub-Regional/County Policies and Strategies:**

3.46 Most of the discussion of aviation in the documents considered above reflects the 2003 Air Transport White Paper. Consequently, there are general expressions of support for airport expansion in Kent in many of the documents. However, the focus for this support is firmly on the Kent International Airport at Manston rather than Lydd. Support for Lydd is at best lukewarm, and whilst many of the documents report the aspirations for growth as reflected in the current applications none of the documents actually offer any support for them. In my view, if Lydd airport has an important role to play in the transport and economic development strategies of Kent, and in particular East Kent, then I would have expected to have seen a more supportive position being taken on its expansion. This, though, is not the case, and the clear strategic priority is the expansion of Manston airport, this being particularly well expressed in the LEP bid.

3.47 Furthermore, I consider that it is important to note that in the more recently produced documents – 21st Century Kent (KCC 2010c), the East Kent Sustainable Community Plan (EKLSP 2009) and the LEP bid (KCC/ECC 2010) – 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, I have no doubt, reflects the recent introduction of the HS1 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 produced (see paragraph 3.9 of this statement). In my view, this even more undermines the case for expansion at Lydd, which would be at odds with this new emphasis.

- 3.48 In the light of the above, it is my general conclusion in assessing sub-regional and county policies and strategies, that there is little meaningful support for expansion at Lydd and that it has no recognised contribution to make to the county's economic regeneration strategy or transport needs.

### **Local Policies on Expansion of Lydd Airport**

- 3.49 The District Council's planning policy on Lydd airport is contained in the Shepway District Local Plan Review adopted in March 2006 (CD7.5). Saved Policy TR15 states:

*"The District Planning Authority will permit proposals for the expansion of facilities at Lydd Airport directly related to the commercial and recreational flying use provided there would be no significant impact upon the internationally important wildlife communities in the Lydd/Dungeness area. Regard will also be given to the likely effect of proposals on other special features in the area, particularly the power station."*

- 3.50 However, it is clear from the supporting text that this support for expansion is in part a reflection of proposals in the Kent Structure Plan that was in force at the time the Local Plan was being prepared. This was not the Kent and Medway Structure Plan adopted in 2006, but its predecessor that was adopted in 1996 and to which the Local Plan had to conform. It is also clear from the supporting text (paragraph 11.41) that the District Council consider that the airport is unsuitable as a new airport for London, though the new name of the airport – London Ashford Airport – suggests that this is the intention of the operators, which is also clearly evident from the airport's web-site (<http://www.lydd-airport.co.uk/default.asp>).
- 3.51 It is my view that the support for expansion as advocated in Policy TR15 of the Local Plan should be given limited weight as it was prepared in the context of an old Structure Plan that was superseded in 2006. If it is given weight, then it would seem that the operators are seeking to create a regional airport contrary to the intention of the Policy as explained in its supporting text.
- 3.52 The Council's most up-to-date position on Lydd is as expressed in the Preferred Options document of its Core Strategy published in June 2009 (CD7.6). In this document the Council acknowledges the current proposals for expansion, but offers no view on them. The Council's Preferred Option on Lydd, though, does not promote airport expansion, rather it is:

*"To support opportunities for ancillary aeronautical business opportunities at LAA, subject to there being no impact on designated ecological sites and habitats. Additional business opportunities and jobs are expected to be concentrated on servicing and maintaining aeroplanes and directly related activities."*

3.53 It is stated in the document that to achieve this Preferred Option “it is not anticipated this will entail planning permission being required for further flights, a new terminal building or a runway extension to accommodate larger aircraft.” It seems to be the case, therefore, that expansion of the airport is not necessary to achieve the Council’s economic objectives. Indeed, it is the alternative (not preferred) option RM3b that supports the expansion of flights from the airport, together with associated developments, but for this as stated in paragraph 10.26:

*“...detailed evidence to support this position would be needed in the absence of explicit support in the SE Plan and with the demise of the Kent Structure Plan. Moreover, this approach would be contingent on the findings of an Appropriate Assessment to ensure internationally-designated wildlife habitats are not harmed.”*

3.54 Whilst the emerging Core Strategy will have only limited weight in the inquiry, it has reached the stage of Preferred Options – the stage at which the Council presents its conclusions on the options previously presented for consultation, and the likely basis for policies to be included in the Core Strategy. As such it is a relevant consideration, and highlights a conflict between the Council’s emerging strategic policy position on the role of Lydd airport and its position on these planning applications.

## **4 PART 3: OTHER POLICY CONSIDERATIONS**

4.1 In the previous section I have examined planning and other policy guidance in regard to both aviation generally and specifically in Kent and for Lydd airport. It is my overall conclusion that the proposal to expand capacity at Lydd is based on dated national policy guidance that generally supports airport expansion and which saw a role for the expansion of the smaller airports to help meet demand and to free-up capacity elsewhere. This general support is reflected in the South East Plan, a plethora of sub-regional/county-wide strategies and in the Shepway District Local Plan Review. However, specific support for the expansion of Lydd airport is notably lacking in these documents.

4.2 The emerging policy of the new Coalition Government, and more recent strategic thinking in Kent (for example in ‘21st Century Kent’ (KCC 2010c), the East Kent Sustainable Communities Plan (EKLSP 2009), and in the LEP bid (KCC/ECC 2010), comprises a change in emphasis where the priority is to make the best use of existing capacity and that there should be a focus on high speed rail links to accommodate short journeys and thus help to free-up capacity at existing airports to meet other demands. It is clearly the case that the existing potential capacity at Lydd is not being maximised, and thus the case for expansion is not supported in the context of this new approach.

4.3 Notwithstanding this, if it is considered that there is a case for expansion at Lydd then it is clear from the various policies and strategies on aviation that this must be acceptable in planning policy terms and must not have adverse impact on the environment that cannot be mitigated. It is Protect Kent’s case that expansion of Lydd airport will have unacceptable environmental impacts. Chief amongst these are the impacts on the internationally important nature conservation designations that adjoin the airport. I do not intend to present any evidence on this matter as CPRE Protect Kent fully supports the

evidence from Natural England and RSPB in this regard. We do, however, consider that there will be other environmental impacts, namely:

- Impact on tranquillity and quality of life;
- Greenhouse gas emissions/climate change; and
- Flood risk.

4.4 In this section I seek to highlight the planning policies on which we rely for each of these issues.

### **Impact on Tranquillity and Quality of Life**

4.5 It is Protect Kent's concern that the introduction of more flights to Lydd airport, and therefore more frequent noise disturbance, will impact on the tranquillity of this remote rural area and the quality of life of those both living near to the airport and under the flight path. Detailed evidence on the character of the rural environment of the Romney Marsh, and how its cultural value is reliant upon its tranquillity, is provided by Mr Levinson (CPRE/03/A), whilst more specific evidence on the tranquillity of the area and the impact of the proposed development on this is provided by Mr Willis (CPRE/02/A). Evidence on how the proposed development will impact on the quality of life of nearby residents, and how it will harm the learning potential of children at Greatstone Primary School, is provided by Mr Joynes and Mrs Loseby (CPRE/04/A).

4.6 To support their detailed evidence, and to provide the policy context for it, I highlight in the following paragraphs the relevant planning policies that need to be taken into account.

4.7 In 2000, the Government published the Rural White Paper 'Our Countryside: the Future – a fair deal for rural England'<sup>10</sup>. The White Paper sets out the Government's vision for a living, working, protected and vibrant countryside, and actions to achieve the vision.

4.8 Chapter 9 of the White Paper is concerned with the need to conserve and enhance the countryside, and recognises the contribution that tranquillity makes to the character of the countryside. In this regard, Section 9.4 is specifically concerned with promoting tranquillity: It states:

*“9.4.1. It is not just its physical features which gives the countryside its unique character; there are also less tangible features such as tranquillity and lack of noise and visual intrusion, dark skies and remoteness from the visible impact of civilisation..*

*9.4.2. There will always be sources of noise in the countryside, and many of these – such as noise from harvesting and livestock – are themselves representative of activities which have long been central to the rural way of life. But protecting the countryside from*

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<sup>10</sup> See <http://www.defra.gov.uk/rural/documents/policy/ruralwp/rural.pdf> (accessed 21/12/2010)



*further intrusion of noise is not a luxury. It is about preserving and promoting a feature that is genuinely valued by residents and visitors alike. Noise can also disturb the breeding of vulnerable species, and thereby undermine biodiversity.”*

4.9 Chapter 11 is concerned with increasing the enjoyment of the countryside, and recognises the value that people attach to tranquillity and the contribution that rural tourism makes to the local economy. Paragraph 11.1.1 states:

*“The countryside is an enormous recreational asset, with its high quality landscapes, fresh air, open space and tranquillity. Recreation can improve the mental and physical health of participants and the revenue from millions of visitors to the countryside every year is an important component of the economy of rural England.”*

Paragraph 11.3.9 states:

*“Many people go to the countryside to admire the scenery, listen to the sounds of nature and generally feel that they are ‘away from it all’.”*

4.10 One of the actions proposed by the White Paper is increased measures to promote tranquillity (page 103).

4.11 It is clear from the White Paper that tranquillity is recognised as an intrinsic part of the character of the countryside, and that it is an aspect of the countryside that contributes to people’s enjoyment of the countryside; people’s physical and mental health; and to the local rural economy. The countryside around Lydd is particularly tranquil, and contributes to all of these.

4.12 PPS 1 Delivering Sustainable Development (CD6.1): PPS1 provides the Government’s underpinning policy on achieving sustainable development, to ensure a better quality of life for everyone, now and for future generations (paragraph 3). Paragraph 5 of the PPS explains that:

*“Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:*

- making suitable land available for development in line with economic, social and environmental objectives to improve people’s quality of life;*
- contributing to sustainable economic development;*
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;*
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,*
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.”*

- 4.13 It is clear from PPS1 that impact on quality of life is an important planning consideration in securing sustainable development. All the five objectives listed above have equal weighting, and all need to be taken into account in assessing planning applications. The first bullet point is clear that development should improve people's quality of life.
- 4.14 PPS4 Planning for Sustainable Economic Growth (CD6.3): Paragraphs 9 and 10 of the PPS set out the Government's objectives for prosperous economies. These include raising the quality of life and the environment in rural areas by promoting thriving, inclusive and locally distinctive rural communities whilst continuing to protect the open countryside for the benefit of all.
- 4.15 Policy EC6.1 states that:  
*"Local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all."*
- 4.16 This is relevant because the erosion of tranquillity in this remote rural area comprises a failure to protect the intrinsic character of the countryside and people's enjoyment of it.
- 4.17 Policy E7.1 seeks to support tourism in the rural areas, recognising that it benefits rural businesses, communities and visitors alike. This is the situation in this unique rural area, and Policy E7.1 is relevant because the proposed developments and associated loss of tranquillity due to increased flights, will undermine the tourism potential of the area.
- 4.18 PPS7 Sustainable Development in Rural Areas (CD6.4): Page 6 sets out the Government's objectives for the rural areas. These include raising the quality of life and the environment in rural areas by promoting, amongst other things, *"good quality, sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside."* This is relevant because the proposed development does not respect the local distinctiveness and intrinsic quality of this remote and tranquil area of countryside.
- 4.19 Paragraph 15 of the PPS states:  
*"Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development."*
- 4.20 This is relevant, as again it seeks to ensure that development does not erode the quality and character of the wider countryside and that potentially damaging development should be restrained. The introduction of more frequent noise from aircraft will impact on the quality and character of the wider countryside by undermining its intrinsic tranquil nature.
- 4.21 PPG24 Planning and Noise (CD6.13): The very first paragraph of the PPG states:  
*"Noise can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities."*

- 4.22 Consequently, the introduction of noise is a particularly important consideration in this tranquil rural area.
- 4.23 Paragraph 2 of the PPG explains that it is the task of planning to guide development to the most appropriate locations, and that noisy activities should, if possible, be sited away from noise-sensitive land uses. We are of the view that the proximity of Greatstone Primary School, and the increase in noise it will experience, will be harmful to learning.
- 4.24 Paragraph 11 states:
- “Noise characteristics and levels can vary substantially according to their source and the type of activity involved. In the case of industrial development for example, the character of the noise should be taken into account as well as its level. Sudden impulses, irregular noise or noise which contains a distinguishable continuous tone will require special consideration. In addition to noise from aircraft landing and taking off, noise from aerodromes is likely to include activities such as engine testing as well as ground movements.”*
- 4.25 This paragraph clearly indicates that it is not just the volume of the noise that can be disruptive and intrusive, but also the nature of the noise. This will be the case at Lydd airport with increased operation.
- 4.26 Paragraph 20 deals with noise in designated areas and explains that special consideration should be given to development which would affect the quiet enjoyment of Areas of Outstanding Natural Beauty (AONBs). This is a relevant consideration in this case, given the proximity of the Kent Downs and High Weald AONBs to the north and west respectively. The paragraph also explains that the effect of noise on the enjoyment of other areas of landscape, wildlife and historic value should also be taken into account, which is particularly relevant given the tranquil nature of the Romney Marsh area.
- 4.27 South East Plan (CD7.1): It is a core objective of the South East Plan that a sustainable balance between planning for economic, environmental and social benefits will be sought to help improve the quality of life for everyone in the South East, which accords with the intention of PPS1. To help achieve this, Chapter 5 presents a series of cross cutting policies that apply generally. Of these, Policy CC6 is particularly relevant as it seeks to ensure that the distinctiveness of settlements and the character of the landscape are enhanced by development. The erosion of tranquillity in this area is contrary to this objective.
- 4.28 The issue of tranquillity is specifically highlighted in paragraph 11.2 of the plan, where it is recognised that the enjoyment of tranquillity is a particular function of the countryside that contributes to quality of life. This, it is explained, is why it is a fundamental objective of the plan to support and protect the countryside.
- 4.29 Paragraph 9.55 similarly acknowledges that noise can have a serious effect on the quiet enjoyment of property and places, reducing quality of life.
- 4.30 Specifically in regard to the East Kent and Ashford sub-region, paragraph 18.10 states:

*“The environment, heritage and quality of life in East Kent and Ashford will be protected and enhanced as they all contribute to the success of the sub-region. The opportunities for increased international linkages and the economic strengths of the sub-region should be exploited, provided they do not cause unacceptable harm to the environment.”*

- 4.31 We consider that this development will cause harm to the environment and quality of life as a result of the erosion of its essential tranquillity.
- 4.32 Shepway District Local Plan Review (CD7.5): Paragraph 1.15 sets out the starting points for the Local Plan, with the first one being a recognition of the diverse and attractive natural environment that the District has, and the need to protect and enhance it because of the contribution it makes to the quality of life. Because of this it is a general aim of the Plan to enhance people’s quality of life through meeting economic and social needs in a way that ensures the protection and enhancement of the environment and of resources for leisure, arts, recreation and sporting activities.
- 4.33 Policy SD1 of the Local Plan sets out the Council’s approach to achieving sustainable development in the District, reflecting the aim of the Plan (paragraph 2.4) to “contribute towards ensuring a better quality of life for everyone, now and for generations to come”, and the following objective:

*“To ensure effective protection of the environment*

*As reflected in subsequent Plan Policies, certain environmental resources within the District are identified as extremely important and particularly sensitive to change. Any loss or damage to them would be acceptable only in very special circumstances. Within the wider environment there may be more scope for change to meet social and economic objectives although this should not be at the expense of an overall deterioration in environmental quality and character.”*

Amongst other things, the Policy seeks to sustain the character and diversity of the wider countryside in general in order to ensure a better quality of life for everyone.

- 4.34 Chapter 12 of the Local Plan deals with the countryside, and it is the aim and objective of the plan to maintain and enhance the distinct character, functioning and quality of the countryside (paragraphs 12.3 and 12.4). This intention is embraced by Policy CO1.
- 4.35 As shown on the Local Plan Proposals Map, there are local landscape designations that abut the airport. These comprise:
- The Dungeness Special Landscape Area (SLA), abutting the airport to the south east; and
  - The Romney Marsh Local Landscape Area (LLA), abutting the airport to the south, west and north.

- 4.36 These demonstrate that the countryside around the area is of a distinctive and high quality, and consequently policies CO4 and CO5 respectively also need to be taken into account when considering these proposals.
- 4.37 In my reading of it, It is the clear intention of the Local Plan to maintain and enhance the distinctive character, functioning and quality of the District’s countryside, in particular its designated areas. We consider that the proposals to expand Lydd airport do not achieve this as there will be a loss of tranquillity in the countryside surrounding the airport, which is a distinctive part of the character and quality of the area as reflected in the designations. As a result, increased air traffic will erode the quality of life of residents and those that enjoy these special areas of countryside.

### **Greenhouse Gas Emissions and Climate Change**

- 4.38 In his evidence to the inquiry (CPRE/06/A), Mr Furey demonstrates that the greenhouse gas emissions from Lydd expansion are contrary to national and international policy for emissions reductions. In the following paragraphs I highlight the key planning policies at the national, regional and local level to provide the context for his evidence.
- 4.39 Planning and Climate Change: Supplement to PPS1 (CD6.2): This supplement to PPS1 provides the main Government planning policy on how planning should contribute to reducing emissions and stabilising climate change. It explains that tackling climate change is a key Government priority for the planning system. The Government’s commitment to tackling climate change and to reduce greenhouse gas emissions is also the objective of the Climate Change Act 2008, and the supplement needs to be seen in this context.
- 4.40 Paragraph 9 of the supplement places the first key objective for planning as being to:
- “make a full contribution to delivering the Government’s Climate Change Programme and energy policies, and in doing so contribute to global sustainability.”*
- 4.41 Paragraphs 38 and 39 explain how decisions on planning applications should be made. Essentially it explains that decisions should be made in accordance with the development plan, which should be kept up-to-date to reflect national policy, but where this is not the case local authorities should make decisions in accordance with the supplement and consistent with its key planning objectives. Where proposals are not consistent, and it is not practicable to amend proposals to make them acceptable, consideration should be given to refusal of permission. Accordingly, given that the Shepway District Local Plan Review 2006 pre-dates the supplement and that the Council’s Core Strategy is still under preparation, the decision needs to be made in accordance with the supplement.
- 4.42 It is the intention of the proposals to increase the passenger capacity at Lydd and to increase the number of flights. Consequently as a result there will be an inevitable increase in greenhouse gas emissions, notwithstanding the proposed use of more efficient aircraft. The evidence from Mr Furey (CPRE/06/A) deals with this matter in more detail and clearly demonstrates that the proposals do not contribute towards achieving the

Government's climate change programme and a reduction in greenhouse gas emissions. Furthermore, the proposals cannot be amended to make them so and in accordance with the supplement it should be refused.

- 4.43 South East Plan (CD7.1): Policy CC2 of the South East Plan places Climate Change at the heart of the plan's strategy as a key cross cutting policy. Reflecting the Climate Change Act it sets targets for reducing emissions.
- 4.44 Paragraph 8.8 of the Plan specifically requires future investment in the region's transport system to play its proper role in tackling climate change as well as supporting people's desire for mobility. Paragraph 8.10 goes on to state that:

*"Climate change is one of the greatest challenges facing the UK and transport has an important role to play. Economic growth and reducing CO2 are not incompatible and the right balance between management and investment in infrastructure at local, regional and national level will be critical in achieving that balance."*

- 4.45 It is our view that there is no case for the expansion of Lydd airport (as explained in the first part of this statement), and therefore its expansion does not achieve the necessary balance between reducing CO2 and economic growth demanded by the South East Plan.
- 4.46 Shepway Local Plan Review (CD7.5): The Local Plan takes a low key position on the issue of greenhouse gas emissions and the contribution it makes to climate change. Whilst the issue is acknowledged, it is largely seen in the plan as an issue to be dealt with by renewable energy and building standards. However, the Local Plan pre-dates the Climate Change Act, the supplement to PPS1 and the South East Plan, which take a much more positive approach towards addressing climate change and take precedence over the Local Plan as a consideration.

## **Flood Risk**

- 4.47 In his evidence (CPRE/07/A), Mr Furey explains that the applicant's flood risk assessment does not meet national policy tests on flood risk. The primary policy guidance on flood risk, and its assessment, is provided in PPS25 (CD6.14). For the reasons explained by Mr Furey, the applicants flood risk assessment does not comply with this policy.

## **5 PART 4: SUMMARY AND CONCLUSIONS**

- 5.1 This statement has been prepared by Brian Edward Lloyd, and I am a chartered town planner employed by Protect Kent. I hold an honours degree in Geography from the University of Birmingham and a Masters degree in Town Planning from the University of Wales. I was elected as a corporate member of the Royal Town Planning Institute in 1989. I have 26 years professional experience, entirely in the field of planning policy. I have been employed by Protect Kent since December 2007 as a Senior Planner.
- 5.2 In my statement I seek to identify the planning and other policy context which provides the basis for Protect Kent's objections to the proposed development at Lydd airport. The

statement is presented in two main parts. Firstly, I consider policy in relation to aviation generally and more specifically as it relates to Kent and the expansion of Lydd, and secondly I consider planning policy in regard to the issues of particular concern to Protect Kent.

### **Policy on Aviation**

- 5.3 In my statement I consider policy at the national, regional, sub-regional/county and local levels.
- 5.4 At the national level the most recent Government policy on aviation is presented in the White Paper ‘The Future of Air Transport’, published in 2003. The intention of the White Paper is to set out a strategic framework for the development of airport capacity in the United Kingdom over the next 30 years.
- 5.5 Chapter 11 of the White Paper deals with future demand for capacity in the South East, and where and how that capacity will be met. The first priority is to make the best use of existing runways at the major South East airports. In addition, it is proposed that two new runways are needed – at Stansted and at Heathrow.
- 5.6 The White Paper supports the development of smaller airports in the South East to meet local demands subject to environmental considerations. These smaller airports are considered to have an important role to play in the future provision of airport capacity, particularly to meet local demand and to relieve pressure on the main airports. It acknowledges that the operators of Southend, Lydd and Manston airports consider that each could grow substantially and have plans to do so, and it states that they could play a role in meeting local demand, and growth could be supported subject to environmental considerations.
- 5.7 The White Paper is clearly a consideration in this inquiry, it being the Government’s only currently published guidance on aviation policy pending the preparation of the National Policy Statement on Aviation. However, there have been three 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 many of the specific proposals included in the White Paper. These changes, in my view, significantly diminish the weight that should be given to the White Paper in this inquiry, in particular its proposals for an increase in airport capacity.
- 5.8 In the Coalition Agreement the new Government has made a number of commitments, namely to:
- cancel the proposed third runway at Heathrow;
  - refuse permission for additional runways at Gatwick or Stansted;

- replace the Air Passenger Duty with a per-flight duty; and
  - establish a high speed rail network to help secure a low carbon economy.
- 5.9 Also, in October 2010 the Government published its National Infrastructure Plan which sets out its broad vision for infrastructure investment. With regard to airport infrastructure, and echoing the commitments in the Coalition Agreement, the Plan proposes to:
- make best use of existing airport capacity to help improve the passenger experience; and
  - continue 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.
- 5.10 The emphasis of the new Government’s emerging policy has clearly moved from a position that supports expansion of airport capacity, as expressed in the White Paper, 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.
- 5.11 At Lydd, it is clearly the situation that the existing potential capacity is not being used, and in accordance with emerging Government policy the priority here should be to maximise this potential before any consideration is given to expansion. This is especially important given the environmental impacts that expansion at Lydd will have, and the fact that High Speed 1 rail services are now operational across Kent. We believe that this means that the expansion of Lydd to increase airport capacity is unnecessary.
- 5.12 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. In particular, in regard to Kent’s airports, the documents give strong support to the expansion of Kent International Airport at Manston. The South East Plan designates this as an airport of regional significance. In contrast, the South East Plan gives no specific support for expansion at Lydd, including in the more detailed guidance for the East Kent and Ashford sub-region.
- 5.13 Furthermore, in considering airport expansion proposals, Policy T9 of the South East plan requires regard to be given to airport masterplans. There is no up-to-date masterplan agreed for Lydd, which means that an important context for considering the plans for expansion does not exist. This makes it a purely speculative proposal.
- 5.14 A review of the various other strategic documents for Kent and East Kent reveals very limited support for expansion at Lydd and a lack of any specific role for the airport in the county’s economic development strategy.



- 5.15 Most of the discussion of aviation in these documents reflects the 2003 Air Transport White Paper. Consequently, there are general expressions of support for airport expansion in Kent in many of the documents. However, the focus for this support is firmly on the Kent International Airport at Manston rather than Lydd. Support for Lydd is at best lukewarm, and whilst many of the documents report the aspirations for growth as reflected in the current applications none of the documents actually offer support for them. In my view, if Lydd airport has an important role to play in the transport and economic development strategies of Kent, and in particular East Kent, then I would have expected to have seen a more supportive position being taken on its expansion. This, though, is not the case, and the clear strategic priority in Kent is the expansion of Manston airport.
- 5.16 Furthermore, I consider that it is important to note that in the more recently produced documents – 21st Century Kent, the East Kent Sustainable Community Plan and the LEP bid – 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, I have no doubt, reflects the recent introduction of the HS1 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 produced which I have already referred to. In my view, this even more undermines the case for expansion at Lydd, which would be at odds with this new emphasis.
- 5.17 With regard to the Shepway District Local Plan Review, Policy TR15 supports expansion of Lydd subject to no significant impacts, particularly on wildlife. However, it is clear from the supporting text that this support for expansion is in part a reflection of proposals in the Kent Structure Plan that was in force at the time the Local Plan was being prepared. This was not the Kent and Medway Structure Plan adopted in 2006, but its predecessor that was adopted in 1996 and to which the Local Plan had to conform. Consequently, it is my view that the support for expansion as advocated in the Local Plan should be given limited weight.
- 5.18 The Council's most up-to-date position on Lydd is as expressed in the Preferred Options document of its Core Strategy published in June 2009. This acknowledges the current proposals for expansion, but offers no view on them. The Council's Preferred Option, though, does not promote airport expansion; rather it seeks to support ancillary aeronautical business opportunities at the airport. It states that this Preferred Option will not entail planning permission being required for further flights, a new terminal or a runway extension. It seems from this comment that expansion of the airport is not necessary to achieve the Council's economic objectives.
- 5.19 Whilst the emerging Core Strategy will have only limited weight in the inquiry, it has reached the stage of Preferred Options – the stage at which the Council presents its conclusions on the options previously presented for consultation, and it is the likely basis for policies to be included in the published Core Strategy. As such it is a relevant consideration, and highlights a conflict between the Council's emerging strategic policy position on the role of Lydd airport and its position on these planning applications.

5.20 In the light of the above, it is my conclusion that there is a lack of support in either strategic planning or other policies for expansion of Lydd airport. Consequently, as a matter of principle the expansion of the airport should be refused.

5.21 Finally, I would briefly mention PPG13. Paragraph 7 of the PPG explains that as airports grow not only are they significant traffic generators in their own right, but they will also attract a range of related and non-related developments. Whilst at this time such related and non-related development is not specifically proposed, regard needs to be given to the potential for this to happen and whether or not this is a sustainable location for such development to occur on the back of a much expanded airport. Indeed, it is the Council's Preferred Option for its Core Strategy to see airport related development, even without the proposed expansion of the airport. It is inevitable that expansion of the airport will, in due course, bring pressure for associated development. Consequently, the general objectives of PPG13 are important because they seek to:

1. promote more sustainable transport choices for both people and for moving freight;
2. promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
3. reduce the need to travel, especially by car.

5.22 It is our view that the prospect of such further development at the airport would lead to an unsustainable concentration of development in a remote rural area, contrary to the objectives of PPG13.

### **Other Policy Considerations**

5.23 If it is considered that there is a strategic case for expansion at Lydd, which we consider is not the case, then it is clear from the various policies and strategies on aviation that expansion must be acceptable in planning policy terms and must not have adverse impact on the environment that cannot be mitigated.

5.24 It is our case that expansion of Lydd airport will have unacceptable environmental impacts. Chief amongst these are the impacts on the internationally important nature conservation designations that adjoin the airport, and we rely on the evidence from Natural England and RSPB in this regard. We do, however, consider that there will be other environmental impacts, namely in regard to:

- Impact on tranquillity and quality of life;
- Greenhouse gas emissions/climate change; and
- Flood risk.

- 5.25 Other witnesses on behalf of Protect Kent provide detailed evidence on these matters, and in my statement I look at the national, regional and local policies to provide policy context for that evidence.
- 5.26 With regard to tranquillity and quality of life, I examine planning policy and guidance contained in the Rural White Paper (2000), PPS1, PPS4, PPS7, PPG24, the South East Plan and the Shepway Local Plan Review. Together, these provide clear advice that development should ensure a better quality of life for everyone, now and for future generations, as an essential component of sustainable development. An important aspect of this is the value that people place on the countryside and its distinctive and intrinsic character and quality, which development should seek to retain, including its tranquillity
- 5.27 PPG24 recognises that the introduction of noise can have a significant effect on the environment and the quality of life of individuals and communities. This is not just the volume of noise, but also the nature of the noise which is highlighted as a particular issue at airports. The South East Plan specifically identifies the enjoyment of tranquillity as contributing to quality of life.
- 5.28 The Shepway District Local Plan Review recognises the diverse and attractive nature of the environment in the District, and the need to protect it. It is a general aim of the plan to enhance people's quality of life. These matters are embraced by Policy SD1. Similarly Policy CO1 seeks to maintain and enhance the distinctive character, functioning and quality of the countryside. The quality, and distinctive character, of the countryside in this area is clearly demonstrated by the landscape designations that surround the airport.
- 5.29 It is our case that tranquillity is a fundamental part of the intrinsic character of the countryside around the airport, and that the erosion of this will impact on the character of the area, the quality of life of individuals and communities, and the enjoyment of the area. Consequently, we consider that the applications should be refused for being contrary to the national, regional and local policies that I highlight in my statement.
- 5.30 With regard to greenhouse gas emissions and climate change, it is our case that the proposals do not comply with government policy to reduce greenhouse gas emissions. In this respect, I highlight the content of the supplement to PPS1 on climate change and the South East Plan which places the issue of climate change at the heart of the planning system. This is a Government priority that has come to the forefront since the 2003 Air Transport White Paper, reflecting the 2008 Climate Change Act which sets specific targets for reductions in emissions.
- 5.31 The Local Plan is relatively mute on the issue of climate change, and only considers it in the content of energy. As such, I consider that it should be given limited weight in this regard, with the more recent national and regional policies taking precedence.
- 5.32 In regard to flood risk, it is our case that the applicants flood risk assessment does not meet national policy tests on flood risk. The primary policy guidance on flood risk, and its assessment, is provided in PPS25, the content of which is considered in detail in the evidence presented by Mr Furey (CPRE/07/A).