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 The Planning Inspectorate
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26 August 2011

By email
posltd@virginmedia.com
 Our ref. 05860005

Dear Sir

LONDON ASHFORD AIRPORT LIMITED
APP/L2250/V/10/2131934 & APP/L2250/V/10/2131936
LAA REPSONSE TO THE EVIDENCE OF MR. A J BINGHAM

I set out below a brief response to matters raised in evidence by Mr Bingham. For brevity, I do not seek to reply to each and every part of Mr Bingham's claims in detail, nor repeat the relevant aspects of LAA's evidence here.

Mr Bingham has made two submissions to the Inquiry. These consist of an email to PINS dated 25 February 2011 and a written representation dated 6 June 2011.

Mr Bingham appeared at the Third Party Representations day on Tuesday 5 July 2011 and was re-called for cross-examination by Peter Village QC and Paul Brown QC on Friday 8 July 2011.

Mr Bingham confirmed in cross-examination that he is not affected by the development proposals, that he had not read all of the evidence and that he had not read all of the supporting environmental information before the Inquiry.

Factual Matters

Mr Bingham revealed in cross-examination that his understanding was that the planning application for the terminal was in fact designed for 2mppa. This understanding that underlay his evidence and objection is of course fundamentally incorrect. A similar misunderstanding to this effect which has been made on a number of occasions by those acting in support of LAAG has been repeatedly corrected at the Inquiry by LAA and dealt with in evidence.

Mr Bingham also stated that he considered that development at Lydd has to be seen as an alternative to development at Manston. That view is not well-founded. A wealth of evidence has been provided to the inquiry by Louise Congdon dealing with this issue. It is not repeated here, but it demonstrates that both airports are needed to meet predicted demand for further capacity, and that they will have a complementary role. It is not the case that it is a question of either Lydd or Manston.

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Consideration of Planning Policies

Mr Bingham stated in his oral evidence to the inquiry when being cross-examined that he had not considered all relevant planning policies. Mr Bingham makes no reference in evidence to the Aviation White Paper.

His email of 25 February 2011 stated at paragraph 3 that “*I do not dwell on the matter of policy*” but that the applications “*significantly offend against many of the saved Local Plan policies*”. The suggestion that the applications offend against Local Plan policies is not correct, as dealt with in the planning evidence which has been presented on behalf of the Applicants (and indeed the local planning authority). However, we refer to and welcome the acknowledgement in his 25 February 2011 submission that the proposals accord with some saved Local Plan policies, such as Lydd Airport expansion.

Mr Bingham’s evidence does not give a balanced view of the relevant planning matters, nor does he supply evidence of his own to demonstrate why he considers there is a conflict with local planning policy.

Environmental Matters

Mr Bingham identified that he had not reviewed the Environmental Statements submitted alongside the planning applications and was also unaware of the Statements of Common Ground that have been agreed with Natural England, Shepway District Council and Kent Wildlife Trust throughout the course of the Inquiry. The assertions relating to environmental matters that Mr Bingham seeks to make in evidence are advanced without full information and understanding and are unreliable and/or incorrect.

Air Traffic Control Matters

Mr Bingham also made various generalised comments or made assertions about matters relating air traffic control and aviation when giving his oral evidence. He also claimed that because of limited time, he did not refer to the evidence of pilots and air traffic control experts nor did he attend the relevant aviation sessions of the Inquiry. Mr Bingham then conceded that he was not aware of LAA’s compliance with relevant licencing requirements with CAA. All of the air traffic control related issues that are now sought to be raised by Mr Bingham have in fact been dealt with in some detail by relevant experts at the Inquiry and his assertions about these matters are not correct.

Landscape

Mr Bingham claimed that LAA had failed to take into account the character of Romney Marsh and the landscape of Dungeness. Again, this claim is simply incorrect and without substance. LAA’s proposals are supported by analysis in the Environmental Statements, as well as the detailed evidence from Clive Self, an expert in such assessments. Beyond identifying the inaccuracy of the assertions Mr Bingham makes, there is nothing substantive or specific about landscape matters in what Mr Bingham says that now requires rebuttal or

further comment given the expert evidence that has already been presented on these issues.

Transport Matters

Mr Bingham made various claims regarding the accessibility of the airport and the proposals' compliance with relevant transport planning policies. Again, these matters that were dealt with at length in the supporting material and subsequent evidence and are therefore not explored further here. However, we would like to make the following clarifications and/or corrections in respect of some of Mr Bingham's claims.

Mr Bingham sought to criticise the level of proposed car parking in paragraph 7 of the 25 February 2011 submission. However Mr Bingham's objection is self-evidently based on his misunderstanding that the development proposals are for 2mppa. Further, by way of additional confirmation, LAA agreed the methodology for car parking provision calculation with KCC and the Highways Agency.

At paragraph 9 of the 25 February 2011 submission, Mr Bingham sought to make a comparison between the relative sustainability of the Lydd and Manston locations. Again, this is something which has already been dealt with in detail in evidence. Amongst other things, it is clear that the plans for a station to serve Manston Airport are unlikely to come forward in the near future due to the lack of demonstrated need and a funding gap. The location of the proposed Manston station is such that a shuttle service would still be required to transfer passengers between the station and the airport. Moreover, as identified above, it is simply not a case of Lydd or Manston in the way that Mr Bingham has clearly presumed.

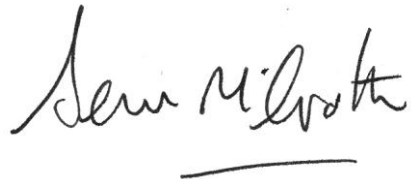
Mr Bingham also sought to question at paragraph 8 I.) of the 6 June 2011 submission whether the proposal accords with Local Plan policy TR13. This policy requires a Travel Plan to be submitted with major development planning applications.

In fact an Outline Travel Plan was submitted with the Transport Assessments to indicate the proposed content of the final Full Travel Plans for each application. The S106 agreement is currently being finalised and includes a commitment to produce these Travel Plans in conformity with a schedule of contents that has been agreed with Kent County Council.

Other Comments

Whilst various other comments and assertions are made by Mr Bingham in relation to aviation safety, flight numbers, transport, noise and socio-economic matters, Mr Bingham does not in fact raise substantive, specific or new points to those that have already been considered through the application and inquiry processes, nor does he offer any new or substantiated evidence, to which LAA feels it needs to respond now beyond the considerable body of evidence that has already been provided by those with expertise in these matters on behalf of LAA at the inquiry.

Yours faithfully

A handwritten signature in black ink that reads "Sean McGrath". The signature is written in a cursive style and is underlined with a single horizontal line.

Sean McGrath

Indigo Planning Limited