Shepway Core Strategy DPD Examination in Public Examination Statement
Indigo on behalf of
London Ashford Airport

Matter 5 – Areas of Strategic Change and other matters

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1. **Introduction**

1.1. This Examination Statement is submitted on behalf of the London Ashford Airport (LAA) in response to the Inspector’s questions to be discussed during the Examination in Public of the Shepway Core Strategy (SCS), as set out by the Programme Officer in the guidance notes dated 15 March 2012. It specifically relates to the proposals for the development London Ashford Airport (LAA).

1.2. This Statement specifically responds to Matter 5: Areas of Strategic Change and Other Matters (Core Strategy policies: CSD6, CSD7, CSD8, CSD9) of the Inspector’s matters. The Inspector has asked whether the Core Strategy’s proposals for other identified Areas of Strategic Change are realistic, deliverable, adequately justified and consistent with national and regional policies. With specific reference to LAA (also known as Lydd Airport), the Inspector asks the following questions:

1. Does the Core Strategy adequately explain the Council’s position with respect to Lydd Airport?

2. Is the approach set out in Core Strategy paragraph 5.115 adequately justified by the submitted evidence base?

3. Is it clear how the Council’s support for airport expansion in principle will be carried forward in planning policy terms?

4. At what point is it intended to replace saved Local Plan policy TR15?

1.3. This Statements responds to the above questions.

1.4. This Statement builds on the previous representations submitted by Indigo on behalf of the LAA (copies of which are included at Appendix 1) as follows:

- Representations to the Core Strategy Issues and Options Report dated February 2008;
- Representations to the Core Strategy Preferred Options Report dated July 2009; and
- Representations to the Submission Core Strategy dated September 2011.
2. Background and Previous Representations

Background

2.1. London Ashford Airport (LAA) is currently awaiting the outcome of a Call-in Inquiry into two planning applications. The first (PINs ref: APP/L2250/V/10/2131934) proposes to construct a 294m runway extension, a 150m starter extension. The second (PINs ref: APP/L2250/V/10/2131936) proposes the construction of a new terminal building capable of processing up to 500,000 passengers per annum and associated parking facilities.

2.2. The applications where Called–in by the Secretary of State (SoS) for his own determination following the Full Council resolving to grant planning permission for both Applications at a special committee meeting on Wednesday 3 March 2010. After a seven-hour debate, Members of the Council resolved to grant planning permission for both Applications by a clear 2:1 majority (Voting: 27 For; 12 Against; and 2 Abstentions). A copy of the minutes of the meeting are attached at Appendix 2.

2.3. The Call-in Inquiry formally closed on 16 September 2011. The decision on the applications is to be taken jointly by the Secretaries of State for Communities and Local Government and for Transport. The Inspector has now prepared his report with recommendations to the SoSs, who will make the final decision on the Applications.

2.4. Lydd Airport has been operational since the 1950s and it is acknowledged in the Local Plan as a source of employment in the District (paragraph 11.40 of the Local Plan 2006) and should the applications be granted, this would result in an increase of up to 200 new jobs. Regardless of the outcome of the Inquiry, the Airport will remain operational and continue to be an significant source of employment in this part of Shepway. However, the proposed expansion of LAA would bring substantial investment, job creation and training to the area. The Shepway Employment Land Review, 2011, an evidence base document to support the SCS, at paragraph 6.40 recognises that the proposals would promote inward investment, bring benefits to local companies and overall have a positive impact on the Region.

Planning policy

2.5. Although the Government has announced its intention to review its Aviation Strategy, the Future of Air Transport White Paper remains the most recent statement of Government policy relevant to airports. The Aviation White Paper acknowledges that LAA could play a valuable role in meeting local demand for air travel and could contribute to regional economic development. The White Paper supports the Airport’s expansion in principle subject to relevant environmental considerations (paragraphs 11.98 -11.99). A copy is included in Appendix 3.

2.6. Furthermore, the Prime Minister stated, in a pre-budget speech, that there is insufficient airport capacity in the south east of England and that the UK aviation strategy would be re-examined to ensure that the UK is a key global hub for air travel and not just a feeder route to bigger airports elsewhere. This underlies the Government’s support of aviation development. Given this broad support for much needed aviation in the South East, the Council should maximise the opportunity of having an existing airport in the District that is ready, willing and able to expand to help to meet increasing demand.

2.7. The presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) is an important principle underpinning the planning system. The NPPF sets out, at paragraph 17, the 12 principles of planning that includes, “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs”.

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2.8. The NPPF advises that Local Planning Authorities should positively seek opportunities to meet the development needs of their area. The SCS should be encouraging and supporting growth of LAA. This support is not currently reflected in the SCS.

2.9. The presumption in favour of development is firmly embedded in the planning system through the adoption of the NPPF. Moreover, the NPPF states specifically at paragraph 33 that when planning for:

“airport and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business, leisure, training and emergency service needs. Plans should take account of this Framework as well as the principles set out in the relevant national policy statement and the Government Framework for UK Aviation”.

2.10. The Shepway District Local Plan Review, 2006, which remains the adopted plan until the SCS is formally adopted later this year, recognises that the Airport is an important facility for the District with potential for improvements and expansion. It states that the Council recognises the importance of the Airport as a source of employment for Romney Marsh. Paragraph 11.41 states that the Council supports development directly related to the Airport use that strengthens the Airport function. Policy TR15 specifically addresses the expansion of the Airport. It states that the Council:

“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.”

2.11. Not only is the SCS inconsistent with national policy, specifically the Aviation White Paper and the NPPF, (as set out above and addressed more fully later in this Statement), but it no longer has specific policy support for the existing facilities and contribution it makes to the district. The Local Plan Review Policy TR15 is more in line with the advice in the NPPF and, therefore, it is reasonable and justified that this policy should be carried forward in the SCS.

2.12. In addition, the NPPF states at paragraph 31 that LPAs should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment necessary to support strategies for the growth of ports, airports or other major generators of travel demand in their areas. The SCS should positively acknowledge the existing role that LAA plays in the Shepway economy and it should support the future growth of LAA.

Summary of previous representations

2.13. LAA has been involved at all stages of the emerging SCS and have previously submitted a number of representations.

2.14. Representations were submitted to the SCS Issues and Options Paper, 2008, setting out that SCS should contain specific policy guidance on London Ashford Airport which follows the approach taken in the White Paper whereby ‘in principle’ support is given to the expansion of the Airport, subject to environmental considerations to ensure that the economic benefits which the Airport could potentially bring are maximised. A failure to provide such a policy means that the SCS would be likely to fail test of soundness as it would not be consistent with national policies.

2.15. Following this, representations where submitted to the SCS Preferred Options Report, July, 2009. These representations reiterated the need for the Council to incorporate a policy that reflected national planning guidance on the expansion of airports. The representations set out that there should be a policy identifying LAA as a site of strategic significance and it
should acknowledge the wider benefits to Romney Marsh through investment and job creation. The preferred options sought to reply on the outcome of the planning applications to inform the policy LAA’s representations highlighted that formulating a policy on this basis would not meet the tests of soundness.

2.16. It is noted that at item 31 of the LDF SCS Preferred Options Officer Summary of Responses (document C7 of the Schedule of EIP Documents) states:

“the Council will be considering applications for planning permission for a new terminal building and runway extension on 3rd March 2010. Further consideration will, however, be given to the development of long-term policy in the light of decisions made and based on an assessment of the type of economic activity that the airport is looking to develop over the plan period, the economic benefits to Romney Marsh of those activities and the potential impact of those activities on the local environment, and in particular, the Natura 2000 sites”.

2.17. The Officers’ response to the SCS Preferred Options representations to development a long-term policy, was not reflected in the SCS. The Council has not made clear what its reasons were for not producing such a policy.

2.18. The full Council voted in favour of granting planning permission to expand LAA and grant the two current applications, recognising the overall benefits the proposal could bring to the area. Clearly, this support should be reflected in the SCS.

2.19. Furthermore, our representations to the SCS, dated September 2011, also addressed the Council’s inconsistent approach to the Airport, in the light of the Councillors resolution to grant planning permission, the Council’s subsequent evidence in support of the planning applications at the Call-in public inquiry, and the relevant tests of soundness.

2.20. In short, the Council has consistently taken an unsound approach to preparing the SCS in terms of including a policy for the Airport reflecting the views of Councillors, and the Council has ignored our representations on the matter.
3. **Response to the Inspector’s Questions**

3.1. The Inspector has asked whether the SCS’s proposals for other identified Areas of Strategic Change are realistic, deliverable, adequately justified and consistent with national and regional policies. With specific reference to LAA, the Inspector asks the following questions:

1. Does the SCS adequately explain the Council’s position with respect to Lydd Airport?

2. Is the approach set out in SCS paragraph 5.115 adequately justified by the submitted evidence base?

3. Is it clear how the Council’s support for airport expansion in principle will be carried forward in planning policy terms?

4. At what point is it intended to replace saved Local Plan policy TR15?

3.2. The following paragraphs respond to these questions.

**Does the SCS adequately explain the Council’s position with respect to Lydd Airport?**

3.3. The Council have not adequately explained their position in respect of LAA. The SCS is inconsistent, confusing and inadequate in the way it addresses LAA for the following reasons. Firstly, Members resolved to grant planning permission for the two applications that would allow the construction a 294m runway extension, a 150m starter extension, a new terminal building capable of processing up to 500,000 passengers per annum and associated parking facilities.

3.4. Members voted by a clear 2:1 majority to grant planning permission (Voting: 27 For; 12 Against). It is clear that Council Members, who represent the community, recognise the benefits of the proposal and this support should be carried through to the SCS.

3.5. Secondly, the Council’s evidence in support of the planning applications as presented to the Call-in Inquiry states:

> “The expansion of London Ashford Airport offers the prospect of significant private sector employment in an area that is currently underperforming economically. Indeed, the local economy is unlikely to grow without employment opportunities such as this, which can help to create sustainable communities and complement development in surrounding areas such as at Ashford, parts of Sussex and East Kent”. (SDC Proof of Evidence of Jeremy Whittaker, Socio-Economic paragraph 9.1 Appendix 4)

3.6. This acknowledgement of the benefits and positive support for the expansion of LAA is not adequately reflected in the SCS.

3.7. Finally, Chapter 2: Strategic Issues of the SCS recognises the gateway locations between the UK and mainland Europe, LAA is referred to and depicted on Figure 2.1 as a national and international connection. However, the recognition of the Airport’s existence, current role and economic contribution potential is not acknowledged at Chapter 4: The Spatial Strategy for Shepway. The SCS states that the Spatial Strategy for Shepway is “the heart of the SCS, setting out proposals for the long-term development of Shepway”. On one hand, LAA is recognised as an important gateway to Europe but the spatial strategy for the district does not give the appropriate weight to its existence and future potential. The Council has no clear
strategy for LAA.

3.8. Similarly, at the Key Diagram does not identify the Airport, despite depicting other elements of the strategic transport infrastructure across the District. Also, proposed Policy SS1, District Spatial Strategy fails to mention the Airport.

3.9. These omissions and inconsistencies undermines the credibility of the Strategy.

3.10. The Airport is a recognised infrastructure in the District. It is identified as such in Chapter 2 and there is no logic to not continuing to recognise its presence and role throughout other relevant sections of the SCS.

3.11. In summary, the SCS does not adequately explain the Council’s position with respect to LAA. In fact the SCS is inconsistent and fails to recognise the Airport’s presence and the future role it can have in the district. This is inconsistent with the Council’s resolution to grant planning permission for both planning applications and the Council’s subsequent evidence in support of the planning applications as presented to the Call-in inquiry.

**Is the approach set out in SCS paragraph 5.115 adequately justified by the submitted evidence base?**

3.12. The approach set out in the SCS at paragraph 5.115 is adequately justified by submitted evidence base, for the following reasons.

**Economic Evidence Base**

3.13. The SDC Employment Land Review, 2011 states that the proposals at LAA would promote inward investment, bring benefits to local companies and overall have a positive impact on the region (paragraph 6.40) (A copy is enclosed at Appendix 5).

3.14. Furthermore, Paragraph 2.7 of the SDC Employment Land Review, 2011 (ELR) states that the main centres of economic activity and employment on Romney Marsh is Lydd Airport and Dungeness Power Station. This is a clear recognition of the important role that the Airport currently plays in providing employment in the District, yet, the SCS is not consistent with this Statement.

3.15. One of the key recommendations from the ELR is that protection should be afforded to existing employment sites. Clearly, LAA is a source of employment with the potential to increase the amount of employment. The continued protection of the Airport as it exists is not reflected in the SCS either. This is a key evidence base document, but the SCS does not reflect this support for the expansion of LAA.

3.16. On the basis of the findings of the ELR, LAA should be identified in the SCS as a key employment site as the ELR supports this position.

**Infrastructure Evidence Base**

3.17. The SCS identifies infrastructure upgrade projects and paragraph 4.128 states that:

> “following comprehensive review and discussion in the evidence base (Scott Wilson 2011, Shepway Transport Strategy) it is clear that providing an increased choice of means of travel is integral to long-term development, the District’s travel needs, and moving towards a low-carbon and inclusive economy”.

3.18. The SCS further states at paragraph 4.2 that one of its key aims is:

> “to promote connections to existing ports and airports within and outside the District, such as by new rail and coach services, and to support improved
3.19. The Shepway Transport Strategy is another key evidence base document. Whilst the Council’s Transport Strategy supports improved access to the Airport and acknowledges the economic advantages that increased choice of means of travel offer to residents of the District, the SCS fails to reflect this within a proposed policy.

3.20. It should also be noted that the SCS is also in conflict with the Shepway Community Plan, 2007 (A86 of the Schedule of documents). Although this is not an evidence base document, it is another important background document. The Community Plan identifies a number of key building blocks that are seen as being crucial for the successful delivery of the overall vision for Shepway. These include “an expansion of operations at LAA which boosts the local economy without undue environmental impact”

3.21. In conclusion, the approach set out in SCS at paragraph 5.115 is not adequately justified by the submitted evidence base. The SCS is not justified because it fails to reflect the provisions of its own evidence base set out in the Employment Land Review, 2011 which clear recognition of the important role that the Airport currently plays in providing employment in the District and the Shepway Transport Strategy 2011.

**Is it clear how the Council’s support for airport expansion in principle will be carried forward in planning policy terms?**

3.22. It is not clear how the Council’s support for Airport expansion in principle will be carried forward in planning policy terms.

3.23. The SCS includes a footnote stating the Inquiry decision for the planning applications will be fully reflected in the adopted SCS. This approach is unacceptable. Not only is it inadequate to address the issue in a footnote, it provides no procedural clarity on how the matter will be addressed in the future and it does not reflect the Council’s support for the Airport’s expansion. Indeed, it could be construed as being negative about the Airport’s expansion as it does not acknowledge the existing role of LAA.

3.24. The Council’s support for the Airport’s expansion in principle, consistent with Members’ resolution to grant planning permission for both planning applications and the Council’s subsequent evidence in support of the planning applications presented to the Call-in Inquiry. The positive support set out in the evidence base documents should be reflected clearly in the SCS.

**At what point is it intended to replace saved Local Plan policy TR15?**

3.25. As set out above, it is not satisfactory that the Call-in Inquiry decision for the planning applications will be fully reflected in the adopted SCS. LAA considers that positive provision for an existing element of key infrastructure, as is identified as such elsewhere in the SCS and the evidence documents, should be reflected and that the matter should not be left until a future review of the adopted SCS, which we can only assume would take place post 2014.

3.26. Procedurally, this approach would lead to a gap in local planning policy coverage for a key feature in the District. If the applications are refused, clearly the expansion and investment in the Airport as currently proposed will not be appropriate. However, even in this scenario, the SCS should provide support for the principle of the appropriate improvement of LAA because of the widely acknowledged benefits this will deliver.

3.27. On this basis, we request that policy TR15 of the Local Plan 2006 be included in the adopted SCS.
4. Conclusion

Response to the Inspector's Questions

4.1. This Statement specifically responds to the Inspector's questions in relation to Matter 5, Areas of Strategic Change. This Statement specifically addresses the Inspector's questions in relation reference to LAA and concludes that:

- the Core Strategy does not adequately explain the Council's position with respect to Lydd Airport;

  The SCS is inconsistent and fails to recognise the Airport's presence and the future role it can have in the district. This is inconsistent with the Council's resolution to grant planning permission for both planning applications and the Council's subsequent evidence in support of the planning applications as presented to the Call-in inquiry. Therefore, this does not make the Council's position clear.

- The approach set out in Core Strategy paragraph 5.115 is not adequately justified by the submitted evidence base;

  The SCS is not justified because it fails to reflect the provisions of its own evidence base set out in the Employment Land Review, 2011 which clear recognition of the important role that the Airport currently plays in providing employment in the District and the Shepway Transport Strategy 2011.

- It is not clear how the Council's support for airport expansion, in principle, will be carried forward in planning policy terms; and

  The Council have not clearly set out how the support for the expansion of LAA will be carried forward. There is no procedural clarity on how the matter will be addressed in the future and it does not reflect the Council's support for the Airport's expansion. Indeed, it could be construed as being negative about the Airport's expansion as it does not acknowledge the existing role of LAA.

- It is not clear when it is intended to replace saved Local Plan policy TR15.

  It is not clear when Local Plan Policy TR15 will be replaced. Regardless of the outcome of the applications, the SCS should provide support for the principle of the appropriate improvement of LAA because of the widely acknowledged benefits this will deliver and on this basis, we request that policy TR15 of the Local Plan 2006 be included in the adopted SCS.

Soundness of the SCS

4.2. This Statement highlighted that the SCS is inconsistent with current national planning policy. National policy guidance, particularly the NPPF and the Aviation White Paper is not reflected in the SCS.

4.3. The SCS is inconsistent in its treatment of the Airport. It identifies the Airport positively early on in the document, but fails to recognise the Airport's existing and future contributions the Airport makes to the district. Overall, the the SCS has not been positively prepared in relation to LAA.

4.4. Furthermore, the SCS is inconsistent with Members’ resolution to grant planning permission for both planning applications and the Council’s subsequent evidence in support of the
planning applications as presented to the recently concluded public inquiry.

4.5. The SCS is not justified in waiting for the inquiry decision for the planning applications at LAA to formulate a policy for the Airport. The positive provision for an existing element of key infrastructure should be made in the SCS and the matter should not be left until a future review of the adopted SCS. This approach which the Council has taken is contrary to the NPPF which states that a Local Plan is sound if has been positively prepared.

4.6. The SCS must be able to address the future of the Airport should the current planning applications be refused. The SCS should provide support for the principle of the appropriate improvement and expansion of LAA because of the widely acknowledged benefits this will deliver.

4.7. The SCS fails to reflect the provisions of its own evidence base and does not provide a specific policy for LAA and therefore is not justified.

Proposed Changes

4.8. It is our view that Policy TR15 of the Local Plan 2006 should be included in the adopted SCS. 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”.

4.9. This policy would meet tests of soundness set out at paragraph 182 of the NPPF because:

- It would demonstrate a positively prepared plan in accordance for the Council’s expansion of the Airport;
- It would support for the Council’s evidence at the Call-in Inquiry and the evidence base to the SCS; and
- It is would be effective as it would be deliverable over the plan period and it would be consistent with national policy.
Representations to Shepway District Council’s Local Development Framework

Core Strategy Preferred Options
Representations to Shepway District Council’s Local Development Framework

Core Strategy Preferred Options

July 2009

Indigo
On behalf of

London Ashford Airport
1. Introduction

1.1. Indigo Planning, on behalf of our client London Ashford Airport, are making representations to the Shepway Core Strategy Preferred Options consultation.

1.2. The representation is in respect to the Preferred Option RM3 London Ashford Airport (LAA), Lydd option a and b of the Core Strategy, which addresses the preferred policy options for the future expansion of ‘Lydd Airport’ (LAA).

1.3. This representation states that LAA welcomes the support for ancillary aeronautical business opportunities set out at Preferred Option RM3. However, we do not consider that preferred option RM3 as currently drafted is acceptable and that the preferred option for this policy should be more aligned with Preferred Option RM3b which is the primary alternative to the current Preferred Option.

1.4. Preferred Option 3b seeks to “add to the generally positive approach of the Local Plan to development, and produce a refined replacement policy that reiterates support for more intensive use of the Airport for flights, possibly with engineering in addition”.

1.5. The rationale for our representations is contained in the Sections that follow.
2. Preferred Option for Planning Policy RM3 - London Ashford Airport (LAA), Lydd

2.1. The following representations on the Preferred Option RM3 London Ashford Airport (LAA), Lydd option a and b has been reviewed and considered against the provision of Planning Policy Statement 12 (PPS12), Local Spatial Planning and both national and regional planning guidance on aviation.

2.2. The following sections set out why Preferred Option RM3 is inappropriate.

2.3. Paragraph 4.24 (iv) of PPS12 states that a development plan document will be sound if it is consistent with national planning policy and in general conformity with regional spatial strategy for the region.

2.4. The Government’s White Paper, the ‘Future of Air Transport’ (referred to as the Aviation White Paper) provides the strategic framework for the development of air travel over the next 30 years. The White Paper identifies the need for additional runway capacity in the South East Region and makes reference to LAA and other small airports as being important to meeting local demand and contributing to regional economic development.

2.5. The Regional Spatial Strategy (RSS) will be contained within the South East Plan (SEP). Paragraph 8.30, the subtext to Policy T9 states “The Air Transport White Paper highlighted the important role that small airports can play in providing access to air services that reduce the pressure on the main airports, particularly in the period before a new runway in the South East is built. 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”.

2.6. Although the South East Plan does not explicitly refer to LAA, it does recognise the valuable role of smaller regional airports and states that their development should be supported, and that regional and local planning frameworks should consider policies which facilitate growth at these airports.

2.7. Whilst the Preferred Option as drafted does support “opportunities for ancillary aeronautical business” it also states that “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”. This statement is limiting the opportunity for development at the airport and is not in accordance with regional planning policy which states that policies should facilitate growth of smaller regional airports, such as LAA. Therefore, the Preferred Option RM3 does not meet the PPS12 test of soundness (iv).

2.8. Moreover, it is not for planning policy to determine the acceptability of developing a new terminal building or a runway extension. The acceptability of such development should be the matter of a detailed assessment through a planning application process. As such, PPS12 states that the Core Strategy should comprise a spatial vision and strategic objectives for the area. Therefore, it is not appropriate to include these detailed matters in the Preferred Option.

2.9. It should also be noted that the Preferred option as drafted, would prevent a replacement terminal building being developed in the future. It is reasonable that the existing terminal would have to be replaced in the future, due to obsolescence, even without the expansion of the Airport.
2.10. The Council seek through this preferred policy to create additional job opportunities and jobs at LAA. However, they do ‘not anticipate' that this will entail an increase in flights and the development of a new terminal or runway extension. It is not viable for LAA to accommodate further business development and job opportunities without the growth of the airport. In addition, the acceptability of increasing the number of flights, providing a new terminal building or a runway extension to accommodate larger aircraft is a matter for a detailed planning application and should not be expressed in planning policy without an appropriate level of evidence and assessment.

2.11. In addition, the Preferred Option states that there will be support for ancillary aeronautical business opportunities at LAA, subject to there being no impact on designated ecological sites and habitats. Requiring “no impact” puts a restriction on any development taking place because any development will have some impact however minimal. This is not a policy but a restriction on any further development and therefore the inclusion of the words “no impact” is wholly unreasonable.

2.12. Paragraph 10.23, the subtext to the Preferred Option RM3, states the question remains of whether LAA is of local significance. This uncertainty is reflected in the Preferred Option where it states “it is proposed that if the final Core Strategy features the Airport as a strategic site, then this should reflect the outcome of the planning application as necessary, and take a positive approach to the wider benefits to Romney Marsh of investment and job creation from ancillary aeronautical business while requiring all statutory requirements of Environmental Impact Assessment and Appropriate Assessment to be met”.

2.13. LAA will bring substantial investment, job creation and training to the area. These benefits are emphasised at paragraph 10.15 of the Core Strategy. In addition, the Shepway Employment Land Review, an evidence base document to support the Core Strategy, at paragraph 4.34 it states “the potential expansion of Lydd Airport is recognised as a key driver for economic growth on Romney Marshes”. The Kent and Medway Structure Plan also recognised the local importance of LAA. On this basis, the development of LAA is of local strategic significance and there should be no ambiguity as to the importance of the benefits that LAA can bring to the area.

2.14. Preferred Option RM3 is predicated on the outcome of the current planning applications and therefore, does not provide any certainty for the future. Whilst the Preferred Options states “irrespective of the outcome of existing planning applications”, it does not give clear and concise support for the development at the airport. Instead it seeks to limit its support to aeronautical opportunities other than further flights, a new terminal building or a runway extension to accommodate larger aircraft. The Preferred Option should set a spatial vision for the area and therefore should not address detailed matters that are more appropriately addressed through the planning application process.
3. What should the policy be?

3.1. Having considered the Preferred Option RM3 and concluded that, as drafted, the Preferred Option is not appropriate and is unlikely to meet the test of soundness set out in PPS12, the following Section sets out what the Preferred Option should be.

3.2. Circumstances have not changed since the existing Local Plan policy was scrutinised by an independent inspector and found to be appropriate, and subsequently adopted. On this basis, it is reasonable to retain the existing Local Plan policy.

3.3. We consider that the primary alternative - Option RM3b, is the most appropriate Policy for LAA. Option RM3b should reflect the generally positive approach of the Local Plan to development of LAA, and should express support for more intensive use of the Airport for flights, possibly with engineering in addition.

3.4. In addition, the Preferred Option should feature LAA as a site of strategic significance and should acknowledge the wider benefits to Romney Marsh through investment and job creation. The emerging Policy should also not rely on the outcome of the current planning applications to inform the policy and should be formulated having regard to PPS12.

3.5. The existing Local Plan policy TR15 states that:

“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 that 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”.

3.6. Option RM3b would allow development to take place in accordance with the approach of the Local Plan so long as it satisfies the requirements under the Habitats Regulations and the EIA Regulations

3.7. Therefore, a similarly worded policy providing the ‘in principle’ support for the expansion of LAA subject to environmental considerations should be contained within the Core Strategy with the addition of, “other aviation business opportunities that will create jobs and training will also be supported, subject to environmental considerations”.
4. Conclusions

4.1. It is essential that the Shepway LDF contains a policy on LAA which follows the approach taken in the White Paper whereby 'in principle' support is given to the expansion of the airport, subject to environmental considerations to ensure that the economic benefits which the airport can offer will be maximised. The South East Plan also states that the growth of smaller regional airports should also be supported.

4.2. In summary, LAA welcome the support for ancillary aeronautical business opportunities set out at Preferred Option RM3. We agree that the Core Strategy should contain specific policy guidance on London Ashford Airport. However, the Preferred Option should be more in line with Policy Option RM3b, which seeks to retain the wording of the existing Local Plan policy with additional support for future engineering development at the airport.

4.3. The Preferred Option RM3 as drafted, limits its support to aeronautical opportunities excluding further flights, a new terminal building or a runway extension to accommodate larger aircraft.

4.4. In addition, the Preferred Option is uncertain and does not provide a clear and concise spatial vision for the Airport and relies on the current applications for a runway extension and a new terminal building to be determined. In our view, the Preferred Option RM3 would fail the tests of soundness of PPS12.

4.5. In summary, the Preferred Option should reflect Option RM3b which retains the wording of the existing Local Plan policy and supports a more intensive use of the Airport for increased flights and possibly with additional engineering facilities.
Representations to Shepway Core Strategy Issues and Options
February 2008

**Indigo**
On behalf of

London Ashford Airport
1. **Introduction**

1.1. Indigo Planning, on behalf of our client London Ashford Airport, are making representations to the Shepway Core Strategy Issues and Options consultation.

1.2. The representation has specific regard to option 28 of the Core Strategy which addresses the issue of whether the future of ‘Lydd Airport’ (LAA) should be considered at all within the Core Strategy.

1.3. This representation states that Shepway Core Strategy should contain specific policy guidance on London Ashford Airport and furthermore sets out a potential structure for the policy for inclusion in the forthcoming preferred options document. Further detail and information on the rationale behind these statements is contained in the sections that follow.
2. Why should the Core Strategy have a policy on London Ashford Airport?

2.1. The Government’s White Paper, the ‘Future of Air Transport’ (referred to as the Aviation White Paper) provides the strategic framework for the development of air travel over the next 30 years. The White Paper identifies the need for additional runway capacity in the South East Region and makes reference to LAA and other small airports as being important to meeting local demand and contributing to regional economic development.

2.2. Existing airport operators are expected to produce master plans or, where appropriate, to update existing master plans to take account of the conclusions on future development set out in the White Paper.

2.3. At present, planning policies supporting the expansion of aviation at London Ashford Airport (LAA) in line with National Strategic Planning Advice are included in the Kent and Medway Structure Plan and the Shepway District Plan. These plans will eventually be replaced by the Regional Spatial Strategy (RSS) and the Shepway Local Development Framework (LDF).

2.4. The RSS and the Shepway LDF should follow the approach taken in the White Paper, whereby ‘in principle’ support is given to further expansion of LAA, subject to relevant environmental considerations.

2.5. The Secretary of State is in the process of considering the Panel’s Report of the RSS for the South East of England and the approach to airport development in the South East is no doubt being closely scrutinised by her. Further representations by LAA and others will also be made at the appropriate time.

2.6. Failure to provide any policy guidance in the Shepway LDF has the potential to create a policy vacuum at the local level. This could potentially mean that proposals take an unnecessarily long period of time to determine and are not focussed on the principle issue which, as the Issues and Options document points out, is balancing economic benefits against environmental and other impacts.

2.7. There is a pressing need for the LDF to set a framework for the future expansion of aviation at LAA because the current planning applications under consideration by the Council represent phase one of LAA’s expansion programme, as set out in the LAA Masterplan which has been formulated in accordance with the policies and objectives of the Government’s Aviation White Paper. The new terminal building, if permitted, will provide facilities for processing up to 500,000 passengers per annum (ppa). It is LAA’s medium term aspiration to achieve a throughput of 2 million ppa. The expansion of LAA will not only boost tourism in the Sub Region and act as a catalyst for inward investment, but it will help to alleviate pressure on existing London airports.

2.8. Given the time horizon of the core strategy is likely to be 15 years, it is crucial that the document sets out the principles by which future applications at LAA to accommodate this growth should be determined to ensure that proposals are decided upon in a timely manner which does not threaten the delivery of the benefits of airport expansion.
3. **What should the policy be?**

3.1. Having concluded that it is appropriate and necessary for the Core Strategy to set out policy on determining proposals at LAA, this representation now moves to consider what an appropriate policy might be.

3.2. The Kent and Medway Structure Plan (2006) policy TP25 sets out support for the expansion of LAA as follows;

“The expansion of aviation at Lydd Airport will be supported. Proposals related to the development of the airport will be assessed for acceptability against the following criteria:

- development being directly related to the operation of the airport unless otherwise forming part of a proposal in a Local Development Document; and
- no material harm on internationally or nationally designated environmental areas; and
- no significant detrimental impact on locally designated environmental areas; and
- no significant adverse impact on the amenity of local communities which cannot be satisfactorily mitigated; and
- appropriate measures being secured to mitigate, and where appropriate compensate for, the impact of development including noise control, air pollution, light pollution, water pollution, sewerage disposal, landscape, species and habitat management; and
- the requirements for surface access being adequately accommodated within the capacity of the existing or committed local transport network; and
- measures being identified and secured to improve access by public transport modes.”

3.3. Similarly, Policy TR15 of the Shepway District Plan states that:

“The District Planning Authority will permit proposals for the expansion of facilities at Lydd airport directly related to the commercial and recreations flying use provided that 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”. (our emphasis).

3.4. Under the recently adopted Local Plan the Council will therefore permit the expansion of LAA provided there would be no significant impact on the internationally important wildlife communities.

3.5. A similarly worded policy providing the ‘in principle’ support for the expansion of LAA subject to environmental considerations should be contained within the Shepway LDF.
4. Conclusions

4.1. If the Shepway LDF does not contain a policy on LAA, there will be something of a policy vacuum which could cause delays to the determination of future proposals at the airport which are likely to be forthcoming over the lifetime of the Core Strategy.

4.2. It is important that the Core Strategy follows the approach taken in the White Paper whereby ‘in principle’ support is given to the expansion of the airport, subject to environmental considerations to ensure that the economic benefits which the airport could potentially bring are maximised.

4.3. A failure to provide such a policy means that the core strategy is likely to fail test of soundness vii which requires that;

“The strategies/policies/allocations in the plan represent the most appropriate in all the circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base”
Dear Sir or Madam

Shepway Core Strategy Proposed Submission Document July 2011
Representations on behalf of London Ashford Airport

We are pleased to enclose, on behalf of our client London Ashford Airport (LAA), representations to the Shepway Core Strategy Proposed Submission Document (Submission Core Strategy). These follow the representations made on behalf of LAA at the Issues and Options and Preferred Options consultation stages.

Our comments relate to the soundness of the consultation document, when assessed against the relevant tests set out in Planning Policy Statement 12: Local Spatial Planning.

Current National Planning Guidance and the Vision for Shepway

Two key changes in relation to national planning have occurred prior to the start of the consultation period for the Submission Core Strategy. Firstly, the March 2011 Budget, together with its supporting Ministerial announcements and documents, and secondly, the publication of the draft National Planning Policy Framework (dNPPF).

We consider these, and the implications for the submission of the Core Strategy below.

The March 2011 Budget

The March 2011 Budget and subsequent Ministerial Statements set out ambitious proposals to ensure that the planning system does everything possible to support economic growth and sustainable development, helping to rebuild Britain’s economy.

The new presumption in favour of sustainable development is an important new principle underpinning the planning system. It is intended to ensure that the default answer to development and growth proposals is “yes” rather than “no”, except where this would clearly compromise the key sustainable development principles in national planning policy.
The Government considers this presumption will give developers, communities and investors greater certainty about the types of applications that are likely to be approved. It is also considered that this default position towards development proposals will help to speed up the process for planning applications and, importantly, encourage growth.

Decision makers are encouraged to have careful and full regard to the principles in Greg Clark’s Ministerial Statement that significant weight should be attached to the need to secure economic growth and employment.

Most of the Government's proposed reforms to the planning system will take time to deliver. However, the Government's current clear advice to local authorities is that they can start immediately prioritising growth in the decisions that they take locally. The Government considers that every Council should be firmly on the front foot in encouraging and supporting growth and not impose any unnecessary burdens in the way of development.

The Draft National Planning Policy Framework

The key themes of the Ministerial Foreword are: that development means growth; without it peoples' lives and the places in which they live will be worse if things stagnate; sustainable development is about positive growth; and that development that is sustainable should go ahead, without delay. A presumption in favour of sustainable development is to be the basis for every planning decision.

The dNPPF confirms that the purpose of planning is to help achieve sustainable development and not hinder or prevent development. Sustainable development is central to the economic, environmental and social success of the country and is the core principle underpinning planning. The dNPPF states that planning should proactively drive and support the development that this country needs and that every effort should be made to identify and meet development needs, including business needs, in an area.

It is stated that a positive planning system is essential because, without growth, a sustainable future cannot be achieved. Planning must operate to encourage growth and not act as an impediment. Therefore, significant weight should be placed on the need to support economic growth through the planning system. This includes through the development plan process.

Overall Vision

LAA is concerned that these clear messages from national planning guidance are not embedded strongly enough in the Submission Core Strategy. At present, the Submission Core Strategy’s failure to reflect recent Government statements is, therefore, inconsistent with current and emerging national planning policy promoting sustainable economic development, growth and job creation.
The Status of the Airport

London Ashford Airport has been established in the District for over 50 years. It is acknowledged in Chapter 2: Strategic Issues that the District is a recognised gateway location between the UK and mainland Europe. The Airport is depicted on Figure 2.1: National and International Connections.

LAA is disappointed, therefore, that, in Chapter 4: The Spatial Strategy for Shepway, the recognition of the Airport’s existence, current role and economic contribution potential is not acknowledged. The consultation document states that the Spatial Strategy for Shepway is “the heart of the Core Strategy, setting our proposals for the long-term development of Shepway”. This omission undermines the Spatial Strategy.

Importantly, The Key Diagram at Picture 4.2, on page 37 does not identify the Airport, despite depicting other elements of the strategic transport infrastructure across the District. Also, proposed Policy SS1 fails to mention the Airport. This is an important omission which undermines the credibility of the Strategy. The Airport is recognised infrastructure in the District. It is identified as such in Chapter 2 and there is no logic to not continuing to recognise its presence and role throughout other relevant sections of the Submission Core Strategy.

Economic Growth Strategy

The Submission Core Strategy seeks to establish, through policy, the quantity and type of future development in Shepway for key sectors. Proposed Policy SS2 focuses the economic growth strategy for the District on supplying new housing and providing employment in the industrial, office and retail sectors.

Figure 4.3: Extract from Employment Land Review states that there is “no requirement identified for Airport-related sites”. There is no supporting text in the Submission Core Strategy to qualify this position. LAA considers that failing to acknowledge the employment contribution that is, and can be, made on Airport-related sites is a key omission, particularly in the context of lack of employment opportunities in the Romney Marsh area of the District.

LAA considers that District’s Economic Growth Strategy is unnecessarily rigid in its focus and that all activities that are capable of generating an economic contribution should be included in the economic growth strategy for the District. LAA considers that the role that service related employment will play in contributing towards the District’s economic growth strategy should be acknowledged and referenced in Policy SS2.

Infrastructure Upgrades

Various infrastructure upgrade projects are identified in the Submission Core Strategy. Paragraph 4.128 states that “following comprehensive review and discussion in the evidence base (Scott Wilson 2011, Shepway Transport Strategy) it is clear that providing an increased choice of means of travel is
integral to long-term development, the District’s travel needs, and moving towards a low-carbon and inclusive economy”.

Statement 4.2 on page 62 is an extract from the Shepway Transport Strategy and continues that one of its key aims is “to promote connections to existing ports and airports within and outside the District, such as by new rail and coach services, and to support improved access to London Ashford Airport subject to no adverse environmental consequences”.

LAA is disappointed that, whilst the local planning authority's evidence base and the Shepway Transport Strategy support improved access to the Airport and acknowledge the economic advantages that increased choice of means of travel offer to residents of the District, the Submission Core Strategy fails to embed these points within proposed planning policy.

The dNPPF states that the objectives of transport policy are to facilitate economic growth by taking a positive approach to planning for development and support reductions in greenhouse gas emissions and congestion, and promote accessibility through planning for the location and mix of development.

The dNPPF continues with when planning for airports and airfields that are not the subject of a separate national policy statement, planning policies should consider their growth and role in serving business, leisure, training and emergency service needs. In doing this, planning policies should take account of the dNPPF, as well as the principles set out in the relevant national policy statements and the Government Framework for UK Aviation.

LAA considers that, as currently drafted, the Submission Core Strategy is inconsistent with emerging national planning policy. Further, the proposed policy is not justified because it fails to reflect the provisions of its own evidence base.

Areas of Strategic Change: The Romney Marsh Area

The Submission Core Strategy sets out a spatial strategy for the Romney Marsh area. It is stated at paragraph 5.115 that, as part of this spatial strategy, “the expansion of London Ashford Airport at Lydd has been regarded by Shepway District Council as an important development opportunity for Romney Marsh, with the potential to increase connectivity to southern Shepway and beyond, and to provide direct and indirect employment benefits. In line with saved policy TR15 of the Shepway District Local Plan Review, the District Council resolved in 2010 to positively support applications to lengthen its runway and build a new passenger terminal, as it was considered the benefits were significant and the specific proposals complied with the requirements of the Habitats Regulations”.

Paragraph 5.116 states that “following this resolution, the applications were ‘called-in’ by the Secretary of State and are subject to a public inquiry. It is considered that the spatial strategy for the Romney Marsh featured in this document will remain applicable whatever decisions the Secretary of State
makes”.

LAA agrees that the Airport represents an important development opportunity for the District and that it is capable of delivering direct and indirect employment benefits.

The Submission Core Strategy as currently drafted provides only lukewarm support for the future role of the Airport. There is no mention of the Airport in proposed Policy CSD8. This is inconsistent with Members’ clear and considered resolution to grant planning permission for both planning applications and the Council’s subsequent evidence in support of the planning applications as presented to the recently concluded public inquiry.

LAA is not satisfied with the proposed footnote on page 102 that the inquiry decision for the planning applications will be fully reflected in the adopted Shepway Core Strategy. LAA considers that positive provision for an existing element of key infrastructure, as is identified as such elsewhere in the Submission Core Strategy, should be made in this draft Core Strategy and that the matter should not be left until a future review of the adopted Core Strategy, which we can only assume would take place post 2014.

LAA considers that procedurally, this approach would lead to a gap in local planning policy coverage for a key feature in the District.

If the applications are refused, clearly the expansion and investment in the Airport as currently proposed will not be appropriate. However, even in this scenario, the Core Strategy should provide support for the principle of the appropriate improvement of LAA because of the widely acknowledged benefits this will deliver.

Conclusions

Key announcements in relation to national planning have been made prior to the start of the consultation period for the Submission Core Strategy. LAA does not consider that these messages for national planning activity are embedded strongly enough in the Submission Version of the Shepway Core Strategy. At present, the Submission Core Strategy is inconsistent with current and emerging national planning policy.

The Submission Core Strategy is inconsistent in its treatment of the Airport. It identifies the Airport positively early on in the document, but fails to recognise the Airport’s presence and role in other relevant sections of the Submission Core Strategy. This is inconsistent with Members’ resolution to grant planning permission for both planning applications and the Council’s subsequent evidence in support of the planning applications as presented to the recently concluded public inquiry.

LAA considers that District’s Economic Growth Strategy is unnecessarily rigid in its focus and that all activities, capable of generating an economic contribution, should be included in the economic growth strategy for the District.
LAA considers that, as currently drafted, the Submission Core Strategy is inconsistent with emerging national transport planning policy. Further, the proposed policy is not justified because it fails to reflect the provisions of its own evidence base.

LAA is not satisfied with the proposal that the inquiry decision for the planning applications will be fully reflected in the adopted Shepway Core Strategy. The positive provision for an existing element of key infrastructure, as is identified as such elsewhere in the Submission Core Strategy, should be made in this draft core strategy and that the matter should not be left until a future review of the adopted Core Strategy. If the current planning applications for the Airport are refused, the Core Strategy should provide support for the principle of the appropriate improvement of LAA because of the widely acknowledged benefits this will deliver.

We trust these representations will be taken into account during the preparation of the final Shepway Core Strategy.

We would be grateful for written confirmation that these representations have been duly made.

Yours faithfully

Sean McGrath

cc T Maskens and H Mutlaq (LAA)
The Future of Air Transport

December 2003
Department for Transport

The Future of Air Transport

Presented to Parliament by the Secretary of State for Transport
by command of Her Majesty
December 2003

Cm 6046 £25.00
This White Paper refers to aviation policy across the UK.

In Scotland, Wales and Northern Ireland, land-use planning, surface access and a number of other matters associated with airport development are the responsibility of the devolved administrations.
document and believes that, within its current boundary, the airport would more likely grow to a capacity of 2 to 2.5mppa. Norwich provides domestic and European short-haul services and offers the potential to interline to long haul destinations through a continental hub. Again, we believe that there is scope for the airport to grow to satisfy local demand.

11.98 The operators of Southend, Lydd and Manston argue that their airports could grow substantially and each has plans for development. The potential of other airports, including, Shoreham, and Biggin Hill, should also not be overlooked.

11.99 We consider that all these airports could play a valuable role in meeting local demand and could contribute to regional economic development. In principle, we would support their development, subject to relevant environmental considerations.

11.100 The future role of Cambridge airport was considered. However, the local planning authority has adopted a policy for housing development on this site and this has serious implications for the future of the aircraft maintenance operation based at the airport. This issue is addressed below in the section on Alconbury.

11.101 The ability of business aviation to gain access to the main airports in South East will continue to be problematic as capacity constraints cause airports to focus on more valuable commercial traffic. The Government recognises the important contribution made by small airports in the South East in providing capacity for business aviation. We support the adoption of policies which encourage the continued provision of these services. We sought views in the consultation on six existing business aviation aerodromes which we felt had potential to provide additional capacity to cater for business aviation demand: Farnborough, Biggin Hill, Blackbushe, Fairoaks, Farnborough, Northolt and Southend. There was a relatively limited, but generally, positive, response, although a number of local residents and others expressed concern about development of Biggin Hill.

11.102 Northolt is a ‘core site’ within the Ministry of Defence’s future estates plan. Planning is well advanced to release several MOD London sites by moving other units to Northolt. It is the closest active military airfield to London and is of strategic importance. Alternative facilities could not be easily replicated elsewhere without significant adverse impacts on Government business. We do not believe that military flying from Northolt would be precluded by a third runway at Heathrow, although there would be some loss of flexibility at both airports. We considered options for development of Northolt as a satellite runway of Heathrow but these were rejected in favour of other development options.

11.103 Our studies suggested that North Weald and White Waltham might offer potential capacity in the longer term for business aviation. Future use of North Weald is being considered by the local planning authority, but it likely to be severely affected by our decision to support a new runway at Stansted.
82. **DECLARATIONS OF INTEREST**

Jeremy Chambers, Head of Corporate Services and Monitoring Officer, informed the meeting that he had advised members with regard to the common law issues of bias and predetermination and also making declarations of personal or prejudicial interest at the meeting in accordance with the Code of Conduct. As a result of advice given, Councillor P D Carroll would not be in attendance.

Councillor Mrs S E F Newlands declared a personal interest in minute 83, as she is a member of the Kent Downs Area of Outstanding Natural Beauty. She remained in the meeting during discussion and voting on this item.

Councillor R D Tillson declared a personal interest in minute 83, as he is a member of the Royal Society for the Protection of Birds. He remained in the meeting during discussion and voting on this item.

Councillor Miss P J Carr declared a personal interest in minute 83, as she is a member of the Kent Wildlife Trust. She remained in the meeting during discussion and voting on this item.

Councillor Mrs V I Loseby declared a personal interest in minute 83, as she is a member of the Coastal Community Group and the Lydd Airport Action Group. She remained in the meeting during discussion and voting on this item.

Councillor Mrs L E Beaumont declared a personal interest in minute 83, as she is a member of the Royal Society for the Protection of Birds. She remained in the meeting during discussion and voting on this item.
Councillor A G Clifton-Holt declared a personal interest in minute 83, as he farms under the flight path of Lydd Airport. He remained in the meeting during discussion and voting on this item.

Councillor T Clifton-Holt declared a personal interest in minute 83, as he farms under the flight path of Lydd Airport. He remained in the meeting during discussion and voting on this item.

Councillor N Matthews declared a personal interest in minute 83, as he is a member of the Royal Society for the Protection of Birds. He remained in the meeting during discussion and voting on this item.

Councillor A J Dunning declared a personal interest in minute 83, as he is a member of the Royal Society for the Protection of Birds. He remained in the meeting during discussion and voting on this item.

Jeremy Chambers gave a general introduction to the meeting and guide to the proceedings.

83. PLANNING APPLICATIONS Y06/1648/SH AND Y06/1647/SH – LONDON ASHFORD AIRPORT, LYDD – REPORT A/09/05

REPORT A/09/05 sets out details of planning applications Y06/1648/SH – construction of a 294 metre runway extension together with an additional 150 metre starter extension; and Y06/1647/SH - erection of a terminal building (capable of processing 500,000 passengers per annum) and 637 car parking spaces, both in respect of London Ashford Airport, Lydd.

Councillor R C Love drew Council’s attention to a typographical error contained in the Revised Appropriate Assessment; page 3; paragraph 1.2.2; which should read:

'It is understood that LAA would not proceed with the terminal proposal without the runway proposal, but would proceed with the latter in isolation. Therefore, the terminal proposal is considered within this document only in combination with the runway proposal, along with the runway proposal in isolation and in combination with other projects that may lead to a cumulative impact'.

Chris Lewis, the Head of Planning Services, gave a description of the reports to be considered and the statutory tests that apply to the applications, and went on to introduce Terry Ellames, Major Applications and Project Manager.

Terry Ellames presented the applications, gave an overview of his report and explained that report A/09/05 should have stated that application Y06/1647/SH was for the erection of a terminal building (capable of processing 500,000 passengers per annum) and 639 car parking spaces.
After a short adjournment, the following addressed Council with regard to the applications:

Channel Chamber of Commerce – Mr Peter Hobbs  
Greatstone School Chair of Governors – Mr Paul Black  
Keep the Marsh Special Alliance – Mr Rob Ryan  
Kent Downs Area of Outstanding Natural Beauty – Mr Nick Johanssen  
Kent Wildlife Trust – Mr Richard Moyse  
RSPB – Mr Chris Corrigan  
Shepway Environment and Community Network – Mr David Plumstead  
Representative for Lydd Town Council – Councillor D G Kersey  
Local resident in support – Ms Caroline Chambers  
Local Resident against – Ms Trudy Auty  
Lobby Group in support – Mrs Barbara Walsh on behalf of FLAG  
Lobby Group against - Mr Matthew Horton on behalf of LAAG  
Ward members for Lydd – Councillors Mrs Dawson and Clive Goddard  
Ward member for New Romney Town – Councillor Mrs Carole Waters  
Ward member for New Romney Coast – Councillor Mrs Valerie Loseby  
County Council member for Romney Marsh Division – Councillor William Richardson  
MP for Folkestone and Hythe – Mr Michael Howard QC

The applicants made a short presentation and then addressed points raised by the speakers.

The meeting then adjourned.

The meeting reconvened and debate commenced.

During the debate, the Council’s counsel, Paul Brown QC gave a detailed explanation of the statutory requirements Councillors were obliged to apply in determining the applications.

**Motion 1**

Proposed by Councillor M J Dearden  
Seconded by Councillor Mrs S E F Newlands

That this Council adopt the Revised Appropriate Assessment under the Habitat Regulations as set out in detail at the end of the Supplementary Report and prefer and adopt the applicant's proposed revisions to the February 2010 Revised Appropriate Assessment Report put forward by Indigo Planning on behalf of London Ashford Airport.

Further, that this Council approve the application of London Ashford Airport with suitable Section 106 conditions as promulgated by them.

**Motion 2**

Proposed by Councillor H A Barker
That the Bureau Veritas Revised Appropriate Report in Appendix 2 be amended by the deletion of pages 22-38 inclusive and replaced by the text of the applicant’s proposed revisions to the February 2010 Revised Appropriate Assessment paragraphs 1 to 4.5 inclusive and that this be agreed and adopted by the Council.

**Motion 3**

Proposed by Councillor T Prater
Seconded by Councillor Mrs L E Beaumont

To accept the officer’s recommendations as detailed in report A/09/05

**Amendment to Motion 1**

Proposed by Councillor M J Dearden
Seconded by Councillor W L Richardson

1. That the Bureau Veritas Revised Appropriate Assessment report in Appendix 2 be further amended by way of the deletion of pages 22 to 28 inclusive, the deletion of paragraph 4.4.5 on page 29, the deletion of the last two sentences of paragraph 5.1.6 on pages 30 and 31 and the deletion of pages 34 to 38 inclusive and the replacement of that content by the text set out in the ‘Applicant’s Proposed Revisions to the February 2010 Revised Appropriate Assessment Report’, paragraphs 1 to 4.5 inclusive. That this Revised Appropriate Assessment as amended be agreed and adopted by the Council, as the competent authority, having regard to the Wildlife and Countryside Act 1981 (as amended) and Regulation 48 of the Conservation (Natural Habitats and c) Regulations 1994. This concludes:

   a) The proposals for a runway extension and new terminal and car park are considered not to have any adverse effects on the integrity of the Dungeness Special Area of Conservation (SAC), subject to mitigation.

   b) The proposals for a new runway extension and new terminal and car park are considered not to have any adverse effects on the integrity of the Dungeness to Pett Levels Special Protection Area (SPA), subject to the proposed mitigation.

2. That the Council authorises that planning permission be granted for the runway extension (Y0/1648/SH0 and the new terminal and car park (Y06/1647/SH) subject to completion of a suitable Section 106 legal agreement and planning conditions, the terms of which to be delegated to the Head of Planning Services to agree on the Council's behalf.
3. That in the event that the terms of the Section 106 legal agreement and/or the planning conditions cannot be agreed by the Head of Planning Services, the details regarding the agreement and/or conditions be reported back to the Development Control Committee for further consideration.

4. To inform the Government Office for the South East (GOSE) and Natural England of the Council’s resolution to adopt the Appropriate Assessment as further amended and to grant both planning applications subject to the completion of a suitable Section 106 legal agreement and appropriate planning conditions.

In reaching the decisions to grant planning applications, the Council considers that the proposed developments would not have an adverse impact on the integrity of the Dungeness to Pett Levels Special Protection Area or on the integrity of the Dungeness Special Area of Conservation. The Council are satisfied having considered all representations and the officer’s report that there is no reasonable scientific doubt remaining that the planning applications would have any adverse impact on those designations. The Council also considers that the planning applications do not conflict with central government planning guidance and comply with the provisions of the Shepway District Plan Local Plan Review and the South East Plan, in particular policies CO8, CO9, TR15, and SD1 of the Local Plan and policies NRM5 and CC1 of the South East Plan.

In coming to this decision, regard has been had to the following policies:

Shepway District Local Plan Review – SD1, BE1, BE2, BE16, U1a, U2, U4, U6, U9, U10, U10a, U15, TR2, TR5, TR6, TR8, TR9, TR11, TR12, TR13, TR15, CO1, CO4, CO5, CO8, CO9, CO10, CO11, CO12, CO13, CO14.

SD1, BE1, BE2, BE16, U1a, U2, U4, U6, U9, U10, U10a, U15, TR2, TR5, TR6, TR8, TR9, TR11, TR12, TR13, TR15, CO1, CO4, CO5, CO8, CO9, CO10, CO11, CO12, CO13, CO14

The South East Plan – BE6, CC1, CC2, CC4, CC7, PPS9, SP2, T1, T2, T5, T4, T8, T9, T14, NRM1, NRM4, NRM5, NRM7, NRM9, NRM10, NRM11, NRM12, W2 and M1

RESOLVED:
1. That the Bureau Veritas Revised Appropriate Assessment report in Appendix 2 be further amended by way of the deletion of pages 22 to 28 inclusive, the deletion of paragraph 4.4.5 on page 29, the deletion of the last two sentences of paragraph 5.1.6 on pages 30 and 31 and the deletion of pages 34 to 38 inclusive and the replacement of that content by the text set out in the ‘Applicant’s Proposed Revisions to the February 2010 Revised Appropriate Assessment Report, paragraphs 1 to 4.5 inclusive. That this Revised Appropriate Assessment as amended be agreed and adopted by the Council, as the
competent authority, having regard to the Wildlife and Countryside Act 1981 (as amended) and Regulation 48 of the Conservation (Natural Habitats and c) Regulations 1994. This concludes:

a) The proposals for a runway extension and new terminal and car park are considered not to have any adverse effects on the integrity of the Dungeness Special Area of Conservation (SAC), subject to mitigation.

b) The proposals for a new runway extension and new terminal and car park are considered not to have any adverse effects on the integrity of the Dungeness to Pett Levels Special Protection Area (SPA), subject to the proposed mitigation.

(Voting: For 27; Against 13; Abstentions 1)

For: Councillors H A Barker, Mrs K T Belcourt, R H C Bliss, G E Bunting, Miss S J Carey, A G Clifton-Holt, T Clifton-Holt, B W Copping, Ms V M Dawson, M J Dearden, A Dunning, A J Ewart-James, C Goddard, D R Godfrey, S W Hayward, R P Hill, Ms J M Holben, Mrs J D Hollingsbee, D S Johnson, R C Love, P S Martin, D D Monk, Mrs S E F Newlands, A North, W L Richardson, Mrs C J Waters and Mrs O Williams,

Against: Councillors Mrs L E Beaumont Miss P J Carr, P C Gane, S Lawrence, Mrs V I Loseby, N Matthews, T S McNeice, P Monk, S N Peall, T Prater, Mrs E J Sanger, R D Tillson and Mrs S L Wallace.

Abstentions: Councillor M J A Lyons.

RESOLVED:
2. That the Council authorises that planning permission be granted for the runway extension (Y0/1648/SH0 and the new terminal and car park (Y06/1647/SH) subject to completion of a suitable Section 106 legal agreement and planning conditions, the terms of which to be delegated to the Head of Planning Services to agree on the Council’s behalf.

3. That in the event that the terms of the Section 106 legal agreement and/or the planning conditions cannot be agreed by the Head of Planning Services, the details regarding the agreement and/or conditions be reported back to the Development Control Committee for further consideration.

4. To inform the Government Office for the South East (GOSE) and Natural England of the Council’s resolution to adopt the Appropriate Assessment as further amended and to grant both planning applications subject to the completion of a suitable Section 106 legal agreement and appropriate planning conditions.
In reaching the decisions to grant planning applications, the Council considers that the proposed developments would not have an adverse impact on the integrity of the Dungeness to Pett Levels Special Protection Area or on the integrity of the Dungeness Special Area of Conservation. The Council are satisfied having considered all representations and the officer’s report that there is no reasonable scientific doubt remaining that the planning applications would have any adverse impact on those designations. The Council also considers that the planning applications do not conflict with central government planning guidance and comply with the provisions the Shepway District Plan Local Plan Review and the South East Plan, in particular policies CO8, CO9, TR15, and SD1 of the Local Plan and policies NRM5 and CC1 of the South East Plan.

In coming to this decision, regard has been had to the following policies:

Shepway District Local Plan Review – SD1, BE1, BE2, BE16, U1a, U2, U4, U6, U9, U10, U10a, U15, TR2, TR5, TR6, TR8, TR9, TR11, TR12, TR13, TR15, CO1, CO4, CO5, CO8, CO9, CO10, CO11, CO12, CO13, CO14.

SD1, BE1, BE2, BE16, U1a, U2, U4, U6, U9, U10, U10a, U15, TR2, TR5, TR6, TR8, TR9, TR11, TR12, TR13, TR15, CO1, CO4, CO5, CO8, CO9, CO10, CO11, CO12, CO13, CO14

The South East Plan – BE6, CC1, CC2, CC4, CC7, PPS9, SP2, T1, T2, T5, T4, T8, T9, T14, NRM1, NRM4, NRM5, NRM7, NRM9, NRM10, NRM11, NRM12, W2 and M1

(Voting: For 27; Against 12; Abstentions 2)

For: Councillors H A Barker, Mrs K T Belcourt, R H C Bliss, G E Bunting, Miss S J Carey, A G Clifton-Holt, T Clifton-Holt, B W Copping, Ms V M Dawson, M J Dearden, A Dunning, A J Ewart-James, C Goddard, D R Godfrey, S W Hayward, R P Hill, Ms J M Holben, Mrs J D Hollingsbee, D S Johnson, R C Love, P S Martin, D D Monk, Mrs S E F Newlands, A North, W L Richardson, Mrs C J Waters and Mrs O Williams,

Against: Councillors Mrs L E Beaumont Miss P J Carr, P C Gane, S Lawrence, Mrs V I Loseby, N Matthews, T S McNeice, P Monk, T Prater, Mrs E J Sanger, R D Tillson and Mrs S L Wallace.

Abstentions: Councillors M J A Lyons and S N Peall.

There being no further business, the Chairman of the Council closed the meeting at 1.53am.
Shepway District Council

Proof of Evidence
Socio-Economic - Jeremy Whittaker
(SDC/3/A)

22 December 2010
in the coming years. In addition, the Romney Marsh itself is an attractive short
break destination for rambling, cycling and wildlife activities.

8.9 In their written submission, Kent County Council highlights other local
attractions in Kent and the ease with which London can be accessed via
Ashford. Beyond the county boundary, Rye in East Sussex and the coastal
resorts of Hastings and Bexhill are established tourist destinations and in the
case of the latter are improving their visitor offer considerably through a
comprehensive regeneration programme.

9. CONCLUSION:

9.1 The expansion of London Ashford Airport offers the prospect of significant
private sector employment in an area that is currently underperforming
economically, that will eventually see the loss of employment at Dungeness A
(currently decommissioning) and B Power Stations and is highly unlikely to
see Dungeness C Power Station constructed in the foreseeable future.
Indeed, the local economy is unlikely to grow without employment
opportunities such as this, which can help to create sustainable communities
and complement development in surrounding areas such as at Ashford, parts
of Sussex and East Kent.

9.2 Beyond direct employment, an expanded London Ashford Airport would also
stimulate indirect and induced employment, as well as having a modest
positive impact in attracting businesses to the local area. It would offer the
opportunity to bring new visitors to the area and help to raise the profile of
Kent as a visitor destination.

9.3 Taking into consideration all of these aspects, it is the conclusion of Shepway
District Council that the expansion of London Ashford Airport would have a
positive economic impact.

70 CD10.4
71 KCC/1W
Employment Land Review

Shepway District Council

January 2011

FINAL REPORT AND APPENDICES
In terms of accessibility, Folkestone is served by the M20 motorway which links it to London and western Kent and also lies at the entrance to the Channel Tunnel giving easy access to the continent. Folkestone also has a direct train connection to London and this has recently improved following the start of high-speed domestic services, giving a journey time to London St Pancras of around 55 minutes from Folkestone Central Station. Currently, the nearest airports with scheduled services are Gatwick and London City, both some 100 km away, although this may change if proposed developments at either Lydd (London Ashford International) or Manston (Kent International) airports go ahead.

Higher education provision within the district comprises two institutions: University Centre Folkestone (UCF) opened in September 2007 and is the town’s first higher education campus specialising in performing and visual arts, business and enterprise and is a partnership between Folkestone’s Creative Foundation and Canterbury Christ Church University. The West Kent College has a campus in Folkestone and provides a variety of mainly vocational courses at different levels, but including some higher education programmes.

As part of the relatively prosperous South East region, Shepway is not subject to any EU designations relating to financial assistance programmes. In common with other parts of the UK, Shepway lost its UK Assisted Area status in 2006, and is therefore not covered by Tiers 1 or 2 of the UK’s Regional Selective Assistance Programme, although businesses can obtain capital grants under Tier 3 support for small and medium sized enterprises. Relevant policies on economic development are summarised in Appendix 2.

Economic Activity

The Shepway economy has been characterised by slow economic growth, high unemployment and long-term contraction of established local industries (for example the Dormobile Coach Works). The main centre is Folkestone, a seaside resort town and formerly an important cross-channel ferry terminal, which has declined over recent decades but retains a continuing tourism role. The Ministry of Defence also retains a number of barracks and firing ranges in the District, and is an important local employer and landowner. The town contains several industrial estates and the sizable Shearway Business Park adjoining the M20 motorway which accommodates the Home Office Immigration HQ which is an important local employer. It also contains significant private-sector insurance and financial services companies. Folkestone is also developing a role as a focus for cultural and creative activities.

Outside of Folkestone, the main centres of economic activity and employment are industrial estates within the larger towns, such as Lympne Industrial Estate in Hythe, Mountfield Road Industrial Estate in New Romney and Dengemarsh Road in Lydd. On Romney Marsh, Lydd Airport and Dungeness Power Station provide the main centres of employment.

There are relatively few large firms in the District with only 1.5% of businesses having more than 100 employees, although this share is similar to Kent