

Principal Item No 1

PARISH: BAGINTON

**COVENTRY AIRPORT, LAND ADJACENT TO SOUTH APRON, SISKIN PARKWAY WEST,  
MIDDLEMARCH BUSINESS PARK, COVENTRY, CV3 4HX**

**Applicant:** West Midlands International Airport Limited

**Application No:** W2003/0473 (referred to as Application 'A')

**Application description:**

Construction of airport passenger terminal (2,935 square metres) and associated car park (680 spaces), access roads and infrastructure

(This application was refused by Planning Committee on 11<sup>th</sup> September 2004 and was appealed by the applicant on October 11<sup>th</sup> 2004.)

**Application No:** W2004/1939 (referred to as Application 'B')

**Application description:**

Construction of passenger terminal (10,250 square metres), associated car parking (3,825 spaces), expansion of the apron for the parking of aircraft (15,875 square metres), and the construction of new and improved access arrangements to Airport South from Siskin Parkway West

**PURPOSE OF REPORT**

The purpose of the report is to:

- to advise Members of planning application W2004/1939 (Application 'B') and to seek Members views on the Council's position to be taken at the Inquiry into the appeal in respect of this application;
- to revisit Members views on the Council's position to be taken at the forthcoming Inquiry into the appeal in respect of planning application W2003/0473 (Application 'A'); and
- to seek approval to request the Planning Inspectorate conjoin the two appeals and hold a single inquiry.

## **Background**

Application 'A' as described above was refused planning permission by the Planning Committee on September 11<sup>th</sup> 2004 on five grounds related to surface access, noise, air quality, ecology and cultural heritage. This decision was appealed by the applicant on October 11<sup>th</sup> 2004 and an Inquiry has been arranged by the Planning Inspectorate to consider the appeal starting on January 10<sup>th</sup> 2006.

Following the decision of the Planning Committee on September 11<sup>th</sup> 2004, the applicant submitted a second planning application also described above. Application 'B' was lodged with the Council in October 2004 and was formally amended in June 2005. This application and accompanying documentation, including an Environmental Statement, has been the subject of consultation with the public and statutory consultees.

On 9<sup>th</sup> September 2005, the applicant advised the Council that they were to submit an appeal to the First Secretary of State against the Council's failure to determine Application 'B'. This procedure is open to any applicant who may appeal in circumstances where an application has not been determined during the statutory period or any such longer period of time that the applicant is prepared to agree.

The Council can no longer therefore determine Application 'B'. It will most likely form the subject of an Inquiry with the decision made by the relevant Secretaries of State for Planning and Transport. The timing of this Inquiry is not yet known. However, the Council must take a position on Application 'B' in order to inform its position at any future Inquiry. This report provides details of this application and an assessment of the application against the planning policy context within which it will be determined by the Secretaries of State.

## **Application 'A'**

Members will recall considering a report at the Planning Committee of the 4<sup>th</sup> July 2005 in relation to the 'interim' passenger facility development currently in use. Members resolved:

1. That the package of control, mitigation and compensation measures offered by the appellant is reasonable for this scale of operation and therefore the development is considered in accordance with the requirements of the development plan.
2. That the Inquiry be informed that, subject to a formal obligation in respect of the package of measures as proposed and the imposition of appropriate planning conditions, the Council would consider it appropriate for planning permission to be granted for the development by the Secretaries of State.

3. That in respect of the forthcoming Inquiry into the refusal of planning permission for a permanent terminal (Application 'A'), the same package of measures varied where necessary to respond to the relative scale of impact would provide adequate mitigation to meet the concerns of the Council in respect of the environmental effects.
4. That officers/consultants negotiate on the above basis and report back to Members in due course on the extent to which a package of measures that accords with the above resolution has been achieved.

Points 1 and 2 addressed matters in relation to the 'interim' passenger facility which is now before the Secretaries of State for their determination anticipated early next year. With regard to points 3 and 4, those negotiations have been ongoing in the context of discussions regarding Application 'B'. The outcome of those negotiations is presented within the draft Heads of Terms attached to this report. Therefore in considering its position on Application 'B', Members will also need to revisit the position they adopted on Application 'A' in September 2004 in light of the package of measures to control, mitigate and compensate for the environmental impacts of the development of a passenger terminal now offered by the applicant. This report addresses this issue within the context of Application 'B'.

### **Conjoining the Appeals**

Members will note that the Inquiry into Application 'A' is already scheduled to begin on January 10<sup>th</sup> 2006. There are obvious similarities between Application 'A' and Application 'B' in that they both seek permission for a passenger terminal with the capability to handle two million passengers per annum. The only difference relates to the physical nature of the development albeit this is not considered material as to whether the two appeals could be considered together at one Inquiry. In this context, there is obvious advantage to all parties wishing to make comments to the Secretaries of State in conjoining the two appeals, i.e. holding one inquiry hearing both appeals against Application 'A' and Application 'B'. There is a strong likelihood of these appeals being conjoined as the matter has already been discussed by the Inspectors who will chair the Inquiry at a Pre-Inquiry Meeting held in May 2005. However, it will be important that the Council make the Inspectors aware of its views on conjoining the two appeals at the next Pre-Inquiry Meeting on September 26<sup>th</sup> 2005.

Evidence to be submitted to the Inquiry on behalf of the Council will need to be prepared and submitted to all parties at the beginning of December 2005. In light of the likelihood of the appeals being conjoined, it is important therefore that the Planning Committee consider its position on Application 'A' and 'B' as soon as possible. The next section of the Report addresses Application 'B'.

## **APPLICATION 'B'**

APPLICATION NO. W2004/1939

DATE OF RECEIPT: 03.11.2004

CASE OFFICER: MR GARY STEPHENS

### **COVENTRY AIRPORT, LAND ADJACENT TO SOUTH APRON, SISKIN PARKWAY WEST, MIDDLEMARCH BUSINESS PARK, COVENTRY, CV3 4HX**

Construction of passenger terminal (10,250 square metres), associated car parking (3,825 spaces), expansion of the apron for the parking of aircraft (15,875 square metres), and the construction of new and improved access arrangements to Airport South from Siskin Parkway West

---

#### **THE SITE AND ITS LOCATION**

The application site is 10.42ha and contains several existing operational buildings, including the 'interim' passenger facility. The remainder of the site is an open grassed area falling within the curtilage of the airport. There are no features of note within the application site. The site is located adjacent to the South Apron and the Target Express Building. The site is accessed from Siskin Parkway West. To the north and west lies the airfield and runway, to the south and east lies the Middlemarch Business Park, a mixture of large light industrial and commercial buildings which are primarily accessed from Tollbar End junction. The surrounding land is rural in nature and forms part of the West Midlands Green Belt.

#### **DETAILS OF THE DEVELOPMENT AND APPLICATION**

##### **Application**

The planning application is for outline planning permission with 'siting' of the development the only matter reserved for future consideration. This means that if planning permission is granted by the Secretaries of State following the Inquiry, the location of the terminal building, car parking, etc. within the site would be the subject of a separate reserved matters application. This would then be dealt with by the Council.

##### **Passenger Terminal and Passenger Numbers**

The proposal is to construct a passenger terminal, comprising check-in hall and desks, retail, food and beverages area, departure lounge, baggage reclaim, security check area, arrivals area and office accommodation. The gross floorspace of the building would be 10,250 square metres

spread over two floors. The building contains 1,540 square metres of retail (of which approximately 445 square metres is 'landside' and accessible to all members of the public) and 1,025 square metres of office space. The building would be a modern steel framed structure with cladding and glazed areas in keeping with the general form and scale of surrounding development. The building is proposed to be constructed in two phases, with the first phase comprising 5,750 square metres for use for departing passengers and handling one million passenger movements per annum (mppa). Arriving passengers would utilise Merlin House during the first phase which is an existing building erected as a freight warehouse but now largely in use for arriving passengers as part of the 'interim' passenger development.

The applicant has stated that the development when fully operational (anticipated in 2014) will have a maximum passenger throughput of two million passenger movements per annum. This is based upon 14,808 aircraft movements a year with an average load of 132 passengers per aircraft. This would equate to on average 40 aircraft movements a day.

The applicant has put forward a potential flight schedule assuming the passenger terminal is operating at full capacity. This schedule is described as a 'busy day summer forecast for 2014'. The potential flight schedule assumes eight aircraft operating short haul European flights and reflects airlines tendency to schedule in waves so that there are morning and evening peaks. The majority of aircraft are based at Coventry Airport and make eight journeys a day (e.g. four departures and four arrivals). The potential schedule equates to forty six passenger aircraft movements a day (e.g. twenty three departures and twenty three arrivals) at the Airport with seven movements during the night time period (2300 to 0700). The aircraft anticipated to be utilised are Boeing B737-500 (131 seats), Boeing 737-800 (189 seat) and Boeing 757-200 (235 seats). The 'busy day forecast for 2014' schedule equates to 16,790 aircraft movements a year. The environmental impacts of the development have been based upon this schedule.

### **Car Parking and Associated Works**

The proposal is to construct a 3,825 space car park with 3,350 spaces allocated for passengers and 475 spaces allocated for staff. The proposal also includes a multi storey car park containing 1,913 spaces. This includes 67 spaces for disabled users. All car parking proposed to serve the development is therefore located at Airport South and will access the trunk road network primarily from Tollbar End roundabout. The number of spaces made available for use will be restricted in line with the growth in passenger numbers and with the objective of discouraging unnecessary private car use. The proposal also incorporates a bus and taxi rank and pick up and drop off areas with improved access points to Siskin Parkway West.

The proposal also incorporates the construction of an apron for the parking of aircraft. The apron equates to 15,875 square metres.

### **Comparison with Previous Application**

Members will recall their consideration of planning application (W2003/0473) for a passenger terminal and associated works at Coventry Airport in September 2004. The current application differs from that previously considered in respect of the size of the site (increases from 4.5ha to 10.42ha), the size of the passenger terminal (increases from 2,935 square metres to 10,250 square metres), the number of car parking spaces (increases from 680 spaces to 3,825 spaces) and the size of the apron proposed. The applicant has stated that the reason for the increased size in terminal facility proposed is to provide a 'good' level of floorspace per passenger by reference to International Air Transport Association Guidelines. Based on these guidelines, it considers the previous application (submitted by the previous Airport owners) seriously underestimated the required scale of terminal floorspace to handle 2mppa. The applicant further states that the reason for the increased number of car parking spaces is to address the concerns of the local highway authority and Highway Agency in respect of the inadequacy of the car parking proposed within the previous application refused.

### **Environmental Statement**

The planning application was accompanied by an Environmental Statement (ES) and Non Technical Summary of the ES, submitted in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 1999. In June 2005, the applicant formerly amended the proposed development with regard to the scale and location of car parking and the size of the apron. This amendment required the submission of a Supplemental Environmental Statement (SES) and Non Technical Summary of the SES which addressed amendments to the ES in light of changes to the application and the development since November 2004. The SES was the subject of public consultation in August/September 2005.

### **Transport Assessment**

The planning application was accompanied by a Transport Assessment (TA) which considered the transport impacts of the proposal. The TA included a draft Airport Surface Access Strategy which is a document which identifies how the applicant will seek improvements in public transport and in reducing the reliance on unaccompanied private motor vehicle use for passengers and employees.

### **Supplementary Information**

The applicant has also submitted a Planning Policy and Position Statement which accompanied the application. This describes the planning history, the application and air traffic forecasts and the relevant planning policies.

A copy of all the background documents to the planning application can be viewed on request.

## **Mitigation and Section 106 Agreement**

The applicant has also proposed a draft Heads of Terms for a Section 106 Agreement attached as Appendix One. It is normal practice for measures to address the impact of an application to be submitted for consideration by Planning Committee in the form of Heads of Terms. In this instance, as no determination of the application can take place, should the Planning Committee be minded to support the application in light of the measures incorporated in the Heads of Terms, a detailed legal agreement would be worked up in more detail and formally entered into before submission to the Inquiry.

## **PLANNING HISTORY**

### **Before 2003**

Coventry Airport has a long standing history of aviation activity dating from before the commencement of the planning system in 1947. Its use as an airfield/airport has not ceased during this time although activity has varied in scale and extent over this period. The original airfield area extended over a wider area than the present airport. To the south-east of the current airport boundary an extensive aircraft manufacturing operation existed until the 1950s. The buildings remained in place after manufacturing stopped and until its later extensive redevelopment in the 1990s remained linked to the airfield. This area became the Coventry Trading Estate, with access off Siskin Drive. Some additional development was undertaken within and adjacent to this site during the 70's and 80's, most notably the Unipart warehouse at the northern end of the site.

The Structure Plan framework had recognised the importance of this location as an employment site in the original Urban Structure Plan of the late 70's and allowed for a measure of expansion at this site. This was acknowledged in later Structure Plans (most recently the Structure Plan Alterations 1989 -2001 on which the Local Plan was based) whose employment provision figures allowed for an additional 10 hectares of employment use to meet the needs of Coventry. In 1990, permission was granted for the redevelopment of the Coventry Trading Estate primarily for B1, B2 and B8 users. This extended beyond the then boundaries of the estate and incorporated the additional 10 hectares of employment land required to meet the Structure Plan requirement. This development has now effectively been completed.

### **Airpark Application**

In the same year, an application for outline planning permission was made on land to the west of the trading estate and part of the airport for airport related development. This land, totalling 39ha, was additional to that allocated for Structure Plan purposes and was to be restricted primarily to development associated with airport activity. The rationale of the proposal at that

time was to enable specialist aviation technology companies to have a specific location to develop in the interests of enhancing the regional economy and to provide the opportunity for Coventry Airport to enhance its passenger function. The description of the application (referred to as the "Airpark" application) submitted in April 1990 (ref: W90/0065) was as follows:-

*"Erection of a new airport terminal building, other operational buildings and additional buildings for airport-related uses, construction of vehicular and pedestrian accesses at adjacent to Coventry Trading Estate, Siskin Drive, Baginton for P&O Properties Ltd"*

Outline planning permission was granted in April 1990. Condition 4 of the permission stated:-

*"The uses of the buildings hereby permitted to be erected shall be restricted to airfreight handling and distribution, manufacturing requiring airport taxi way access, aircraft repair, aircraft assembly and other businesses requiring direct airport access, together with relocation of users in occupation of premises on the adjoining Coventry Trading Estate on the date of this permission"*

No specific areas were identified for the location of each element of the proposed development. However, a Master Plan was produced by consultants on behalf of the applicants indicating an overall framework for which would integrate the development of the Airpark and the Trading Estate. The Plan established the overall road layout (subsequently the subject of further applications and now implemented) and indicated a location of a passenger terminal in the general area now the subject of the present application. An application to extend the period for the submission of reserved matters was approved in 1993 (ref: W93/0211).

### **Parcelforce Development**

In the 90s, the operation of an airfreight parcel service by Parcelforce was commenced from Coventry Airport. As a temporary interim measure prior to development of the Airpark, the company utilized existing hangarage on the north side of the airport. However, they required a significantly larger scale of operation than originally anticipated and, in order to accommodate the scale of development, selected a location on the south side of the airport. This required an extension of the developed area beyond that permitted for the Airpark. The "Airhub" element of the scheme, (17,000 m) was proposed to partly extend into the area of the Green Belt adjacent to the Airpark within the airport boundary.

The proposal constituted "inappropriate development" within the Green Belt. However, the Planning Committee of March 1998 considered two "very special circumstances" outweighed any harm to the Green Belt, namely:-

(a) the willingness of the applicant to address concerns within Baginton village over the noise and fume impact of existing and potential ground based aviation activity on the north side of the Airport near residential property; and

(b) the opportunity to develop airport needs on the south side of the Airport through the commitment to the Airpark development, including the passenger terminal, established by the outline planning permission and thus reducing the potential for impact on the north side.

The Committee resolved for the Parcelforce development to grant permission subject to a S106 agreement. An agreement was reached between the Council and the applicant in May 1998 which contained the following obligations:-

- (a) weight restriction on aircraft using the north side;
- (b) restriction on the areas within which aviation activity could take place;
- (c) reduction in size of the north side terminal/offices;
- (d) landscaping requirements;
- (e) airport access closures;
- (f) removal of a range of buildings;
- (g) removal of permitted development rights; and
- (h) no engine testing to be carried out.

In January 1998, an application was received for a further extension of time for the submission of reserved matters in respect of the Airpark application. At this time, the site had been partially developed and a new aircraft apron constructed. The application was reported to the Planning Committee at the same meeting as the Parcelforce proposal (above). The implementation of this application was seen as part of the process of securing the improvements to the north side of the Airport by enabling the heavier freight related activity to move to the south side. The report to Committee informed Members that the further renewal of this outline planning permission would “enable the relocation of the existing terminal building from the existing airport complex to the west of the airfield adjacent to Baginton Village”. Permission was granted with a condition that reserved matters be submitted within 3 years and the development be commenced within 5 years.

### **WMIAL proposals for a Passenger Terminal**

In July 2002, an application to extend the period for the submission of reserved matters was submitted by West Midlands International Airport Limited (WMIAL). This application was subsequently withdrawn by the applicant in order for them to define more accurately the development they wished to propose and to address the need for an Environmental Impact Assessment.

In March 2003, an application for full planning permission for a passenger terminal and associated works (as described above) was submitted by WMIAL. This application was considered by Planning Committee on September 11<sup>th</sup> 2004. The application was refused by Members for the following reasons;

*1, as directed by the Highways Agency, the District Planning Authority considers insufficient information has been provided by the applicant in support of the planning application to determine the vehicular impact of the proposed development on the highway network and thereby properly assess the impact of the proposal against the environmental and surface access criteria within Policy T11 of the Regional Planning Guidance for the West Midlands to 2021, Policies T.12 and ER.2 of the Warwickshire Structure Plan 1996-2011, Policy ENV3 of the Warwick District Local Plan 1995 and Policies SSP7, DP7 and DP8 of the Warwick District Local Plan 1996 – 2011 (First Deposit Version) November 2003;*

*2, the proposed mitigation measures would not provide sufficient mitigation of the likely adverse effects of the proposal resulting from noise generated by the proposed operation of passenger aircraft using the terminal, with particular respect to the Noise Quota Count Value and lack of air passenger transport movement limits, and would thereby conflict with the requirements of Policy T11 of Regional Planning Guidance for the West Midlands to 2021, Policy ER.2 of the Warwickshire Structure Plan 1996 – 2011, Policy ENV3 of the Warwick District Local Plan 1995 and Policy SSP7 of the Warwick District Local Plan (First Deposit Version), 1996 – 2011;*

*3, the emissions from both vehicles and aircraft using the proposed terminal would be likely to have adverse effects upon Air Quality, particularly in respect of Toll Bar End Junction, and would thereby conflict with Policies ER.1 and ER.2 of the Warwickshire Structure Plan 1996-2011, Policies ENV3 and ENV3A of the Warwick District Local Plan 1995 and Policies DP9 and SSP7 of the Warwick District Local Plan (First Deposit Version) 1996 – 2011;*

*4, the proposed operation of passenger aircraft using the terminal would be likely to have an adverse effect upon local bird populations and would thereby conflict with Policy ER.1 of the Warwickshire Structure Plan 1996 – 2011, Policies ENV3 and ENV27 of the Warwick District Local Plan 1995 and DAP4 of the Warwick District Local Plan (First Deposit Version) 1996 – 2011; and*

*5, the proposed operation of passenger aircraft using the terminal would be likely to have an adverse effect upon the character of both the wider rural landscape and towns and villages along their flight path and would thereby conflict with Policy ER.1 of the Warwickshire Structure Plan 1996 – 2011, Policies ENV3, ENV3A, ENV6, C1 and C8 of the Warwick District Local Plan*

This refusal has been appealed by WMIAL and is due to be considered at an Inquiry starting on January 10<sup>th</sup> 2006.

### **'Interim' Passenger Facility**

During early 2004, WMIAL constructed the 'interim' passenger facility adjacent to the South Apron and began passenger operations in March 2004. Members considered reports on February 17<sup>th</sup>, March 9<sup>th</sup>, March 31<sup>st</sup> and April 26<sup>th</sup> in relation to this development before authorising the serving of enforcement notices. These notices were appealed and were the subject of an Inquiry held earlier this year. During the course of the Inquiry, WMIAL came forward with a package of measures considered appropriate to control, mitigate and compensate for the environmental impacts of the development and submitted a planning application for the necessary car parking to serve the development. These matters were considered by the Planning Committee on July 4<sup>th</sup> 2005 who resolved that, in light of the measures proposed, it would be appropriate for planning permission to be granted retrospectively by the Secretaries of State when determining the appeals. The planning application for 2,060 parking spaces at Airport South was also approved by Members subject to controls, including a control which ties its use to the 'interim' passenger facility.

### **RELEVANT POLICIES**

In considering any planning application, the primary consideration is how the proposal relates to planning policies within the development plan. Indeed, where the development plan contains relevant policies, applications for development which are in accordance with the plan shall be allowed unless material considerations indicate otherwise. The following policies of the development plan are therefore of prime importance in the consideration of this application. Other policies will also apply to a lesser extent.

#### **Regional Spatial Strategy (RSS) (June 2004)**

The Regional Spatial Strategy (formerly RPG) for the West Midlands to 2021 was published in June 2004 and forms part of the development plan. The most relevant policy is Airports Policy (T11) which requires proposals for the expansion of Coventry Airport to be subject to rigorous environmental assessment and must demonstrate:

- a) that both economic benefits and harmful environmental impacts have been assessed, in line with the principles of sustainable development;
- b) that unavoidable harm be reduced through mitigation; and
- c) where harm cannot be avoided or mitigated, it should be compensated for.

In addition, any proposals for the use of Coventry Airport by charter or scheduled passenger flights should be subject to the availability of public transport to serve the airport. It is stated that this policy is to be reviewed following the publication of the Air Transport White Paper, as part of a future revision of this RSS.

### **Warwickshire Structure Plan 1996 – 2011 (August 2002)**

The adopted Warwickshire Structure Plan (1996-2011) also still forms part of the development plan and policy T.12 (Air Travel) is most relevant which states

*In the context of Birmingham as the main international airport in the region:*

- a) *The County Council supports, in principle, the future expansion of Birmingham International Airport, subject to the agreement of suitable environmental mitigation measures relating to impacts on Warwickshire.*
- b) *Coventry Airport will be the focus of aviation activity in Warwickshire. Only facilities ancillary to the operation of existing commercial aviation activity, such as cargo and passenger handling, should be provided for in the district local plan where:*
  - a. *It can be accommodated within the existing airport curtilage; and*
  - b. *It does not require the removal of land from the Green Belt; and*
  - c. *The development is consistent with regional or national airport strategies; and*
  - d. *The surface access needs can be accommodated in a manner compatible with this Plan; and,*
  - e. *An Airport Surface Access Strategy is put into effect should the airport cater for 1,000 passenger air transport movements (PATMs) or more per annum.*

Policy ER.2 is also of particular relevance and states

*The environmental impact of all proposed development on human beings, soil, flora, fauna, water, air, climate, the landscape, geology, cultural heritage and material assets must be thoroughly assessed, and measures secured to mitigate adverse environmental effects to acceptable levels. Local plans should include policies to ensure this takes place. The impact of existing sources of environmental pollution on the occupants of any proposed new development should also be taken into account. All assessments of environmental impact should take account of, and where possible seek to reduce, uncertainty over the implications of the proposed development. If adverse impacts cannot be mitigated to acceptable levels, development will not be permitted.*

### **Warwick District Local Plan (April 1995)**

The policies of the adopted Local Plan are less relevant as to a large extent they have now been superseded by more recent policy and national planning guidance. Policy EMP3 confirms the allocation of land for airport-related employment development and airport terminal buildings. The application site falls within the allocated land. Policy TR9 further requires that development will only be permitted where it is for the purpose of modernisation of existing facilities, improvement of safety facilities or development for cargo handling. Policy ENV3 requires all development proposals to (amongst other things) provide satisfactory vehicular access and do not compromise the safe movement of free flow of traffic, or the safe use of roads by others. Policy ENV3A requires all development to protect the essential character and environmental assets of the District.

### **Warwick District Local Plan 1996 – 2011 (Revised Deposit Version)**

The emerging Local Plan Revised Deposit Version contains relevant policy SSP7 which states

*Development at Coventry Airport will only be permitted within the area defined on the Proposals Map where:-*

- a) it consists of facilities for aviation activity undertaken at the airport;*
- b) the economic, social and environmental impacts (including road traffic impacts) have been rigorously assessed;*
- c) any adverse impacts are mitigated to reduce harm or, where harm cannot be adequately mitigated, are compensated for;*
- d) the number of air passengers served by the airport does not significantly exceed two million passenger movements per annum*
- e) the number of air passengers served by the airport is linked to a level of availability of public transport serving the airport which discourages unnecessary private car use; and*
- f) the number of air transport movements serving the airport does not constrain the growth of Birmingham International Airport as envisaged within the Air Transport White Paper*

The application site falls within the area defined on the Proposals Map. Other policies of particular relevance are taken from the Development Policies Chapter of this Plan, particularly DP2 (Amenity), DP7 (Traffic Generation), DP8 (Parking) and DP9 (Pollution Control).

The policies of the emerging Local Plan, particularly SSP7, are the subject of outstanding objections which will be heard at a Local Plan Inquiry next year. At this time, therefore, only limited weight can be attached to these policies.

## **National Policy**

Although not forming part of the development plan upon which the proposal is primarily to be considered, national policy guidance should also be taken into account as a significant material consideration. National policy on air transport is set out in The White Paper 'The Future of Air Transport' published on December 16<sup>th</sup> 2003. Paragraph 9.31 states

*Coventry Airport currently serves a specialist role within the region, catering for business aviation, air mail and some freight, and can continue to perform this role within existing constraints. There is a current planning application for a terminal development at the airport. However, in the light of our conclusions on capacity elsewhere in the Midlands, and having regard to potential surface access, environmental and airspace constraints, we would not envisage any significant further development being appropriate beyond the level of passenger throughput in the current application.*

Planning Policy Guidance Note 13 (Transport) is also relevant and requires consideration be given to 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, and the environmental impacts of aviation proposals.

## **Local Transport Plan**

The Warwickshire Local Transport Plan 2000 is also relevant and sets out an overall Aviation Strategy for Warwickshire (p.33). This has a number of objectives, including seeking to balance the economic benefits of airport development against environmental and other concerns (including surface access). It also seeks to improve the accessibility of the main airports within the County and recognises the potential for increased passenger numbers at Coventry Airport to require an Airport Surface Access Strategy.

## **PUBLIC RESPONSES**

The consultation on the planning application began in November 2004 and, as at August 31<sup>st</sup> 2005, generated 239 individual letters of objection from members of the public. A summary of these responses is attached as Appendix Two. The most common reasons for objection related to environmental factors; most notably increases in noise levels (particularly at night), increases in air pollution, increases in traffic congestion and damage to the local wildlife and landscape. Safety concerns were also raised along with a large number of responses questioning the need for the proposal given other major airports nearby like Birmingham International Airport. Further comments have been received from the public during September and these will be analysed and reported in an Addendum to Members at the Committee.

In addition, 3 amenity groups objected to the proposal on similar grounds. A summary of these responses is attached as Appendix Three. Furthermore, 1 petition with a total of 52 signatories was received objecting to the proposal.

The consultation also generated 3 letters of support from members of the public. Job creation and increased opportunities for tourism were the main reasons for support.

## **CONSULTATION RESPONSES**

### **Parish and Town Councils**

The consultation generated 22 responses from Town and Parish Councils within Warwick District, Rugby Borough and Stratford District as at August 31<sup>st</sup> 2005. The vast majority objected to the proposed development on environmental (noise, air, traffic, ecology), strategic and safety grounds. A summary of these responses is attached as Appendix Four. Further comments have been received from Parish Councils during September and these will be analysed and reported in an Addendum to Members at the Committee.

**Baginton Parish Council** object on the grounds that:

- The size of the terminal is too large and is capable of accommodating more passengers than 2mppa;
- Any increase in traffic through Toll Bar or the village is unacceptable;
- No surface access strategy is in place and there is inadequate public transport serving the Airport;
- The EIA fails to address global warming;
- Local wildlife will be diminished;
- Proposed car parking is inadequate;
- Noise pollution will increase and little or no account is taken of Single Event Levels in the EIA;
- Air quality will decline to the detriment of residents;
- Local infrastructure will not support an extra 2,500 vehicles per hour along Rowley Road and Mill Hill and the application does not address this;
- The proposed operating hours are unreasonable and will be a nuisance to residents.

### **Neighbouring Local Authorities**

The initial consultation generated responses from Stratford-upon-Avon District Council.

**Stratford-upon-Avon District Council** object to the proposed development, subject to several requirements being met in relation to not prejudicing the expansion of Birmingham Airport or resulting in any increased training activity at Wellesbourne, use of conditions/agreements to

address environmental impacts and the use of green transport measures. Furthermore, they are concerned that the increase in size of the terminal building and the number of parking spaces will result in greater environmental impacts of the development in comparison with the previously application refused.

### **Coventry City Council**

No response received as at September 14<sup>th</sup> 2005.

### **Local MP's**

Jim Cunningham MP remains opposed to the development on the grounds that there will be an:

- increase in noise and disturbance for local residents;
- possible large increases in air pollution including nitrogen dioxide levels;
- large increase in local traffic;
- impact on local nature and recreational sites; and
- a multi-storey car park will be unsightly and have adverse environmental consequences.

### **West Midlands Regional Assembly (WMRA) as Regional Planning Body**

WMRA are statutory consultees on all 'regionally significant applications' with regard to general conformity with the Regional Spatial Strategy.

WMRA response requested the following issues to be resolved;

- that the Council are satisfied that there is not the propensity within the application to exceed the cap of 2 million passengers per annum in national government policy;
- that the Council are satisfied that the appropriate approach has been adopted in the Environmental Assessment;
- that WMRA are satisfied that surface access strategy and public transport availability has been addressed; and
- that the Highways Agency are satisfied with regard to the vehicular impact on the trunk road network and that the Highway Authority are satisfied with regard to surface access and travel plans.

Issue 3 was not resolved prior to the appeal against non determination.

### **Advantage West Midlands (AWM) as Regional Development Agency**

AWM would be concerned about proposals that may inhibit future growth at Birmingham International Airport, as set out in the White Paper. It is considered essential that any such growth is complementary to, and not in conflict with, growth of Birmingham International Airport.

Outbound tourism brings limited economic benefits to the 'home' region and as such it is

important to ensure that services that deliver economic benefits (providing accessibility for businesses) are not lost or diluted as a result of expansion of Coventry Airport.

### **West Midlands Joint Committee excluding Coventry City Council (WMJC)**

WMJC have the following concerns;

- the number of passenger movements should be strictly limited to 2mppa;
- appropriate surface access strategy with proposals for public transport use and modal share targets need to be agreed;
- travel plan to be agreed prior to opening of the new passenger terminal;
- the Airport's strategic freight role is not prejudiced;
- strategic matters in relation to Birmingham International Airport; and
- the larger development has greater capacity than 2mppa.

WMJC consider the application should be refused. They suggest that the proposal would compromise the provisions of RPG11, particularly T11 (a) in respect of the growth of BIA and the continuation of Coventry's role as a freight airport.

### **Birmingham International Airport (BIA)**

BIA have concerns about the impacts of increased activity at Coventry on the efficiency and ultimate capacity of the approach and departure airspace used by BIA. They have identified that there is a conflict between BIA and Coventry's air traffic needs, particularly where BIA has two runways as envisaged within the White Paper. BIA are therefore concerned that the impact of the proposal will be material and constrain the Airport's ability to carry out the role identified in the White Paper. BIA are undertaking further detailed computer modelling and have requested that the application be deferred until matters concerning airspace have been fully investigated. As at September 12<sup>th</sup> 2005, the further detailed computer modelling has not been completed.

### **Birmingham City Council (BCC)**

BCC have the following concerns;

- the number of passenger movements should be strictly limited to 2mppa;
- appropriate surface access strategy with proposals for public transport use and modal share targets need to be agreed;
- travel plan to be agreed prior to opening of the new passenger terminal;
- the Airport's strategic freight role is not prejudiced;
- strategic matters in relation to Birmingham International Airport; and
- the larger development has greater capacity than 2mppa.

BCC consider the application should be refused. They suggest that the proposal would compromise the provisions of RPG11, particularly T11 (a) in respect of the growth of BIA and

the continuation of Coventry's role as a freight airport.

### **Highways Agency (HA)**

HA do not object subject to the following measures being secured:

- highway improvements to Tollbar End;
- scheduled seating capacity constraints;
- signage improvements;
- travel plan and air surface access strategy;
- controls on the use of the car parking; and
- construction traffic management plan.

### **Warwickshire County Council – Local Highway Authority (LHA)**

LHA do not object subject to the following measures being secured:

- no parking associated with the terminal to take place at Airport West;
- travel plans for passengers and employees with targets; and
- appointment of a Travel Plan Co-ordinator.

### **West Midlands Passenger Transport Authority (WMPTA) & Centro**

The WMPTA and Centro maintain that all airports within the West Midlands Region should be subject to the same standards for public transport. However, given the emerging status of Coventry Airport, this should be a staged approach linked to passenger numbers. They support the proposal subject to a public transport modal share target of 12.5% to be achieved in the short to medium term.

### **Environment Agency**

No response received as at September 14<sup>th</sup> 2005.

### **WDC Environmental Health**

There are insufficient grounds for reason for refusal on air quality grounds, subject to the views of Coventry City Council in relation to exceedances of air quality levels at Tollbar End Roundabout. Any land contamination identified should be subject to appropriate remediation.

### **Severn Trent Water (STW)**

STW has no objection to the proposal subject to conditions in respect of ensuring suitable drainage works for the disposal of surface water.

### **English Nature (EN)**

EN raises no objection in relation to the bird interest at the nearby Brandon Marsh and Coombe Pool SSSI's. They further recommend account be taken of the views of Warwickshire County

Council in respect of the impact on Sites of Importance for Nature Conservation.

### **Warwickshire County Council – Ecology Response**

County Ecology consider the development will have a direct impact on skylark and meadow pipit through loss of habitat. There is also potential impact on a badger sett. They are concerned about the indirect impact of noise disturbance on breeding seasons which has not been assessed. Concerns also are expressed in relation to impact on local roads and water quality.

If permission is granted, they recommend an obligation to provide an area of grassland and scrub equivalent to that loss be provided elsewhere for the purpose of providing breeding habitats for skylark and meadow pipit. They also recommend conditions requiring a badger survey, detailed study and mitigation/compensation to limit the effect of noise disturbance on bird species during their breeding season, surface access report and provision of adequate controls on pollutants.

### **Warwickshire County Council – Archaeology**

County Archaeology consider potential for remains of regional importance on the development site. If permission is granted, they recommend a condition requiring a scheme of investigation prior to development.

### **English Heritage**

English Heritage considers, on balance, that the historic environment will not be compromised by the proposals. However, it does believe that further expansion of air traffic may begin to have a lasting detrimental impact upon the historic environment of this area of Warwickshire. They do not consider noise will have a direct impact on properties, e.g. vibration. They are not aware of any evidence that wake turbulence is likely to be an issue.

### **Warwickshire County Council – Fire Officer**

Warwickshire Fire and Rescue Service have no objection to the development, subject to a condition to secure adequate water supplies and fire hydrants necessary for fire fighting purposes.

It will be noted that a number of statutory consultee responses are outstanding and should any further responses be received from these consultees which have an influence on the Council's position then these will be brought to Planning Committee for their consideration.

## **CONSIDERATION OF PLANNING ISSUES**

Any planning application for airport development inevitably raises a number of significant planning and environmental issues which require careful consideration. These issues are to a large extent dictated by the relevant planning policy context as set out within the development plan. This section of the report addresses each of these issues in turn.

### **PRINCIPLE OF DEVELOPMENT**

It is important to firstly consider whether the principle of the development is in accordance with the development plan. The development plan consists of the policies of the Regional Spatial Strategy, adopted Structure Plan, adopted Local Plan and emerging Local Plan Revised Deposit Version. The relevant policies of these Plans are set out above.

Members will recall their consideration and conclusion on the issue of the principle of development of a passenger terminal at Coventry Airport at the Planning Committees of September 11<sup>th</sup> 2004 and July 4<sup>th</sup> 2005. That conclusion remains in that the policies of the development plan do not oppose the principle of the expansion or development of passenger facilities at Coventry Airport subject to development meeting a range of criteria and conditions. These criteria relate to the environmental impacts and how they are addressed, surface access and public transport requirements, the location of the development in relation to the Green Belt and consistency with national and regional airport strategies.

The environmental and surface access matters are discussed in detail later in the Report and are clearly important factors in considering whether or not the proposal overall is in accordance with the development plan. The location of the development is consistent with policy in that it is within the curtilage of the Airport and outside the Green Belt. Furthermore, the site falls within the area defined in both the adopted Local Plan and emerging Local Plan as being outside the Green Belt and within the area allocated for airport development (Policy SSP7 of the emerging Local Plan and policy DW EMP 3 of the adopted Local Plan).

#### **Air Transport White Paper**

In relation to consistency with national and regional airport strategies, the Air Transport White Paper is clearly relevant although it should be noted that the White Paper does not itself authorise or preclude any particular development, but sets out policies which will inform and guide the consideration of specific planning applications.

The Air Transport White Paper was published on December 16<sup>th</sup> 2003. Paragraph 9.31 states:

*Coventry Airport currently serves a specialist role within the region, catering for business aviation, air mail and some freight, and can continue to perform this role within existing constraints. There is a current planning application for a terminal development at the airport. However, in the light of our conclusions on capacity elsewhere in the Midlands, and having regard to potential surface access, environmental and airspace constraints, we would not envisage any significant further development being appropriate beyond the level of passenger throughput in the current application.*

It also states within the Summary that:

*The development of Coventry Airport, Wolverhampton Business Airport and any civil use of RAF Cosford are matters for local determination.*

The reference to 'current planning application' refers to the previous planning application submitted in March 2003 and refused by Planning Committee in September 2004. However, both this application and the application previously refused sought a passenger terminal development catering for 2mppa. The White Paper therefore makes no comment as to the appropriateness or otherwise of the development of a passenger terminal catering for 2mppa, as it clearly states it is a matter for local determination. It is considered therefore that National Policy, as expressed within the White Paper, does not resist the principle of the development. The White Paper does, however, give an indication of the material issues that need to be considered, namely surface access, environmental and airspace constraints. These issues are discussed in detail later in the Report.

The White Paper does make reference to the current specialist role of Coventry Airport within the Midlands Region serving business aviation, air mail and freight services. However, there is no suggestion within the White Paper that Coventry Airport must retain this specialist role. Moreover, there is no evidence to suggest that these specialist activities cannot operate alongside the level of passenger flights associated with this planning application.

### **Prematurity**

It is noted that Policy T11 of the RSS is to be reviewed following the publication of the Air Transport White Paper.

Planning Policy Statement 1 states:

*"In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a development plan document is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so*

*substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the development plan by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the development plan.”*

However, it goes on to state:

*“Where a development plan document is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of the delay which this would impose in determining the future use of the land in question.”*

The review of Policy T11 is at a very early stage with the launch of the review anticipated this autumn. Consultation on policy options will take place next year with stakeholders before a draft revision will be submitted to the Secretary of State for public consultation in early 2007. This will then be subject to an examination in public later in late 2007 before approval by the Secretary of State likely to be during 2008. In these circumstances, it would not be appropriate for the Council to make such submissions to the Inquiry that the application is premature.

### **Need**

Although not a requirement of the development plan policy, objections have been received stating that there is no ‘need’ for this development and, furthermore, if there is a ‘need’ for more airport capacity then that ‘need’ would be best met elsewhere within the Midlands region. It is appropriate to give consideration to this issue at this stage as it relates to whether the principle of the development is acceptable.

The question of whether there is a ‘need’ for a development is difficult to address given the abstract nature of the term. It is considered that ‘need’ in this sense should refer to the public need for the development and not the ‘corporate need’ of the applicant for the development.

In terms of airport growth, ‘need’ is established at a national or regional level. At a national level, the White Paper referred to above has estimated that demand for air travel will increase over the next thirty years from 200 million passengers per annum (mppa) to 400 – 600mppa. It has stated that additional airport capacity is essential to accommodate the potential growth in demand (paragraph 2.13). It recognised that with the overall market for air travel in the Midlands due to grow substantially, offering a wider range and greater frequency of services, an opportunity exists to claw back some of the passengers using airports outside the region and reduce the number of long distance journeys currently made - mainly by car (paragraph 9.2). For these reasons, the White Paper stated that there was a need for additional runway capacity in the Midlands (paragraph 9.4).

It is considered therefore that the White Paper has established a 'need' for additional airport capacity both at a national and regional level.

With regard to where this 'need' should be met, as a general principle, the White Paper requires that we should make the best use of existing airports before supporting the provision of additional capacity. It states that *'a sustainable approach entails first making better use of existing infrastructure, wherever possible, and this has been a primary consideration in developing our conclusions'* (paragraph 2.11).

Coventry Airport as an existing airport has the infrastructure, in terms of a runway, capable of accommodating passenger aircraft. The development of a passenger terminal would therefore enable the utilisation (in terms of aircraft movements) of the existing infrastructure at the airport. However, the development of a passenger terminal would be creating additional capacity at the airport and it has been suggested this is not the first choice for the Government in its White Paper. In relation to where 'need' should be met beyond the use of existing airports within the region, the White Paper states that the preferred location for a new runway to meet future growth in passenger demand in the Midlands is at Birmingham (paragraph 9.5). This preference is only in relation to the provision of a new runway and not in relation to other development which may increase airport capacity within the Midlands. The White Paper does not therefore require all growth to be at Birmingham or East Midlands, nor does it exclude the potential for some growth at Coventry Airport.

Similarly, the policies of the development plan do not provide precise guidance on where and how the need for additional airport capacity should be met. The policy context within the West Midlands supports Birmingham as the principal international airport for the region but also does not prevent Coventry's growth. It is not considered therefore that the policy context at the national, regional or local level has put forward a framework that requires the need for additional airport capacity to be met at Birmingham or East Midlands Airports as opposed to Coventry Airport.

## **Conclusion**

In conclusion, the principle of the development of a passenger terminal at Coventry Airport is considered to be in accordance with the policies of the development plan and other material considerations, notably the Air Transport White Paper.

It is noted that some objectors consider the proposal to be contrary to the White Paper and prejudicial to the review of the RSS policy, however, those objectors will have the opportunity to

make their case to the Inspectors at the Inquiry as the Secretaries of State have requested to be informed of this matter.

## **IMPACTS ARISING FROM THE DEVELOPMENT**

Having considered the principle of the development, it is appropriate to consider the various impacts arising from the development. These impacts have to a large extent being identified within the relevant policies of the development plan referred to above.

## **ENVIRONMENTAL STATEMENT**

A key requirement of development plan policy T11 of RSS is for the development to be subject to rigorous environmental assessment. This is also reflected in Policy ER.2 of the Structure Plan. This is important as it enables the decision maker to assess the impacts of the development and thereby conclude on whether or not the development is in accordance with the other requirements of the development plan, most notably in relation to whether or not it has adequately addressed the environmental impacts.

The applicant has undertaken an Environmental Impact Assessment (EIA) for the proposal. This is a procedure which serves to provide information to local authorities about proposed development and their likely effects on the environment. This information is brought together within the Environmental Statement (ES) which was submitted in support of their application. The ES has assessed both socio-economic benefits and environmental impacts and is considered to have satisfied the policy requirement for there to be rigorous assessment.

Concerns have been raised in relation to the accuracy of the ES, particularly in respect of the noise assessment. The noise consultant employed by the Council has considered this matter and concluded that the procedure adopted is appropriate. Other sections of the ES have been assessed by the various statutory consultees.

In conclusion, it is considered the development has been rigorously environmentally assessed in accordance with Policy T11 of RSS.

## **ENVIRONMENTAL IMPACTS**

Members will recall their consideration and conclusions on the various impacts arising from the development of a passenger terminal catering for 2mppa at the Planning Committee of September 11<sup>th</sup> 2004. Members refused Application 'A' on the following environmental grounds:

- noise impacts;
- impacts on air quality;
- impacts on ecology/local bird populations;
- impacts on cultural heritage (i.e. nearby historic landscapes, including conservation areas and historic parks) and
- surface access impacts (dealt with separately below).

This section of the report will address these impacts in turn.

### **Noise Impacts**

The impact of aircraft noise as a result of passenger operations is undoubtedly one of the most critical environmental factors for the local community. Aircraft noise, particularly at night, is recognised as being very disruptive to the people affected. The ThomsonFly operations have enabled people to observe the impact of passenger operations from the Airport, albeit at a lower scale of operation than envisaged when operating at maximum capacity. It is clear that the introduction of passenger flights at Coventry Airport has changed the noise climate around the Airport as evident by the significant rise in the number of complaints made to the Council's Environmental Health Officer in relation to aircraft noise.

In addition, noise from ground based operations and road traffic resulting from the development will also cause disturbance to the local community around the Airport. The development of the passenger terminal will result in the loss of an existing freight facility used at Airport South. The extent to which this will impact on freight operations at Airport West adjacent to residential properties within Baginton is not certain, although there will clearly be some transfer of activity to other parts of the Airport, a point acknowledged by the applicant within the Supplemental ES.

Accordingly, careful consideration has been given to assessing the noise impact of passenger operations and its implications for the local community with the help of expert advice from specialist aviation noise consultants.

It is important to recall the tests of the development plan, particularly policy T11 of RSS, when considering the matter of noise. That policy requires that where harm (i.e. noise) cannot be avoided it should be mitigated. Furthermore, where it cannot be mitigated it should be compensated for. The noise impact from the air and road movements associated with this development cannot be avoided. Aircraft arrival and departure routes will result in the over-flying of built up areas within the villages of Warwick District and Rugby Borough and the urban area on the eastern side of Coventry City. The test of the development plan policy therefore is whether or not the impact is adequately mitigated and/or compensated for. Furthermore, the expert noise consultant for the Council is of the opinion that provided a suitable package of

measures is in place at the Airport to control, mitigate and compensate for the noise impact of this development; then noise is not a reason to resist the application in the context of an otherwise uncontrolled Airport.

The applicant has put forward a package of measures which seek to control, mitigate and compensate for the impact of the development. This package has been the subject of negotiations between your officers/consultants and the applicant. These negotiations have resulted in the following package (described below) being offered as a draft Heads of Terms or as conditions attached to the grant of any planning permission.

The applicant has now offered a cap on passenger movements through the development at 2mppa and a cap on passenger aircraft movements associated with the development of 16,790 per annum (this would be a condition which the applicant has indicated they would not resist). The cap on passenger aircraft movements is important in that it will control the extent of the daytime noise contours to that set out in the ES as it reflects the number of busy day movements for the full year. It is considered that having both passenger and aircraft movements capped will provide the Council with appropriate controls on the development. This control was not previously offered in the context of Application 'A'.

The applicant is prepared to appoint a Noise Manager who will oversee the implementation of a Quiet Operations Policy (QOP) and ensure aircraft operators adopt and observe the QOP. Furthermore, they will convene a Quiet Operations Sub Committee to monitor and review the QOP which will include Environmental Health Officers of the three local authorities affected and representatives of the local area.

The QOP includes a number of measures which the applicant has offered to undertake. The applicant will provide and maintain a noise monitoring system which will include two fixed monitoring units and one mobile unit. These units will provide actual information on the noise of aircraft which will enable verification of noise complaints from local people and identify aircraft movements made in contravention of the QOP. This should help the local community and Airport Operator to identify particular noise problems more easily and hopefully resolve them more quickly. In addition, in relation to noise complaints, the applicant is prepared to adopt a noise complaints handling system.

The applicant will also use all reasonable endeavours to ensure aircraft operators comply with Noise Preferential Routes (NPR's) for departing aircraft. The routes are designed to ensure aircraft are capable of operating safely and therefore can only seek to minimise over-flying of built up areas. To assist in monitoring aircraft and ensuring they keep to NPR's, the applicant is proposing to provide track keeping through the provision of new infrastructure.

A significant element of the package offered by the applicant is a Sound Insulation Grant Scheme. This scheme will enable those properties most affected by noise to qualify for a grant of no less than 80% of the cost of sound insulation to habitable rooms up to a maximum currently of £3,000. The appellant will contribute £100,000 per annum to the scheme. The contours identifying those properties most affected and thereby qualifying for grant will be submitted to the Council for approval and will in due course be based on actual noise monitoring undertaken in the area. The thresholds are 63dB LAeq for the 16 hour daytime noise contour (0700 to 2300), 55dB LAeq for the 8 hour night time noise contour and the 90dB SEL for night time movements of the passenger aircraft associated with the development where operations occur on an average of once per night taken over a typical year. The applicant has lowered the threshold for the night time period from 57dB to 55dB and introduced the 90dB SEL threshold as part of Application 'B' which will increase the number of properties eligible to qualify for sound insulation compared with their previous offer within Application 'A'.

As an indication, and based on the assessment within the Environmental Statement, it is likely that a large number of properties in Willenhall and some properties within Baginton and Stoneleigh will qualify. It is estimated that around 330 properties would qualify for sound insulation and that all properties could be insulated within six years which is likely to be prior to the date when the Airport reaches maximum capacity. Those properties most affected by operations from the Airport, including from existing freight operations at night, would therefore receive some mitigation and compensation.

The applicant has also offered to introduce time restrictions on training activity. Training flights by aircraft over 5700kgs will be restricted with no training on Sundays, UK Public Holidays or during the night time period (2300 to 0700). Other controls will apply in relation to the number of aircraft training at any time, the routing of aircraft (including helicopters) and their height and departure and landing procedures. These compensatory measures will give the Council an element of control over training activity at the Airport which does not exist at present.

Another element of the package offered by the applicant is the Quota Count (QC) System. This was explained in some detail in the report to the 11<sup>th</sup> September Planning Committee. The QC system, which is operated at most other airports, in effect seeks to control the night time noise impact by establishing a points system. All aircraft are attributed points at a national level with the noisier aircraft receiving more points.

The applicant is proposing to ban the use of noisier aircraft (4 points and above) which will include the DC3 and DC6 between the hours of 23.30 and 0600. This ban would be likely to be implemented within 12 months of the development opening. This would therefore remove the

noisier freight aircraft from operating in the early hours of the morning which have been the subject of public complaints in the past.

Another aspect of the QC system, is the offer to operate the Airport with an annual cap on the number of points it can use during the night-time period (defined as 23:30 to 06:00). This would apply to all aircraft movements, including freight movements. Therefore the more movements made by a noisy aircraft; the more points are used up by the Airport and therefore less movements can take place. In accordance with this approach, the QOP contains a Noise Quota Count (NQC) for night movements of 4000 points reducing by 100 points a year until it reaches 3500 points. This means that the Airport would not be allowed to operate aircraft during these hours which would result in them exceeding the points total. It is envisaged that the Airport would reach 3500 points prior to the development reaching its 2mppa cap. The applicant has therefore lowered the NQC figure from 4,000 offered as part of Application 'A' to 3,500 for Application 'B'.

It is accepted that the period 23:30 to 06:00 does not cover the period when many people would be going to sleep or sleeping lightly before waking. However, all Airports controlled by the NQC mechanism use this time period and to extend the time period would be inconsistent with the approach adopted elsewhere. Notwithstanding this criticism, this cap would provide a measure of control on the night-time noise impact of the Airport which does not currently exist. Given the uncertainties of the future operations at the Airport and their noise impacts in the absence of such controls (see 'fall back' position discussed below), the applicants offer in respect of the Noise Quota Count is a notable measure to compensate for the noise impact of the passenger operations from the development.

With regard to ground based noise, the applicant has offered controls on the location and timing of engine testing, ground running of engines and departure and landing procedures where none exist at present. It has also offered to implement a noise attenuation bund for the benefit of residents affected by operations at Airport West and sound insulation for properties in Oak Close. This will provide relief for those residents most affected by ground based noise.

Members will recall that a specific reason for refusal of Application 'A' was that the proposed measures would not provide sufficient mitigation of the likely adverse effects of the proposal resulting from noise generated by the operation of passenger aircraft using the terminal, with particular respect to the Noise Quota Count Value and lack of air passenger transport movement limits. In respect of the two particular points raised by Members in their reason for refusal, the applicant has offered to reduce the NQC from 4,000 to 3,500 and has accepted the imposition of an air passenger transport movement limit.

## **Impacts on Air Quality**

The increase in aircraft movements and resultant increase in vehicle movements will contribute to the totality of emissions of air pollutants in the vicinity of airports. The most critical emissions are nitrogen dioxide and particulates. Increased levels of air pollution as a result of operations are also an important environmental factor for the local community, particularly for those living near to the Airport.

Members will recall their conclusion in respect of Application 'A' that the emissions from both vehicles and aircraft using the proposed terminal would be likely to have adverse effects upon Air Quality, particularly in respect of Toll Bar End Junction. Concentrations of nitrogen dioxide at receptors near the roundabout will experience an increase as a result of the development, however, they are not predicted to exceed statutory levels or require the declaration of an Air Quality Management Area (AQMA) at Tollbar End. Moreover, Coventry City Council who are the local authority responsible for managing air quality at the roundabout have not declared an AQMA, nor have they made any comment on the planning application. Should the City Council have concerns regarding air quality levels at Tollbar End resulting from this development, then they will have the opportunity to raise these matters at the Inquiry to which they are party.

It should be noted that the applicant is prepared to undertake an air quality monitoring programme which will monitor relevant pollutants at Tollbar End and within Baginton village. Should the monitoring reveal any exceedances of statutory levels, then the applicant will be required to submit a mitigation plan.

With regard to the air quality impacts within Baginton, the development as amended will locate all parking at Airport South and not utilise existing parking areas at Airport West. This amendment will reduce predicted traffic flows within the village and the resulting air quality levels. Air Quality levels within Baginton are not predicted to exceed statutory levels and the applicants offer of air quality monitoring within the village will provide helpful information in this regard. It is acknowledged that passenger aircraft movements or displaced freight aircraft movements to Airport West could cause odour problems within Baginton. The applicant has offered to investigate measures to reduce odours and implement them where practicable and feasible. It has also offered to site a fuel farm at Airport South to reduce traffic movements to the existing fuel farm at Airport West.

## **Impacts on Ecology and Local Bird Populations**

The development site itself is of no more than local conservation value with habitats predominantly comprising neutral semi-improved grassland. The County Council Ecologist has

raised concerns regarding the potential impact on skylarks and meadow pipits which are Biodiversity Action Plan species. They have requested the applicant provide an area of land to be set aside for semi improved grassland equivalent to that lost. However, it has to be recognised that the majority of the land in question has the benefit of planning permission for parking granted in July 2005 (W2005/0773). The County Council Ecologist made no such request in responding to the consultation on that planning application and therefore to pursue such a request at this time is not considered reasonable.

The principle ecological issue relates to the increased risk of birdstrike and the impact on local bird populations. Members will recall their conclusion in respect of Application 'A' as to the impact of the development upon local bird populations being a reason for refusal. This issue was discussed in some detail in the Inquiry into the 'interim' passenger facility held earlier this year. Reference was made to the safeguarding responsibilities of the Airport Operator to object to development that may increase bird strike risk within 13km of the Airport. These responsibilities exist now and therefore the Airport Operator's powers to prevent the establishment of habitats for birds within this area are not altered by this development. Similarly, the Airport are also required to produce a Bird Hazard Control Plan which is submitted to the Civil Aviation Authority (CAA) on an annual basis. This will outline monitoring to take place of bird attractant sites and bird hazards in the safeguarding zone to assess the need for any controls or reductions in bird numbers in order to comply with CAA requirements. The applicant has offered as part of the draft Heads of Terms to undertake this exercise with local ecological interests.

It is noted that the County Council Ecologist has requested a study of the effect of noise disturbance on protected bird species during their breeding season. No evidence has been provided to justify this request and, in the context of an established airport that can operate without any controls, is not considered reasonable. The County Council are to be represented at the Inquiry and will be able to pursue their requests with the Inspectors.

### **Impacts on Cultural Heritage and Landscape**

The development of the larger terminal building and multi storey car park will have limited impact on the surrounding landscape given their location and the nature of the adjoining commercial buildings on Middlemarch Business Park. The provision of a landscaping scheme would help to soften the impact of development on the immediate area and this could be satisfactorily addressed through condition. The building design is considered acceptable given its location.

Members will recall their conclusion in respect of Application 'A' as to the adverse effect of passenger aircraft movements upon the character of both the wider rural landscape and towns

and villages along the flight path. The development and the associated increase in aircraft movements will have an indirect impact on cultural heritage given the proximity of the Conservation Areas of Stoneleigh and Ashow, the numerous listed buildings (including the Grade I listed Stoneleigh Abbey and the Church of St Mary) and the Grade II\* listed parks of special historic interest of Stoneleigh Park and Stoneleigh Deer Park. The views of English Heritage are noted in that it does believe that further expansion of air traffic may begin to have a lasting detrimental impact upon the historic environment of this area of Warwickshire.

The impact is predominantly noise related and therefore, as set out above in Policy T11 of RSS, it is necessary to give consideration to the extent which this impact can be mitigated or compensated for in the context of the general noise impact discussed above. The enjoyment of these historic landscapes and buildings is predominantly undertaken outside and therefore the impact cannot be mitigated. In this context, therefore, it is necessary to consider the extent to which the compensation measures proposed in respect of noise are sufficient to outweigh the harm caused to these designated areas.

## **SURFACE ACCESS IMPACTS**

The main point of impact from road traffic using the terminal is Tollbar End Roundabout. Traffic movements associated with this development may also impact on nearby rural roads, including those through Baginton village, by people wishing to avoid congestion on Tollbar End from the towns and villages to the south. In relation to mitigating traffic impact, RSS policy specifically states that any proposals for the use of Coventry Airport by charter or scheduled passenger flights should be subject to the availability of public transport to serve the airport. Furthermore, Structure Plan policy requires a Surface Access Strategy to be put into effect once the Airport reaches 1,000 passenger air transport movements per annum.

The Highways Agency as the responsible authority for the roundabout and the trunk road network and the Local Highway Authority as the responsible authority for the local road network have been in negotiations with the applicant on these matters. Both authorities have raised no objection in principle to the development subject to a number of control and mitigation mechanisms being put in place to control traffic movements. These mechanisms are still being discussed with the applicant and agreement has yet to be reached on the detail. These negotiations will no doubt continue up to the Inquiry and all highway authorities (including Coventry City Council who have not commented on the application) are party to the Inquiry and will be making submissions on these matters. It is also noted that the Regional Planning Body wished to be satisfied on surface access matters. Along with all other statutory consultees they will have an opportunity to make representations to the Inquiry should they remain not satisfied with surface access matters.

## **OTHER ISSUES**

There are a number of other issues in relation to Application 'B' which require to be addressed within this section of the Report.

### **Airspace Capacity**

The White Paper recognises airspace constraint as a reason for not supporting growth beyond the levels envisaged within this application at Coventry Airport and airspace capacity is clearly an important issue of more than local importance to the consideration of this application. Concerns have been raised by a number of parties, including Advantage West Midlands, Birmingham City Council and West Midlands Joint Committee, that the increased aircraft movements at Coventry Airport as a result of this development may inhibit future growth at Birmingham International Airport (BIA), as set out in the White Paper. Furthermore, BIA are concerned that the impact of the proposal will be material and constrain the Airport's ability to carry out the role identified in the White Paper. It should be noted that this is not an issue of airspace safety.

Considerations of commercial competition are not planning matters. However, consideration of the impact of a development on a similar use is a planning matter where planning policies exist to protect existing uses. In such circumstances, it is appropriate to assess the impact of the development under consideration against those policies.

As set out above, the policies of the development plan support the role of BIA. The RSS supports the continued development of BIA as the West Midlands' principal international airport. This support is reflected within the Warwickshire Structure Plan which supports in principle the future expansion of BIA.

There is no suggestion that this development will alter BIA's position as the principal international airport for the region as it currently handles well in excess the number of passengers envisaged to be catered for by this development at Coventry Airport. However, concern has been expressed over whether this development will affect the future expansion of BIA and thereby prejudice the implementation of planning policies at a national, regional and local level, particularly in respect of the White Paper's support for a second runway at BIA.

The two main runways at BIA and Coventry are at right angles to each other and the relative proximity of the airports mean there is usually an interaction between operations at both

airports. The interaction between operations is managed to ensure airspace safety is maintained. This management involves some constraints on the operation of both airports. The significance of these constraints and to what extent they will impact on the ability of BIA to expand and accommodate the level of passenger numbers envisaged within the White Paper is not certain. BIA is undertaking detailed computer simulation to quantify these impacts although the results of this work are not yet available. At this time, therefore, there is no evidence available to support such an objection.

It is inevitable due to their location that the operations at BIA and Coventry will require integration. This integration will affect capacity at both airports. Although planning policies at national, regional and local levels support growth of BIA, they similarly accept growth in principle at Coventry. Therefore, there is no suggestion that the current planning policy context favours the development of BIA over Coventry with regard to the scale of development and passenger numbers associated with this planning application.

In light of the uncertainties over the impact on airspace capacity and the absence of any clear conflict with planning policies at a national, regional or local level, it is not possible for this Council to conclude that the impact of this development on airspace capacity would adversely affect the potential of BIA to expand to such an extent that it would seriously prejudice the implementation of national policy as expressed in the White Paper. Those parties who are concerned regarding this development's impact on airspace capacity will be party at the forthcoming Inquiry and will make their case to the Inspectors on this matter as requested by the Secretaries of State.

### **Passenger Terminal Size**

The Regional Planning Body raised the question as to whether the size of the terminal building is consistent with a cap of 2mppa. The concern being that the size of the terminal proposed is greater than that required for a 2mppa facility. The applicant has submitted a justification for the size of building proposed with reference to International Air Transport Association Guidelines for terminal size. These guidelines advise on levels of floorspace per passenger based on busy hour passenger flows. The busy hour flows for the terminal when operating at capacity equate to a level of space described as minimum design objective as it denotes a good level of service with stable flows and acceptable delays. This analysis has been verified by an independent aviation expert for the Council. Analysis has also been undertaken by comparing the terminal with other regional airports in the UK. He also notes that the terminal is not unusually large in comparison with other airports.

Overall, the aviation expert has concluded that the terminal proposed is of a reasonable size in relation to 2mppa. Whilst it is recognised that the terminal proposed in Application 'B' is three

times greater than that proposed in Application 'A', this appears to reflect the fact that the size of terminal proposed within Application 'A' was inadequate for the level of passengers envisaged.

It has to be acknowledged that the size of the terminal building will not automatically constrain passenger numbers. It can be seen from the 'interim' passenger facility that it is possible to cater for high volumes of passenger numbers from a small facility if passenger service is compromised. However, the ability to increase passenger throughput through the terminal is considered limited given typical airline operations who would utilise this facility. Furthermore, any such increase in passenger numbers or passenger aircraft movements over that agreed to be capped would be a breach of any Section 106 Agreement/condition and the Council would have the ability to take action in such circumstances.

### **Displacement of Freight Facility at Airport South**

The development will result in the loss of part of an existing cargo shed (Merlin House) at Airport South which has the potential to result in a displacement of freight activity to other parts of the Airport. No evidence has been provided as to the extent of the displacement, although it is stated that the majority of cargo carriers at Airport South do not use the facility as they load directly onto the aircraft. On this basis, the displacement is therefore likely to be limited.

The impact of any displacement of freight activity to Airport West would have the potential to cause harm to nearby residential properties through noise disturbance, particularly late at night. However, the applicant has stated that cargo operations at Airport West are at capacity in terms of apron utilisation and they do not consider it feasible to expand cargo aircraft parking in this location. They consider that any future expansion of cargo operations would be accommodated at other locations although have estimated that cargo tonnage is likely to achieve an annual growth of 5% per year.

It is not clear to what extent, if any, displacement of air freight movements will occur from Airport South to Airport West. However, the applicant has recognised the potential for harm to properties in Baginton and offered mitigation for the impact of future ground operations due to freight aircraft in the form of a noise attenuation bund and sound insulation. Moreover, it has to be recognised that, in the absence of any controls on airport activity, the Airport could increase freight activity at Airport West with the potential for causing further harm to the amenity of nearby residential properties.

### **Economic Impact**

The development of a passenger terminal can benefit the local economy through generating employment and attracting businesses. The extent to which this development can benefit the local economy cannot be predicted with certainty, however, the applicant has estimated the

creation of around 1,500 extra jobs. The creation of these jobs would have a knock-on effect within the local economy. The applicant has also indicated it is willing to work with local employment and regeneration agencies to ensure that employment opportunities are made known and publicised locally.

Whilst the extent to which this development will benefit the local economy and the deprived areas of Coventry City can be debated, it has to be recognised that the economic benefits of the development are a material planning consideration in favour of the development.

### **'Fall-back' Position**

The permitted development rights of the Airport Operator and the benefits of an established use which is not subject to planning controls are material planning considerations. These considerations are commonly known as the 'fall-back' position and need not necessarily relate to an alternative form of development. The intensification of an existing use with consequent harm to planning considerations is also a 'fall-back' position which is a material consideration. The weight to be given to this will depend on the real likelihood of this eventuality occurring.

In this regard, it is important to recall that aircraft movements from the Airport (e.g. in terms of aircraft type, noise generated and the time of movements) do not come under planning control as a consequence of the Airport being an established use existing prior to the advent of the planning system. Furthermore, the Airport Operator benefits from permitted development rights which enable it to undertake operational development without requiring planning permission (with the exception of the land adjacent to Baginton village where those rights were removed as part of the Section 106 Agreement signed as part of the Parcelforce development) unless the scale of the development triggers the need for an Environmental Impact Assessment.

The weight to be given to any 'fall-back' position depends on the real likelihood of it actually being exercised. The applicant would almost certainly look at alternative means of revenue from the operation of other flights if it could not proceed with passenger flights. This may include additional freight operations, including operations that did not require any additional development or infrastructure, or operations that are most likely to occur during the night time period (2300 to 0700). The likelihood of such a scenario and its potential impact cannot be quantified or formally assessed. However, it must be accepted that there remains some prospect of an alternative scenario being implemented and it cannot be assumed that without the development of a passenger terminal, the impact of aircraft activity on the local area will not increase. This could be a consequence of either increases in the overall numbers of movements or changes to the character of noise generated from movements, e.g. increased night time freight movements or daytime circuit flying. As this is an unrestricted Airport the potential for increased environmental impact, particularly night-time noise, from freight or general aviation

activities at the Airport cannot be discounted.

The ability of the Airport Operator to intensify existing uses without any planning control from an unrestricted airport is therefore a significant material consideration to weigh in consideration of this matter. Moreover, the securing of controls on an uncontrolled Airport has to be recognised as a significant factor in this matter.

### **‘Interim’ Passenger Terminal and ThomsonFly Operations**

The current operations by ThomsonFly and the development of the ‘interim’ passenger terminal and associated works are the subject of enforcement notices issued by this Council. These notices have been appealed and were the subject of an Inquiry earlier this year. Until such time as the Secretaries of State determine the enforcement appeal, no weight should be attached to this development and level of aircraft operations as a realistic ‘fall-back’ position.

### **Other Issues**

A number of other issues have been raised by objectors during the consultation process. The majority of these issues, for example public safety, were raised during the consideration of Application ‘A’. These were addressed at length within the Report to September 11<sup>th</sup> Planning Committee and Members concluded these were not reasons to refuse the planning application. In any event, members of the public will have the opportunity to raise any concerns they have at the Inquiry which will then be before the Secretaries of State for Planning and Transport.

## **CONCLUSIONS**

The preceding section of the Report has looked carefully at the issues to be addressed in consideration of this matter. As with all planning applications the proposal must be considered against the relevant planning policy framework. This has been set out in full in the earlier part of the Report.

The principle of the development of a passenger terminal at Coventry Airport is considered in accordance with development plan policy. It is not accepted that the proposal is inconsistent with the Air Transport White Paper or premature to review of Policy T11 of RSS. Whilst there are clearly different views held by BIA and the West Midland authorities with regard to these regional matters, these views will be tested at an Inquiry and the Secretaries of State will conclude on these matters in due course.

However, it is important for the Council to focus on the local matters. Of most importance to the local community is weighing the environmental impact of this development against the package of measures offered by the applicant to control, mitigate and compensate for that impact. That

exercise also needs to make a realistic judgement as to what future operations might be like without such controls being in place at the Airport and the uncertainty of the environmental impacts of those future operations. The exercise also needs to consider the economic benefits of the development. It has to be recognised that this exercise can only be a judgement based on the above factors.

The advice of technical experts in relation to noise and aviation have been taken by the Council and reflected in coming to this conclusion. On the basis that the applicants offer brings a measure of control over the environmental impact of the Airport where none exists at present and that the package of measures are considered reasonable for this scale of operation, the development is considered in accordance with the development plan. It is recommended therefore that this position be adopted at the Inquiry into the appeal in respect of Application 'B'.

Surface access matters have been dealt with separately by the relevant highways bodies and negotiations are ongoing, although in principle, both parties have no objection to the proposal. In that regard, it is not necessary for the Council to conclude on these matters other than to support the position of the relevant highways bodies at the Inquiry into Application 'B'.

It is noted that objectors have requested greater controls and mitigation measures during the consultation process. These objectors will have the opportunity to make representations to the Inquiry, irrespective of the position of the Council, and these will be given full consideration by the Secretaries of State when determining the appeal.

#### **APPLICATION 'A'**

Setting aside matters of surface access, the environmental impacts of Application 'A' and Application 'B' are broadly the same. Therefore, should Members consider the package of measures to control, mitigate and compensate for the environmental impact of Application 'B' consistent with the development plan, then such a package offered in respect of Application 'A' would similarly be consistent. In these circumstances, it is recommended that the Council inform the applicant that this is the Council's position in respect of the environmental impacts of Application 'A'.

#### **CONJOINING THE APPEALS**

In light of the forthcoming Inquiry into the appeal against refusal of planning permission for Application 'A', it is appropriate for the appeal against non-determination of Application 'B' to be conjoined and heard at one Inquiry. This has obvious practical and resource advantages to all parties who wish to be heard at the Inquiry. The Planning Inspectorate will decide on whether the appeals are conjoined. It is recommended that the Council inform the Planning Inspectorate through the Inspectors at the second pre-inquiry meeting to be held on September 26<sup>th</sup> 2005

that the appeals should be conjoined.

## RECOMMENDATIONS

1. That the Council's position in respect of the Inquiry into the appeal against non determination of Application 'B' (ref: W2004/1939) is that the development is considered in accordance with the development plan subject to:
  - a, the draft Heads of Terms containing the package of control, mitigation and compensation measures offered by the applicant being converted into a formal obligation and the imposition of appropriate conditions to be attached to any grant of planning permission; and
  - b, the relevant highway authorities (Warwickshire County Council and Coventry City Council) and Highways Agency being satisfied with regard to the surface access impacts of the development and surface access mitigation measures offered by the applicant.
2. That the Council consider in respect of the appeal against refusal of Application 'A' (ref: W2003/0473) that the draft Heads of Terms offered by the applicant in respect of Application 'B' (ref: W2004/1939) controls, mitigates and compensates for the environmental impacts of the development in accordance with the development plan; and
3. That the Council inform the Planning Inspectorate that it wishes to see the appeal against non determination of Application 'B' conjoined with the appeal against the refusal of Application 'A' (W2003/0473).

## **APPENDIX ONE**

### **COVENTRY AIRPORT CONSTRUCTION OF A PASSENGER TERMINAL AND ASSOCIATED WORKS [APPLICATION REFERENCE NUMBER W2004/1939]**

#### **SECTION 106 AGREEMENT HEADS OF TERMS SUBJECT TO CONTRACT AND WITHOUT PREJUDICE**

#### **1. PARTIES**

- (1) Warwick District Council ("the District Council").
- (2) Coventry City Council ("the City Council").
- (3) West Midlands International Airport Limited ("WMIAL").
- (4) TUI Northern Europe Limited ("TUI").

#### **2. STATUTORY POWERS**

Section 106 of the Town and Country Planning Act 1990 (as amended) and all other enabling powers.

#### **3. CONDITIONALITY**

The Agreement shall be conditional upon the grant of planning permission and the commencement of development authorised by the permission.

#### **4. WMIAL'S OBLIGATIONS**

WMIAL shall covenant with the District Council as follows:-

##### ***(1) Commencement/Opening of the Development***

- (i) To provide the District Council with no less than 28 days prior written notice of the commencement or opening (as the case may be) of the development.

(2) ***Economic Impact***

- (i) To make known and publicise locally all employment opportunities arising out of the development and to work with local employment and regeneration agencies in order to make known and publicise such opportunities.
- (ii) To use all reasonable endeavours to procure that occupiers and tenants of Coventry Airport ("the Airport") make known and publicise locally all employment opportunities within the Airport and to work with local employment and regeneration agencies to make known and publicise such opportunities.

(3) ***Passenger Throughput***

- (i) The total number of passengers using the development shall not exceed 2 million per annum (on the basis of the data supplied pursuant to (ii) below).
- (ii) To provide the District Council with data showing the total number of passengers using the development each month.
- (iii) As soon as reasonably practicable following receipt of a written request from the District Council to provide the District Council with access (at all reasonable times) to such further documentation and/or information as may reasonably be required (and which is not already within the public domain) for the purposes of verifying the accuracy of the above data.

(4) ***Travel Plan Co-ordinator***

- (i) The existing nominated travel plan co-ordinator shall continue to progress actions identified in the Airport Surface Access Strategy ("ASAS") and travel plan (as the case may be) in line with the following objectives:

- (a) implementing, monitoring and reviewing the ASAS and travel plan in association with the Airport Transport Forum ("ATF");
  - (b) marketing and promoting the introduction and use of public transport to and from the development;
  - (c) promoting the diversion and increased frequency of existing bus services in the vicinity of the Airport in consultation with the West Midlands PTE;
  - (d) promoting improvements to bus services linking the development with public transport nodes within the Coventry and Warwickshire sub-region; and
  - (e) collating and organising travel data information in respect of passengers travelling to and from the development and employees working at the development.
- (ii) To continue to compile a database of travel profiles of employees working at the development and passengers travelling to and from the development. The data shall be collated (as specified in the travel plan) and provided to the ATF as soon as reasonably practicable and subsequently updated by annual surveys as specified in the travel plan.

(5) ***ATF***

- (i) To ensure that the ATF continues to meet regularly in accordance with Government guidance. **[The first meeting of the ATF is scheduled to take place on 29 September 2005 and invitees cover the following organisations/groups of individuals:-**
  - (a) **WMIAL;**
  - (b) **West Midlands PTE;**
  - (c) **the Highways Agency;**
  - (d) **Warwickshire County Council;**
  - (e) **the District Council;**

- (f) **a public transport operating company serving the Airport;**
- (g) **an employee working at the Airport;**
- (h) **a user of the Airport;**
- (i) **a disabled persons' group;**
- (j) **a walking group;**
- (k) **a cycling group;**
- (l) **a business located at the Airport;**
- (m) **a local community representative from the parish of Baginton;**
- (n) **a local community representative from the Ward of Binley & Willenhall;**
- (o) **Rugby Borough Council;**
- (p) **Coventry City Council;**
- (q) **Advantage West Midlands; and**
- (r) **Coventry & Warwickshire Chamber of Commerce.]**

(6) **ASAS**

- (i) The existing ASAS in respect of the Airport shall continue to be regularly reviewed and updated by the ATF. The ASAS shall be progressed to cover a maximum passenger throughput of 2 million passengers per annum in respect of the development and shall be submitted to the District Council for approval. The ASAS shall include (without limitation) the following matters:-

- (a) a car parking strategy;
  - (b) measures to encourage an increase in public transport, cycle and walking accessibility to and from the development;
  - (c) modal shift targets as set by the ATF from time to time;
  - (d) the provision of facilities for public transport users subject to first obtaining any necessary consents;
  - (e) proposals to work with the District Council and adjoining authorities to prevent the provision or development of any sites for car parking to serve the development which are not within the control or ownership of WMIAL or defined within the ASAS; and
  - (f) the display of public transport information in respect of the development and all relevant staff and passenger notice boards.
- (ii) No later than 1 month after the District Council's approval of the ASAS to cover 2 million passengers per annum in respect of the development, WMIAL shall implement the ASAS **[it is also envisaged that a draft ASAS shall be appended to the Agreement]**.
  - (iii) Not to operate the development other than in accordance with the approved ASAS and any approved changes to it.
  - (iv) Not to amend the approved ASAS without the further written approval of the District Council.

(7) ***Travel Plan***

- (i) The existing travel plan in respect of the Airport shall continue to be monitored, reviewed and amended by the ATF with the approval of the District Council **[it is envisaged that a draft travel plan shall be appended to the Agreement]**.
- (ii) Not to operate the development other than in accordance with the approved travel plan and any approved changes to it.

(8) ***Bus Provision and Public Transport Information***

- (i) To operate a shuttle bus service for so long as the development is in operation. The service shall operate as follows:
  - (a) between the development and Coventry rail and bus stations;
  - (b) between the hours of 07.30 and 22.30 provided that it shall operate so as to connect with the earliest daily scheduled arriving train or bus after 05.00 hrs at Coventry rail/bus station and with the last passenger aircraft arrival before midnight operating out of the development;
  - (c) 7 days per week;
  - (d) hourly; and
  - (e) each bus must accommodate adequate capacity for the storage of passengers' baggage.
- (ii) To review the shuttle bus service (having regard to flight schedules) within 2 months of the commencement of each winter or summer season to which the relevant schedule relates and if the ATF determines that the review has identified possible enhancements then WMIAL shall use all reasonable endeavours to implement those enhancements as soon as reasonably practicable.
- (iii) To operate a staff bus service for so long as the development is in operation in accordance with details approved by the District Council. The service shall be centred on the Airport and connect with identified clusters of employee addresses and shall operate at times to match principal shift patterns.
- (iv) To review the staff bus service (having regard to employee travel patterns) in consultation with the AFT on an annual basis and if the ATF determines that the review has identified possible enhancements then WMIAL shall use all reasonable endeavours to implement those enhancements as soon as reasonably practicable.

- (v) To use all reasonable endeavours to encourage bus operators to divert their services to serve the development as part of an evolving bus strategy to be developed through discussion between WMIAL, Centro and Warwickshire County Council to cover the gradual increase in throughput of the Airport up to 2 million passengers per annum.
  - (vi) To negotiate with relevant railway operating companies to explore potential linkages with the development.
  - (vii) To use all reasonable endeavours to provide relevant public transport information in respect of the development to appropriate local employment agencies and at appropriate public reference locations as soon as reasonably practicable.
  - (viii) To carry out traffic monitoring on the highway network in the vicinity of the Airport in accordance with a scheme approved by the District Council.
  - (ix) To liaise with public transport administrators and operators to encourage the development of through ticketing for journeys to and from the Airport.
- (9) ***Scheduling Restrictions [GENERALLY, SUBJECT TO FURTHER DISCUSSION WITH THE HIGHWAYS AGENCY]***
- (i) Not to operate the development other than in accordance with the following scheduling restrictions:-

- (a) until completion of the Tollbar End Junction improvement scheme the winter and summer flight schedules which are published in respect of the development shall not include passenger aircraft arrivals between 15.45 and 17.45 hours or passenger aircraft departures between 17.00 and 20.00 hours containing (in each case) more than a maximum cumulative capacity of 530 passenger seats **[specific details of morning peak hour restriction to be completed and agreed with the Highways Agency once calculations have been carried out and in any event before the development is open];**
- (b) following completion of the Tollbar End Junction improvement scheme the winter and summer flight schedules which are published in respect of the development shall not include:-
- [To be completed once calculations have been carried out having regard to the Highways Agency/JMP spreadsheet model for a throughput of 2 million passengers per annum in respect of the development based upon a busy summer day schedule. The restrictions shall impose seat capacity limits for arrivals and departures for both morning and evening peak periods and shall be based upon a two-hour arrivals window and a three-hour departures window for each peak period. The restrictions shall also impose a limit on the maximum number of seats that could be scheduled within a rolling 1 hour period within the above 4 time windows.]**
- (ii) The scheduling restrictions shall not apply to:
- (a) Saturdays and Sundays;
  - (b) Bank Holidays;
  - (c) the period between 24 December and 1 January (inclusive);
  - (d) the month of August in any calendar year;
  - (e) emergencies; and

- (f) a maximum of 5 days in any calendar year not falling within any of (a)-(e) above related to the switchover in changes from the winter to the summer flight schedule and vice versa.
- (iii) To provide the District Council with the flight schedule (including details of aircraft size and type) in respect of each winter and summer season relating to the development no later than 60 days before the commencement of the season.
- (iv) To provide the District Council with no less than 60 days prior written notice of the start date of each winter and summer season relating to the development.
- (v) To notify the District Council of any changes to the flight schedule (including details of aircraft size and type) no later than 7 days in advance of any such change.
- (vi) Not to operate the development other than in accordance with the flight schedule as submitted to the District Council unless otherwise previously approved in writing by the District Council.
- (vii) To provide the District Council with data showing the actual arrival or departure time (as the case may be) of passenger aircraft operating out of the development within 14 days of receiving a request in writing from the District Council.

(10) ***Noise management***

- (i) Not to operate the development or the Airport (as the case may be) otherwise than in accordance with a quiet operations policy which shall include the following measures:-
  - (a) written notification to all aircraft operators using the Airport that they are required to adopt and observe the quiet operations policy;
  - (b) preparation of a noise monitoring system, noise contours and the boundary for the sound insulation grants scheme all in consultation with the quiet operations sub-committee provided

that the noise monitoring system shall include 2 fixed and 1 mobile noise monitoring terminal;

- (c) the use of all reasonable endeavours to ensure that departing aircraft are provided with noise preferential routes (and those routes shall be published on the Airport's web site);
- (d) the operation of a sound insulation grants scheme as approved by the District Council subject to the following:-
- where noise levels in excess of 90dB SEL occur at residential properties at annual average frequency of once or more between 23:00 and 07:00 hours then bedrooms within those properties shall qualify for inclusion within the scheme;
  - residential properties falling within the 63dB LAeq 16 hour day-time noise contour or (in the case of bedrooms in such properties) the 55dB LAeq 8 hour night-time noise contour shall qualify for inclusion within the scheme;
  - the annual budget for the scheme shall not exceed £100,000. If there are more qualifying properties in any year than can be insulated within that budget, WMIAL shall refer the priority for insulating qualifying properties to the quiet operations sub-committee;
  - the grant for each qualifying property shall equate to not less than 80% of insulation costs up to a maximum of £3,000 (including VAT); and
  - the contours shall be reviewed (approximately) annually in consultation with the quiet operations sub-committee;
- (e) prior to the commencement of the development, a noise insulation scheme in respect of single facades of all individual properties at Oak Close (excluding those properties which front Coventry Road) shall be submitted to the District Council for approval. The scheme shall be implemented no later than 12 months after the District Council's approval;

- (f) unless otherwise approved in writing by the District Council, no later than 12 months after the opening of the development no aircraft with QC8 or QC4 shall be permitted to use the Airport between 23:30 and 06:00 hours. The details (including the date and justification) of any exception to this prohibition (such prohibition having been approved by the District Council) shall be included within the annual report to the ACC;
- (g) unless otherwise approved in writing by the District Council, no later than 12 months after the opening of the development no DC3 or DC6 aircraft shall be permitted to use the Airport between 23:30 and 06:00 hours. The details (including the date and justification) of any exception to this prohibition which is (such prohibition having been approved by the District Council) shall be included within the annual report to the ACC;
- (h) the annual quota in respect of flights taking off from or landing at the Airport between 23:30 and 06:00 hours shall be 4000 in respect of the first 12 months immediately following the opening of the development which shall reduce by 100 upon each anniversary of the opening of the development until the annual quota reaches 3500 which shall then be the annual quota for all successive years;
- (i) no training flights by aircraft with a maximum certificated weight of more than 5,700kg shall take place at the Airport in the following circumstances:-
- on Sundays and Bank Holidays; and
  - on any other day between 23:00 and 07:00 hours
- provided that in any event no more than one aircraft with a maximum certificated weight of more the 5,700kg shall use the Airport for training purposes at any one time.
- (ii) To appoint a senior member of WMIAL's management as a noise manager who shall be responsible for co-ordinating and delivering the quiet operations policy.

- (iii) To monitor the performance of the quiet operations policy and to report no less than once every 3 months to the quiet operations sub committee.
- (iv) If not already convened then to convene a quiet operations sub committee for the purpose of monitoring and reviewing the quiet operations policy and the following (without limitation) shall be invited to be represented on the committee:
  - (a) the environmental health officer of the District Council;
  - (b) an environmental health officer employed by Coventry City Council;
  - (c) an employee of Rugby Borough Council;
  - (d) a representative of Baginton Parish Council;
  - (e) an employee of an airline using the Airport;
  - (f) a user of the Airport;
  - (g) a ward councillor representing Binley & Willenhall; and
  - (h) a representative of WMIAL.
- (v) No later than 6 months after the opening of the development to submit to the District Council for approval proposals for track keeping. Any proposals for track keeping which are approved by the District Council shall be in accordance with any requirements of the CAA. The system shall be implemented in accordance with a timetable approved by the District Council.
- (vi) Not to open the development unless the following details have been submitted to and approved by the District Council:-

- (a) visual circuits and circuit heights;
- (b) helicopter approach routes and heights;
- (c) noise preferential routing of departing aircraft;
- (d) specifications for maximum noise levels for aircraft operating at night;
- (e) appropriate departure and landing procedures by pilots (including power cut back requirements and the minimum use of reverse thrust); and
- (f) monitoring and restriction of ground running of engines and the use of auxiliary power units.

**(11) *Air Quality***

- (i) Not to operate the development other than in accordance with an air quality monitoring programme as approved by the District Council. The programme shall include the following measures:-
  - (a) the monitoring of nitrogen oxides (including nitrogen dioxide) and PM10 in relation to the operation of the development;
  - (b) automatic continuous monitors at a site at the Tollbar End Junction;
  - (c) measurement of annual average concentrations of nitrogen dioxide at a minimum of 5 locations and a maximum of 10 locations using passive diffusion tubes, to include locations at both Tollbar End and Baginton; and
  - (d) a procedure for recording air quality complaints and measures for investigating and (if possible) resolving any complaints.
- (ii) To investigate the cause of any exceedance of the relevant national assessment levels, and to submit a mitigation plan to the District Council for approval.
- (iii) To implement the mitigation plan once approved.

- (iv) To investigate the practicability of measures to reduce any air pollution/odours emanating from the development and implement them so far as reasonably practicable and economically feasible.

(12) ***Airport Consultative Committee***

- (i) To submit an annual report to the Airport Consultative Committee which shall include:-
  - (a) details of employment initiatives;
  - (b) the effectiveness of the approved ASAS and the travel plan;
  - (c) a summary of air quality complaints and monitoring results;
  - (d) a summary of noise complaints;
  - (e) the effectiveness of the quiet operations policy
  - (f) a summary of recorded noise levels for individual aircraft arising out of the approved noise monitoring system;
  - (g) any review of the quiet operations policy;
  - (h) a summary of claims made and grants awarded under the sound insulation grants scheme; and
  - (i) the effectiveness of the scheduling restrictions.

(13) ***Highways Agreement [GENERALLY, SUBJECT TO FURTHER DISCUSSION WITH THE HIGHWAYS AGENCY]***

- (i) To complete a highways agreement within 14 days of receiving a request in writing to do so from the Secretary of State for Transport provided that the agreement shall be substantially in the form as that proposed to be attached to the Agreement. The highways agreement shall deal with the following works:

- (a) the implementation of the signalisation of the Rowley Road/Siskin Drive arm of the Tollbar End roundabout; and
  - (b) the implementation of an upgrade of the current Tollbar End junction signal control mechanism to LINK-MOVA (or similar approved by the Highways Agency). This is a 'real-time' computer optimisation of the signal cycles using extended queue detection, to improve the balance of queuing on arms of the junction, generally resulting in improved capacity overall.
- (ii) The Highways Agreement shall be conditional upon:
- (a) the grant of planning permission (free of legal challenge) in respect of the development; and
  - (b) completion of a Section 4 Agreement between the Secretary of State for Transport and Coventry City Council.
- (iii) The obligation to carry out the above works shall not apply if:
- (a) the grant of planning permission free of legal challenge falls either (i) after commencement of the TBE/TPI Scheme or (ii) within twelve months before the programmed commencement on site of the TBE/TPI Scheme; or
  - (b) the TBE/TPI Scheme has materially commenced to a degree that completion or commencement (as the case may be) of the works is not practicable in the opinion of the Secretary of State for Transport

PROVIDED FURTHER THAT subject to the above if the Secretary of State for Transport announces that the TBE/TPI Scheme is to be postponed for a period of twelve months or longer then the obligation to carry out the works shall take effect as from the date of any such announcement (whether or not the works have commenced at that date).

(14) *Signage*

- (i) If not already in place with the approval of the District Council to submit to the District Council for approval (with copies to the Highways Agency

and Warwickshire County Council) a signage strategy in order to direct passengers and employees travelling to and from the development to use the most appropriate route; and

- (ii) No later than one month after the District Council's approval to implement the signage strategy.

(15) ***IPF***

- (i) Upon the opening of the development WMIAL shall permanently cease the operation of the IPF as a passenger terminal facility.

(16) ***Construction Management Plan***

- (i) Not to commence the development until a construction management plan has been approved by the District Council.

(17) ***Bird Monitoring***

- (i) No later than 6 months after the grant of planning permission to submit details of a bird monitoring group to the District Council for approval. The objectives of the group shall include the monitoring of bird attractant sites within the safeguarding zone relating to the Airport.
- (ii) No later than one month after the District Council's approval to convene the bird monitoring group.

(18) ***Fuel Farm***

- (i) Not to commence the development until details of a location for the siting of a fuel farm at Airport South to serve the development have been submitted to and approved by the District Council.
- (ii) No later than thirty six months after the District Council's approval to construct the fuel farm in accordance with the approved details.

(19) ***Noise Attenuation Bund***

- (i) If not already in place with the consent of the District Council, then prior to the commencement of the development WMIAL shall submit to the

District Council for approval details of a noise attenuation bund at Airport West to the rear of properties at Oak Close.

- (ii) No later than three months after the District Council's approval to construct the bund in accordance with the approved details.

(20) ***Restrictions on Engine Testing***

- (i) Unless otherwise approved by the District Council, not to open the development until details of designated engine test areas have been submitted to and approved by the District Council.
- (ii) Test running of engines at settings above idle power shall be restricted to the designated areas as approved by the District Council unless operationally essential (i.e. required to enable aircraft operations to be undertaken with full regard to meeting safety and air traffic control requirements).
- (iii) Aircraft engine testing shall not be permitted between the hours of 23.00 and 07.00 unless operationally essential (as at (ii) above).
- (iv) Details of engine test running (including location, time and duration) together with (if applicable) any explanation as to why it was operationally essential shall be submitted to the District Council on a monthly basis.

***Note:***

1. ***The specific trigger points for some of the above obligations are to be the subject of further discussion between the parties.***
2. ***All necessary boilerplate/administrative clauses are to be the subject of further discussion between the parties.***

**JONES DAY**

**September 2005**

## APPENDIX TWO

### Objectors Comments

The noise impact will be / is unacceptable	191
The air pollution will be unacceptable from increased air traffic / road traffic and congestion on A46	141
The development will be detrimental to the local environment (SSSI, wildlife, bird sanctuaries and greenbelt)	141
Night time noise impact will be/ is disturbing sleep patterns	140
Concern over increased traffic levels and congestion on nearby infrastructure	138
There is no proven need for development / there is no need for development especially with Birmingham airport so close	107
Concern over increased risk, to the village, of air collisions due to high air traffic and intersecting flight paths	103
The development will be / is detrimental to the health (such as asthmatics) and quality of life of local residents	89
There is concern about inadequate infrastructure for the airport that can be seen through existing congestion, also includes nearby infrastructure, and parking	61
There is concern about a loss of greenbelt land due to the car parking proposal	48
The development goes against the conclusions in / purpose of the Government Aviation White Paper 2003	45
Odour and taste of aviation fuel in the air is increasingly noticeable	32
The operation of TUI in an illegal terminal	31
Analysis and conclusion in the Environmental Statement produced to support the application are inaccurate	21
Concerns that flight paths have altered	21
Public transport does not serve the development adequately	21
Expansion of airport is disregarding the Governments Airport Strategy which included Birmingham not Coventry.	20
There is concern about increased risk of bird strikes	18
Concerns that demand at Coventry Airport are not adequate for the development to be approved	15
Generally oppose permanent terminal application, and the associated increase in flights	15
There are issues regarding the sustainability of the development	15
Coventry Airport does not exist to meet any UK (or EU) governmental strategic requirement	13
Potential mitigation proposals (e.g double glazing) do not apply to all and will be largely ineffective	13
Claims that the expansion will bring increased employment opportunities to the area are seen to be unlikely or misleading	12
Concerns about safety and security, includes concerns that the airport may be a target for terrorists	12
Noise contour models / maps are unrealistic and do not fully represent best practice	12
Concern that the associated problems will decrease the value of properties adjacent to the airport	11
Section 106 agreements have not been fulfilled by the airport	11
Lack of consultation with the local community	10
Light pollution often in the form of an "orange glow"	8
We should discourage the use of air transport	8

Concerns that vibrations from aircraft are causing damage to older buildings	7
Increase in reports of "wake turbulence" or "wing-tip vortices", this rotating wind effect causes noise and distress to people and animals as well as damaging trees, plants and the roofs of buildings	7
Pollution is evident as grey particles settle on cars, windows and plants	7
There has been a reduction in the amount of bird species in the surrounding area	7
Residents are concerned about the few parking spaces available in the village being used by the airport passengers for up to 2 weeks at a time leading to an increased risk of crime	6
Restrictions are needed regarding times of flights, number of flights and sizes of aircraft	6
Local people should be compensated for noise pollution and reduction in property value	4
No "safety zone" information regarding the runway ends has been published or included in any information from the airport	4
Proposed alterations to Toll Bar End and other areas must be completed before any further expansions are allowed	4
Development goes against Policy EM5 of the Coventry Unitary Development Plan	3
Concern over the 24 hour operation of the airport	2
Increase in size of apron and car parking affecting drainage of soils and degrading and altering habitats	2
TUI/Thompson generally operate at less than 100% seat occupancy, they should therefore focus on filling capacity rather than increasing the number of air traffic movements with partially loaded planes	2
An increase in staff movements is likely to cause further disruption	1
Any permission should be subject to stringent controls and mitigation measures.	1
Cheap flights have a negative effect on the Midlands economy	1
Concern about global warming	1
Concern about the impact on Conservation Areas	1
Concern that development will enable greater passenger numbers than 2mppa	1
Consultative committee set up by TUI represents the views of the airport and is therefore biased	1
Inadequate information provided about January 7th deadline concerning appeals against Coventry airport	1
Loss of bat colonies in the village	1
Parking for motorcycles and cycles is insufficient, as it is unsafe from vandalism and over-expensive	1
TUI show a threatening and insulting style of management in dealing with WDC planning department.	1

## APPENDIX THREE

### Summary of Amenity/Resident Groups Responses

#### Total Number of Responses - 3

Council for the Protection of Rural England – **Object** on the grounds that:

- The size of the building is capable of handling more than the 2mppa cap proposed;
- The White Paper does not support the development;
- There is no need for extra capacity for passenger movements due to the location of Birmingham Airport;
- The development would result in current General Aviation activities being relocated to other smaller airfields;
- The development will result in increased pressure for car parking on greenfield sites;

If the application is approved it is recommended that conditions/legal agreements are imposed which are monitored, enforced and capable of achieving an improvement of the current situation such as;

- A cap on passenger numbers, with a cap at 2mppa being too high;
- Night time restrictions on aircraft movements with the aim to reduce noise from the current situation;
- Public transport access to a range of destinations with targets for public transport use for passengers and employees;
- Activities at the Airport to be brought under control to address serious environmental problems;
- No access to the Airport through Baginton village.

Friends of Brandon Wood – **Object** on the grounds that:

- The development will totally alter the local environment
- Noise impacts on the enjoyment of Brandon Wood;
- Concerned about the impact of increased activity at the Airport in terms of noise and pollution on birds and trees;
- Airport expansion should be on the basis of need not demand.

Finham Residents Association – **Object** on the grounds that:

- The development will add to congestion at Toll Bar End and through Finham;
- The noise of aircraft will have a detrimental effect on residents;
- Concern about high levels of pollution;
- Concern about the impact of flights on local wildlife;
- Concern that the control of airspace is inadequate.

## APPENDIX FOUR

### Summary of Town and Parish Councils Responses

#### Total Number of Responses - 22

##### Baginton Parish Council – Object on the grounds that:

- The size of the terminal is too large and is capable of accommodating more passengers than 2mppa;
- Any increase in traffic through Toll Bar or the village is unacceptable;
- No surface access strategy is in place and there is inadequate public transport serving the Airport;
- The EIA fails to address global warming;
- Local wildlife will be diminished;
- Proposed car parking is inadequate;
- Noise pollution will increase and little or no account is taken of Single Event Levels in the EIA;
- Air quality will decline to the detriment of residents;
- Local infrastructure will not support an extra 2,500 vehicles per hour along Rowley Road and Mill Hill and the application does not address this;
- The proposed operating hours are unreasonable and will be a nuisance to residents.

Bidford-on-Avon Parish Council – would like to see improved facilities at the Airport and facilities for the disabled.

##### Bishops Itchington Parish Council – Object on the grounds that:

- Concern about the effect of further development, particularly in relation to traffic and the adequacy of highway infrastructure.

##### Brandon and Bretford Parish Council – Object on the grounds that:

- Concern regarding unacceptable high levels of noise, disturbance and traffic congestion to a green belt area;
- Lighting will severely pollute the area;
- Noise impact will be substantial and mitigation must be in place before any further expansion of operations;
- Ecological impact will be disastrous on local wildlife sites within the Parish;
- No development should be approved until after the improvements to Toll Bar Island are completed;
- District Council need to be satisfied regarding the size of the building required;
- Policy does not support expansion at Coventry Airport and disadvantages to the local environment outweigh any advantages in terms of employment.

##### Cubbington Parish Council – Object on the grounds that:

- Flights cause much disturbance and intrusion;
- The EIA is flawed and does not accurately reflect the level of noise pollution caused by the aircraft;
- Air quality is also polluted;
- Concern about increase in road traffic as there is no public transport serving the Airport;
- Passenger services from Coventry Airport is not warranted as Birmingham International Airport is nearby.

##### Eathorpe, Hunningham, Offchurch, Wappenbury and Weston under Wetherley Joint Parish Council – Object on the grounds that:

- Noise and disruption from day and night flights are unacceptable;

- The findings and conclusions of the EIA in respect of traffic, noise, emissions and intrusion into the Green Belt are incorrect, particularly in respect of noise from planes taking off under full power directly over the parishes;
- Visual impact of multi-storey car park is not acceptable.

Hampton Lucy Parish Council – **Concerns** regarding airspace and the need for both Birmingham and Coventry to grow.

Kenilworth Town Council –

- Consider that approval should be contingent upon the imposition of strict controls on all aspects of passenger and freight operations, especially at night, conjoined with sustained monitoring of noise and environmental factors.

Leamington Town Council – **Object** on the grounds that:

- The consequences for residents residing within the area beneath the flight path will be considerable. It is considered that in terms of both noise and air pollution, the increase in air traffic arising from the construction of an air passenger terminal would result in unacceptable annoyance;
- The proposals will have a negative impact on the existing road network. It is not clear that the applicant has accurately assessed the effect of increased volumes of traffic. This will possibly lead to increasing levels of traffic congestion both locally and beyond;
- Particular concern is expressed with regard to the proposed hours of operation. Both the assumed flight schedules provide for departures at relatively late hours in the evening and assumed operation over 364 days a year;
- Endorse measures to restrict night operations and urge the Council to adequately control this aspect of the operation; and
- Concern with regard to the size of the car park proposed.

Leek Wootton and Guys Cliffe Parish Council – **Object** on the grounds that:

- Increased noise from passenger jet aircraft overflying the Parish, both day and night, at heights disrupting life and sleep;
- Increased traffic in the area, including the A46;
- Concern about accident risk from aircraft as a result of the conflicting flight paths with Birmingham and the lack of controlled airspace;
- Contrary to planning policy and no practical reasons to expand Coventry Airport in light of proximity of Birmingham.

Long Itchington Parish Council – **Object** on the grounds that:

- concern about the effects on the surrounding infrastructure, particularly roads, and the quality of life of nearby residents;
- any expansion of air traffic should be centred on the existing facility at Birmingham.

Mappleborough Parish Council – **Object** on the grounds that:

- increased traffic on trunk road network;
- increased air traffic and concern over air safety.

Old Milverton and Blackdown Joint Parish Council – **Object** on the grounds that:

- Increase in both air and road traffic would cause an increase in pollution in the form of noise, fuel and fumes;
- Limited public transport serving the development causing additional traffic problems;
- The scale of the development appears far more than 2 million passengers a year.

Pillerton Priors Parish Council – **Support** on the grounds that the development will provide easy access to a local airport and be an asset to the south east of Coventry;

Preston Bagot Parish Meeting – **Object** on the grounds that:

- Concern about an increase in air traffic over the Parish;
- Concern about interference with air traffic movements from Birmingham Airport which might cause an increase in traffic.

Quinton Parish Council – **Support** on the grounds that:

- The area requires an injection of confidence with the demise of the Jaguar Works and will provide much needed jobs;
- The use of larger aircraft is more acceptable than the smaller planes that use Wellesbourne.

Stoneleigh and Ashow Joint Parish Council – provided a number of detailed comments on the EIA and **Object** on the grounds that

- Passenger limits cannot be relied upon;
- The application should not be considered until the improvements to TollBar End have been approved;
- The development relies on the private car and cannot meet the requirements for good public transport;
- The development is competitive with Birmingham and not complimentary as the RSS policy requires;
- The development is contrary to policies of the development plan;
- Assessing the noise impact by reference to average noise levels is misleading;
- Noise levels experienced in Stoneleigh cause sleep disturbance;
- Mitigation measures should be measurable and enforceable;
- Air Quality in the local area is affected by the flights;
- The village is a sensitive receptor to the visual effect of aircraft movements;
- Drainage problems will be exacerbated with a higher risk of localised flooding;
- Vortex effects are experienced;
- There are potential airspace conflicts between Birmingham and Coventry which may affect noise preferential routes;
- The development is not consistent with national, regional and local policies;
- The EIA is seriously flawed and should have taken into consideration areas of the Parish affected;

Stretton-on-Dunsmore Parish Council – provided a number of detailed comments on the EIA and **Object** on the grounds that:

- The EIA is misleading and understates the impact of the development;
- The development of car parking on green belt land is contrary to policy and should be rejected;
- The White Paper supports Birmingham's growth and this development will compete with Birmingham and displace services from Birmingham;
- Given the size of the building proposed, a strict cap on the number of movements by all aircraft types is needed with strict controls on night flying and noise quotas to minimise harm;
- No justification for development as capacity exists elsewhere;
- Development is unsustainable;
- Inadequate public transport means the development is contrary to planning policy;
- Development will result increased road congestion around TollBar End;
- Noise assessment and modelling does not assess the full impact;
- Passenger flights cause severe impact on residents and sleep disruption;
- Air Quality modelling is unreliable;
- Risk assessment shows residential, commercial and congested areas within the high risk contours and should not be accepted;
- The landscape and visual impact is over a wider area than assessed in the EIA;

- Development could push general aviation to more rural airports such as Wellesbourne.

Stretton on Fosse Parish Council – Object on the grounds that:

- The primary means of access to the development is by car and this will create significant problems on the local highway network, including the Fosse Way;
- Increased paved areas will cause consequent increases in flooding;
- Increase in run off of contaminants will have a negative impact on wildlife;
- Development should be resisted to control the growth in air travel and its environmental effects.

Studley Parish Council – Object on the grounds that:

- increased traffic on trunk road network;
- increased air traffic and concern over air safety.

Ufton Parish Council – Object on the grounds that:

- The development would lead to an unacceptable increase in aircraft movements and consequent noise and pollution;
- The development is unnecessary in view of the close proximity of Birmingham Airport.

Wibtoft Parish Meeting - Object on the grounds that:

- Concern regarding the size of the building proposed given the proposed number of passengers using the Airport;
- Consideration should be given to the impact of total aircraft movements not just passenger movements.