



Report to:
Planning Committee

27 January 2005

Report of:
Strategic Director of City Development

Title:
Coventry Airport

1 Purpose of the Report

- 1.1 The purpose of the Report is to advise Planning Committee of the emerging position with regard to Coventry Airport and to seek confirmation of officers' responses to the forthcoming Enforcement Appeal Inquiry.

2 Recommendations

- 2.1 Planning Committee are recommended to confirm officers' actions and comments in respect of the Enforcement Notice Inquiry.

3 Information/Background

- 3.1 The Enforcement Notice Inquiry will begin on 1 February 2005 and will deal with the existing temporary terminal building only, including whether it ought to be granted planning permission.
- 3.2 Your officers have submitted a proof of evidence to the Enforcement Notice Inquiry (Appendix 1) which:
- Sets out the history of the Airport and explains the lack of restrictions on airport operations;
 - explains that the appropriate mechanism for achieving environmental improvements to the Airport is through a legal agreement as a pre-condition of a planning approval;
 - explains the planning background;
 - explains the economic benefits of the Airport expansion to the City and Sub-region;
 - explains the general benefits to sustainability of local airports.

4 Proposal and Other Option(s) to be Considered

4.1 Your officers have exchanged proofs with the other parties represented at the Inquiry and are in the process of assessing them. At the time of writing this report, no new issues had emerged that would need to be responded to; any change will be reported at your meeting.

5 Other specific implications

	Implications (See below)	No Implications
Area Co-ordination	✓	
Best Value		✓
Children and Young People		✓
Comparable Benchmark Data		✓
Corporate Parenting		✓
Coventry Community Plan	✓	
Crime and Disorder		✓
Equal Opportunities		✓
Finance		✓
Health and Safety		✓
Human Resources		✓
Human Rights Act		✓
Impact on Partner Organisations		✓
Information and Communications Technology		✓
Legal Implications		✓
Property Implications		✓
Race Equality Scheme		✓
Risk Management		✓
Sustainable Development	✓	
Trade Union Consultation		✓
Voluntary Sector – The Coventry Compact		✓

5.1 Area Co-ordination officers have previously been involved in discussion relating to the Airport. There are direct impacts upon Binley and Willenhall Ward while officers are aware of concerns expressed by residents in Cheylesmore, Earlsdon and Wainbody Wards mainly relating to noise impacts but also alleging pollution problems.

- 5.2 Development at the Airport would contribute to the Community Plan theme of "Jobs & Our Local Economy" by increasing the number of people in paid work and attracting a wide range of businesses and jobs. It would, however, require matters in the "Transport" and the "Environment" themes to be addressed
- 5.3 The complexity of the Inquiry will mean that both planning and legal officers are likely to need to be present throughout. While this does not have any direct financial implications there may also be a requirement for specialised legal advice. The position is not clear at the moment and will be reported at your meeting.
- 5.4 Air transport is an inherently unsustainable mode of transport but the provision of local facilities reduces the general need to travel to other airport locations. Officers continue to make efforts to achieve a realistic level of public transport access to the Airport.

6 Monitoring

- 6.1 Reports back to Planning Committee and Cabinet will be made as and when more information is available.

7 Timescale and expected outcomes

- 7.1 The Enforcement Inquiry is scheduled to last until the end of July 2005 and a decision may be released in the autumn.

List of background papers

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Papers open to Public Inspection

Description of paper

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APPENDIX 1

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

**TOWN & COUNTRY PLANNING (ENFORCEMENT) (INQUIRIES PROCEDURE) (ENGLAND)
RULES 2002**

APPEALS BY WEST MIDLANDS INTERNATIONAL AIRPORT LIMITED

**CONSTRUCTION OF AN INTERIM PASSENGER FACILITY AND ASSOCIATED SERVICE
FACILITIES (INCLUDING ACCESS AND CAR PARKING) AT THE COVENTRY AIRPORT
SITE**

PROOF OF EVIDENCE

Planning Inspectorate References:

APP/T3725/C/04/1151759 and 11511760

LPA References:

ENF/467/48/03

**James Russell
Head of Planning and Transportation
January 2005**

1 SCOPE OF EVIDENCE

- 1.1 This proof of evidence has been prepared in response to an opportunity advanced by the Inquiry Inspector at the second Pre-Inquiry Meeting in Leamington on 22 November 2004.
- 1.2 It responds generally to Ground (a) of the Appeal, i.e. that permission ought to be granted for the application deemed to have been made. It addresses the Inquiry on why the City Council, as adjacent Local Planning and Highway Authority, considers that permission should be granted for the development which is the subject of this Inquiry, subject to appropriate planning conditions and obligations to mitigate the environmental and traffic impacts of the development that has already taken place.
- 1.3 This proof does not reflect the City Council's position as owners of the freehold interest in the Airport.
- 1.4 The proof, as it applies to Ground (a) of the Appeal:
 - Sets out the history of the Airport and explains the lack of restrictions on airport operations;
 - Explains that the appropriate mechanism for achieving environmental improvements to the Airport is through a legal agreement as a pre-condition of a planning approval;
 - Explains the planning background;
 - Explains the economic benefits of the Airport expansion to the City and Sub-region;
 - Explains the general benefits to sustainability of local airports.

2 THE HISTORY OF THE AIRPORT

- 2.1 Coventry Airport is located on the southern edge of the village of Baginton, close to the urban area of Coventry. Landings and take-offs do not pass over the village.
- 2.2 The Airport, sometimes known as Baginton but as Coventry Airport from at least the 1970s, has existed since 1936. It was originally constructed as a test facility for the Armstrong Whitworth aircraft company who had outgrown their previous base at Whitley in Coventry. The company continued to produce mainly military aircraft from their factory on the south side of the Airport until the late 1950s.
- 2.3 In the 1960s, the previously occasional passenger services became more regular but still mainly to the Channel Islands and northern France. Further services were added in the 1970s to more European destinations, peaking in 1984. After this time, the passenger services declined and the main business became freight related with the Government's Pollution Control operations also based there. These flights used small temporary buildings located on the north side of the Airport close to Baginton village.

- 2.4 The Airport was then used for a mix of business aviation, air mail, freight and general aviation training including helicopter operations. The air mail and freight flights took place principally at night, related to Royal Mail's operations and the needs of industry for "next day" delivery. The peak number of aircraft movements was reached in 1990 at 81,600, an average of 225 a day.
- 2.5 In the late 1980s the City Council produced an informal development plan for the Airport in discussion with Warwick DC. This involved the development of Airport land on the south side of the runway, away from Baginton village, including a new aircraft apron and passenger terminal with a new control tower and fire station on the north side. The City Council applied for outline planning permission for this and Warwick DC granted permission in 1990. The development was completed, with the exception of the passenger terminal, by the mid 1990s. Permission for the terminal was renewed in 1993 and 1998.
- 2.6 As part of this permission, a Section 106 Agreement provided for a reduction in the capacity of the small temporary buildings on the north side of the Airport that had been used as the passenger terminal. In the event, the state of the buildings was so bad that they were removed completely in around 2001.
- 2.7 A new application for a permanent passenger terminal on the south side of the Airport was submitted by West Midlands International Airport Ltd in 2003. Permission for this was refused by Warwick District Council in September 2004. An Appeal against this refusal is the subject of a separate Inquiry.
- 2.8 At the end of March 2004, Thompsonfly (part of the Tui group) began low-cost passenger operations to 11 European destinations in the Channel Islands, Spain, France and Italy. A number of other destinations have been added subsequently including the Netherlands; another operator (Hapag-Lloyd Express) fly to Germany. The operations use Boeing 737-500 aircraft.
- 2.9 Passengers use the temporary buildings on the south side of the Airport for terminal facilities. They are the subject of the current Enforcement Inquiry.
- 2.10 Other parties to this Inquiry are likely to provide more extensive detail of the relevant planning history of the site. What is clear however is that, as a result of the pattern of development related to military aircraft production and testing in the period immediately before World War II, there are no restrictions on the operation of any aircraft beyond their ability to operate safely from the Airport.

3 ACHIEVING ENVIRONMENTAL IMPROVEMENTS TO THE AIRPORT

- 3.1 The environmental impacts of the Airport operations have been a concern to the City Council for some time. This was reflected in the terms of the Section 106 Agreement that the City Council, as landowner, accepted and agreed to be bound by as part of the planning permissions for expansion at the Airport in 1990. These, however, could only deal with the previous terminal and access to it and not flight operations themselves for the reasons set out in paragraph 2.10 above.

- 3.2 When the Tui flights commenced in March 2004 there was, predictably, a significant increase in the number of complaints about environmental aspects of those operations. These fell into four main categories:
- Concerns about both existing and future noise levels;
 - Concerns about air quality including fuel dumping and odours;
 - Concerns about road traffic related to operations;
 - Concerns about impacts on trees and ecology.
- 3.3 With regard to noise levels, it became clear to the City Council that these were primarily related to the existing freight operations at the Airport although there were localised concerns about the Tui operations. In particular, the noise levels resulting from the operation of 2 specific aircraft by operator Air Atlantique were raised. General aviation training using a variety of light aircraft types during the day was also the subject of complaint about noise and general disturbance.
- 3.4 The City Council raised these matters with both Warwick DC and the appellants seeking, through the mechanism of a Section 106 Agreement, that overall noise controls be introduced. The City Council have considered the matters included in the Heads of Terms statement that the appellants have produced in connection with both the 2003 and 2004 applications and are satisfied that these provide the basis for satisfactory mitigation measures. The City Council would therefore ask the Inspector, if he is minded to grant planning permission, to include such requirements as a pre-condition of the grant of planning permission.
- 3.5 With regard to air quality, the City Council was already aware of problems at the Toll Bar End junction of the A45/A46. The concentration of pollutants were known to be close to the level where a statutory Air Quality Management Area (AQMA) would need to be defined and there was a concern that increases in pollutant levels from either air or road traffic sources related to the Airport would result in the threshold being reached. This would require the definition of an AQMA and the preparation of an action plan to deal with the problem.
- 3.6 The City Council raised these matters with both Warwick DC and the appellants seeking, through the mechanism of a Section 106 Agreement, that the Airport contribute towards monitoring air quality and the possible introduction of appropriate mitigation mechanisms. The City Council have considered the matters included in the Heads of Terms statement that the appellants have produced in connection with both the 2003 and 2004 applications and are satisfied that these provide the basis for satisfactory mitigation measures. The City Council would therefore ask the Inspector, if he is minded to grant planning permission, to include such requirements as a pre-condition of any grant of planning permission.
- 3.7 Members of the public raised concerns related to fuel dumping and odours from aircraft operations with the City Council. These have been investigated and found to be either unfounded or within generally accepted limits.

- 3.8 With regard to road traffic, the Highways Agency intends to further improve the Toll Bar End junction. This takes the form of an underpass taking traffic moving along the A46 directly through the junction with an enlarged roundabout and new link road providing additional capacity for A45/A46 and local traffic movements. The City Council has been informed that the Highways Agency are now out to tender on the construction contract for these works. The indication is that , following all appropriate statutory processes, a start on site is anticipated no later than 2008. Whilst this might satisfy the demand for private vehicle movements associated with the Airport and the Highways Agency, the City Council is concerned to ensure that the Airport is accessible by a choice of means of transport.
- 3.9 The City Council raised these matters with both Warwick DC and the appellants seeking, through the mechanism of a Section 106 Agreement, that the Airport contribute towards the provision of public transport facilities for both passengers and staff as well as appropriate measures to encourage walking and cycling. A bus service linking Coventry railway station and the Airport has recently begun operations on a commercial basis and the City Council welcomes this. The City Council have considered the matters included in the Heads of Terms statement that the appellants have produced in connection with both the 2003 and 2004 applications and are satisfied that these provide the basis for satisfactory surface access measures. The City Council would therefore ask the Inspector, if he is minded to grant planning permission, to include such requirements as a pre-condition of the grant of planning permission.
- 3.10 With regard to concerns over trees, the City Council has accepted that it had to act in accordance with a CAA requirement to reduce the height of trees in Willenhall Wood which it owns. This work was carried out in accordance with all appropriate statutory requirements. With regard to the more general impact on ecology, the City Council concurs with the findings in the Warwick DC Report on the 2003 application that there would be no significant impact.

4 THE PLANNING BACKGROUND

4.1 The planning background to the situation consists of:

- the Air Transport White Paper 2003;
- the Regional Spatial Strategy (RSS) 2004;
- the Warwickshire Structure Plan Alterations (WASP) 2001;
- the Warwick District Local Plan 1995; and
- the First Deposit Draft of Warwick District Local Plan 2003.

The last of these has passed through its Deposit Period and will have some relevance.

5.2 With regard to the White Paper, this dealt only briefly with Coventry Airport and recognised that a planning application had been submitted for a passenger terminal capable of handling a total of 2 million passenger movements annually (i.e. 1 million out and 1 million in). It stated that:

"... 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."

- 4.2 With regard to the RSS, the relevant Policy is T 11. This is caveated by a statement saying that it will be reviewed when the outcome of the Air Transport White Paper 2003 was known. This review work is currently being carried out by consultants under the instruction of the Regional Transport Group, including a City Council officer. The intention is to report by June 2005 and the work will then feed into the forthcoming partial review of the RSS.
- 4.3 The existing Policy, at Section F, requires authorities to include policies in their Development Plans for the assessment of proposals for the expansion of the Airport. These policies should point to the need for environmental assessments leading to appropriate mitigation or compensatory measures together with public transport provision if passenger flights are envisaged.
- 4.4 The existing Policy, at Section G, indicates support for developments that provide complementary services to Birmingham International Airport (BIA) subject to the above assessments and measures.
- 4.5 With regard to WASP, the current Warwick District Local Plan and the emerging replacement Plan, these were dealt with in Warwick DC's Planning Committee Report of 11 September 2004 dealing with the 2003 application.
- 4.6 The City Council concurs with the conclusions in that report which were that:
- There was no firm evidence that the proposal would seriously prejudice the implementation of National or Regional Policy in respect of Air Transport;
 - The principle of the proposal did not conflict with the requirements of Development Plan policy or any other material considerations;
 - The proposal would not be likely to conflict with the environmental criteria established in National Guidance, Regional Planning Guidance and Development Plan Policy (except surface access), provided that the proposed mitigation measures were to be put in place on the basis of the proposed draft Heads of Terms, subject to the details of the individual measures being satisfactorily resolved;
 - The proposal was not in accordance with the criteria established in Regional Planning Guidance and Development Plan policy in that it had not been demonstrated that its impacts upon the highway network would be acceptable or that they could be sufficiently mitigated to make them acceptable.

5 ECONOMIC BENEFITS

- 5.1 Economic benefits to the City and Sub-region arising from the Airport development consist of three strands:
- Direct employment:

- General diversification of the local economy and business growth: and
 - Tourism.
- 5.2 With regard to direct employment, the City Council understand that 36% of this comes from the Coventry City Council area, 18% from Nuneaton and Bedworth BC, 13% from Warwick DC and a further 9% from the rest of Warwickshire.
- 5.3 The August 2004 position is that 370 jobs have been directly created over the baseline 2003 figure and there are predicted to be a further 110 jobs created through the "multiplier effect". This is estimated to have generated an extra £11M in wages and salaries by 2004 over the baseline 2003 figure. This is a significant increase and should be given a considerable weight.
- 5.4 With regard to the general diversification of the local economy, the Regional Economic Strategy promotes (Pillar 1) a diverse and dynamic business base and (Pillar 3) conditions for growth in the Coventry and Nuneaton Regeneration Zone.
- 5.5 The Tui operation has introduced a new sector of employment related to both ground-based and air-based employment. Further growth at the Airport would both continue this process and, it is predicted, lead to new opportunities for service businesses. This is important in the context of the continued decline in the manufacturing sector and the need to counteract the vulnerability that this introduces by diversifying the local employment base.
- 5.6 The Tui operations have also improved the City's accessibility to European markets. There are many multinational companies based in the City who may benefit from new and improved linkages. The City also works hard to improve its attractiveness to foreign-based businesses who may consider or reconsider the City as an accessible location on the basis of these services.
- 5.7 With regard to tourism, the new operations serve a number of destinations which may well be interested in developing short-break holidays to a City and Sub-region that has significant cultural, historical and economic associations. The most significant of these is probably the Shakespearean connection but the castles of Warwick and Kenilworth and the cathedrals in Coventry are major tourist destinations and the City and area's association with the development of the global motor industry is of interest to a number.

6 SUSTAINABILITY OF LOCAL AIRPORTS

- 6.1 The City Council has considered wider surface access matters in accordance with advice in Planning Policy Guidance Note (PPG) 13.
- 6.2 People travelling by air from the Coventry area traditionally used the long-established major Airports including Heathrow, Gatwick, Manchester and Birmingham. The introduction of cheap holiday packages including flights in the 1960s led to the use of airports such as (Nottingham) East Midlands, Stansted and Luton as well.

- 6.3 With the exception of Birmingham, which does not operate to some of the desired destinations, all these locations were at some distance from Coventry and at least difficult to access other than by car or possibly coach. Although many of the airports have made attempts to increase their accessibility by rail, this remains a less than popular mode as part of a holiday journey.
- 6.4 Low-cost operations using local airports such as Coventry but also Bristol, Cardiff, Leeds/Bradford and Newcastle means that people have a wider choice of destinations from a location that can be accessed conveniently. This may be by persuading a member of the family or friend to transport the traveller, a taxi or private hire vehicle is likely to be practicable or local public transport may be available. While this increases local journeys, it reduces the need to travel to any of the more remote airports.

7 CONCLUSIONS

- 7.1 Because of its pattern of development historically, there are no restrictions on the operation of Coventry Airport beyond safety-related aspects.
- 7.2 The City Council has had regard to the predicted environmental conditions at the Airport and has concluded that:
- Subject to appropriate mitigation measures, noise levels will not be a significant objection;
 - Subject to appropriate mitigation measures, air quality will not be a significant objection;
 - Subject to appropriate measures to develop access by alternatives to the private car, road traffic will not be a significant objection;
 - There are no other significantly harmful environmental impacts.
- 7.3 The City Council has considered the planning background to development at the Airport and has concluded that:
- The various proposals that have been made for the Airport so far are in accordance with the Government's White Paper;
 - The various proposals that have been made for the Airport so far are in accordance with the Regional Spatial Strategy provided that the mitigation and traffic measures mentioned above are provided;
 - The various proposals that have been made for the Airport are in accordance with the local planning framework.
- 7.4 The City Council has considered the economic benefits that might be obtained from development at the Airport and has concluded that these are significant.
- 7.5 The City Council has considered the sustainability of local airports and has concluded that, while air transport is inherently unsustainable, local provision will reduce the wider need for travel in accordance with PPG 13.

7.6 Overall, the City Council has concluded that, subject to the various measures set out above, the proposal ought to be given planning permission and recommends this to the Inspector.