

FACC Questions - February 2019

Two questions submitted by Geoff Marks – FARA.

Airport Policies in the New Local Plan

Following the completion of a Planning Inspectorate Examination in Public, Rushmoor has adopted a Local Plan that will inform its airport policies up to 2032. The Inspector concluded that Rushmoor's third party risk and noise policies based on modelled annual individual contour and Laeq noise contour limits is sound. This submission questions those conclusions.

Third Party Risk

Public Safety Zone (PSZ) modelling is based on an operator's forecast of a total number and a mix of aircraft movements. PSZ contours submitted by TAG in support of its planning application and subsequent 2010 Appeal, were also adopted by Rushmoor as the limiting annual individual risk contour lengths in the planning permission for 50,000 atms of business aviation.

Annual risk contour audits are undertaken by NATS to demonstrate that Rushmoor's limits, and the DfT's PSZ policy, are not been breached. In a standard preamble the audits note that "The risk contour limits were defined for the current planning permission using predicted traffic data for 50,000 movements at the airport." It follows that Rushmoor's planning permission recognises limiting contours modelled on the basis of a number and mix of aircraft including a forward estimate of the 'other movements' that fall outside the parameters of the planning permission. Contour lengths increase as the number of movements and/or mean weight increases. Therefore, the PSZ/Rushmoor individual risk contour limits will inevitably always constrain the movements subject to the planning permission to a level below the 50,000 'commercial' atms limit.

Question. Rushmoor has no control over the contour modelling process. A lack of transparency in the DfT's PSZ modelling process appears to be insurmountable, and a clear distinction between Rushmoor's and the DfT's contours has been lost. The straightforward atm movement limit is readily understood by all. Therefore, would the FACC please ask Rushmoor and the Inspectorate to justify the retention of the risk contour policies in the local plan, together with the contour auditing requirement, when the Council's duty of care is being fully met by compliance with the DfT's **current** PSZ policy? This is a question that the DfT may be addressing in its review of PSZ policy.

Noise

The current allowable area of a Laeq noise contour is modelled on the basis of the permitted 50,000 business aviation movements, unlike the risk contours which include an estimated number of 'Other movements'. The exclusion of 'Other movements' in the modelling of the noise contour is defended by the Inspector on the grounds that they are "lawful, previously established, and operate outside of a planning permission relating to civilian movements." Business aviation movements were also 'lawful and previously established' before being brought under planning control in 2003. This was done with the express agreement of the MoD presumably because it paved the way for its eventual withdrawal and sale of the site.

From Rushmoor's perspective, it is the duty of a public authority to act judicially, ie. fairly, whenever it makes decisions that affect people's rights or interests. It would appear to be untenable to consider 'Other movements' of any passenger aircraft at TAG Farnborough airport as anything other than a civilian operation.

Question. On the above grounds, would the FACC please formally request Rushmoor and the Inspector to reconsider the exclusion of 'Other movements' of passenger aircraft types in the modelling of the allowable Laeq noise contour?

A response to the questions was submitted to and read out by the Chairman at the meeting:

Please find below the Council's response to the questions raised.

The opportunity to make formal representations to the Council on the policies proposed within the draft Local Plan was when it went out to full public consultation both in 2015 (the 'preferred approach') and in 2017 (the 'draft submission' version). FARA made representations at each stage, including the points raised in the submitted question.

Examination of the draft submission Rushmoor Local Plan took place in May 2018. FARA appeared at the Examination and made representations directly to the Inspector. After carefully considering all comments and representations to her, she has now concluded that the Local Plan is 'sound' and that it provides an appropriate basis for the planning of the borough, subject to some modifications (which did not relate to the flying policies). At Rushmoor's Cabinet on 5th. February, Members accepted the modifications and unanimously agreed to recommend the new Local Plan to Full Council for adoption.

The Local Plan will be considered for formal adoption by the Council on 21 February 2019 (this evening)

Further detail can be found on Council website: <https://www.rushmoor.gov.uk/rushmoorplan>

The process of the preparation and consideration of the Local Plan is now complete. The Inspector has closed her Examination and there is no opportunity to re-open it.