

- 1.5 To summarise, the planning application is a hybrid application with full planning permission being sought for a number of changes to upgrade the existing airfield. These include:
- the formation of a lit paved runway with parallel grass runway to replace 02/20. The new runway would be of an almost identical length to the current one, although its width would be reduced from 32m to 25m;
 - formation of a parallel grassed runway for use by historic aircraft;
 - formation of a landscaped bund to run parallel with the runways and mark the boundary with any development to the north west;
 - re-siting of two existing helipads;
 - formation of a new 10m wide taxiway;
 - erection of two hangars (5 and 6);
 - erection of a hub building with control tower and office/admin facilities;
 - car parking areas, fencing and gates, family viewing area and a memorial garden together with the removal of portable structures;
 - erection of a new hangar type building for MAPS use for the foreseeable future.
- 1.6 Other elements have been included that do not appear to require planning permission but are mentioned for the sake of completeness. These include the creation of a parallel grass runway for use by historic aircraft, the refurbishment of hangar 3 and the minor refurbishment of hangar 4.
- 1.7 The applicant's agent has identified several operational elements which include a limit of 40,000 movements per annum and a reduction in weekday hours from 24 hours to 0730-1930. There would also be a reduction in weekend and Bank Holiday hours from 24 hour operations to 0830-1730. Home based aircraft would retain the right to use the airport until dusk or 2100 hours.
- 1.8 Runway lighting would remain as existing, although replaced with all other lighting on site being designed to be low level and compatible with aircraft safety.

2. Reason for reporting to Committee:

- 2.1 This is a locally significant project that has attracted considerable interest amongst residents within the boroughs of both Tonbridge and Malling and Medway.

3. The Site:

- 3.1 The application site is located on the south western edge of the Medway towns and is under the ownership of Medway Council. It is stated that since 2000 the site has been leased to Rochester Airport Ltd (RAL) although the last lease expired in January 2014. Following extensive discussions and adoption of a Master Plan RAL has now been granted a further 25 year lease.
- 3.2 The majority of the site falls within the Medway Council area with the exception of two small areas on the western side that fall within Tonbridge and Malling Borough. As a result two identical applications have been submitted, one to each Authority, with Medway being the lead determining Authority.
- 3.3 The two parts of the site that fall within T & M Borough include part of the area which is reserved for future development and the southern tip of one runway.
- 3.4 The site can be reached from several points leading from Maidstone Road (A229), Rochester Road, Laker Road and Marconi Way. The site is adjoined by retail and hotel development fronting Maidstone Road and also the Medway Innovation Centre and BAE Systems complex of industrial buildings. To the south of the site is the Woolmans Wood Caravan Park.
- 3.5 The airport site comprises a cluster of buildings and structures positioned towards the southern end of the site including hangars, workshops, café, portacabins and the control tower.
- 3.6 The airport currently has two cross wind grass runways, 16/34 and a lit and drained 02R/20L, with a parallel relief runway 02L/20R. Runway 02/20 extends to some 830m in length and has a width of 32m. It is stated that the current use of these runways is split approximately 70% on vehicle runway 02/20 and 30% on 16/34. The airport is used by leisure flyers, for pilot training, emergency services, very light cargo traffic, surveys for utility companies, MoD and aerial photography. Due to the length and type of the runway the use is self-limiting in terms of the types of aircraft able to use the airport.
- 3.7 It is stated that the airport currently handles some 32,000 movements per annum although this number will fluctuate according to weather and economic conditions. There are currently no restrictions on the number of daily flights and on a busy day this could reach 400-500 movements. There are currently no restrictions on the days or hours of operation. Emergency services and the military are able to use the airport 24 hours a day. At present there is no clearly defined "airside" or "landside" so that staff within the various buildings have to pass close to the end of runway 16/34 in order to access hangars, car parking and other buildings.

TM/14/03341/FL

Hybrid Application: A: Formation of a lit paved runway with parallel grass runway, formation of grassed bund, re-siting of helipads, erection of two hangars, a hub building with control tower and associated building, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures (identified on plan) and removal of portable structures.
and B: Identification of future development site (outline submission)

TM/14/03594/CNA

Consultation by Medway Council: MC/14/2914 Formation of a lit paved runway with parallel grass runway, formation of grassed bund, re-siting of helipads, erection of two hangars, a hub building with control tower and associated building, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures and removal of portable structures and identification of future development site
and B: Identification of future development site (outline submission)

5. Consultees: received since 20 November 2014

- 5.1 KCC (Heritage): Notes the site lies in an area of archaeological and historical interest relating to past discoveries of ancient archaeological remains and arising from the site's more recent use as an airfield. Past discoveries have revealed evidence of archaeological activity of prehistoric and Romano-British date. It is noted that the submitted archaeological desk-based assessment concludes that the site has a low to moderate possibility that remains of regional significance could be found within the proposed development area and that archaeology related to the Second World War may be uncovered. A planning condition is recommended stating that no development shall take place until the applicants have secured the implementation of a programme of archaeological work in accordance with a written specification and timetable to be submitted to the Local Planning Authority.
- 5.2 KCC (Highways): The current proposals subject to this application would not be likely to have any significant implications on the highway. The future development however of land currently used for runway 16/34 will require a transport assessment.
- 5.3 Highways Agency: Note that the changes to the description of the development area adequately address their previous concerns. Subsequently the Highways Agency has indicated that they do not expect an increase in traffic movements from the airfield application alone. No objection is now raised.

- 5.4 Environment Agency: In respect of the additional information the EA have obtained a clearer understanding of the existing and proposed operations and potential impacts on the environment. It is understood from the documentation that betterment will be achieved by the development in terms of pollution risks with regards to fuel storage, management and control. There is also a clear undertaking that relevant site investigations will be carried out and any existing facilities will be fully decommissioned and any necessary remediation carried out. It is considered that planning permission could be granted if several planning conditions are included to protect the underlying ground water from the risk of pollution.
- 5.5 Civil Aviation Authority (CAA): To date the CAA has not received a submission for approval from Rochester Airport for the proposed runway project. Should a submission be made it will be assessed for compliance against the applicable licensing criteria which is designed to ensure that the aerodrome is safe for use by aircraft. The assessment of the project does not take into account any planning application decision as this goes beyond the jurisdiction of the CAA.
- 5.5.1 The CAA confirm that Rochester does not currently have a Public Safety Zone (PSZ). This designation is based on traffic movements (commercial, cargo and private) and the aircraft types that operate at the aerodrome. Currently only the 30 largest aerodromes in the UK have PSZs.
- 5.5.2 The aerodrome team focuses on making sure the licenced operator complies with the regulations placed on it in term of facilities and infrastructure. There are several requirements in place to protect the surfaces around licenced aerodromes which are in place to ensure the environment remains safe for the aircraft to operate. Details of these can be found in CAP 168.
- 5.5.3 It is not unusual for aerodromes to have only one runway. The length and width of the runway will affect and dictate the size of aircraft that are able to use it under the conditions of the licence.
- 5.5.4 A senior inspector from the CAA has stated that he is not aware of any safety implications for residents in the airport's vicinity brought about by the closure of the cross wind grass runway (16/34). As the strongest winds we experience in this area are generally from the south west they will favour the upgraded runway 20.
- 5.5.5 Pilot training processes and testing are conducted in accordance with the requirements of Aircrew Regulations which details what is needed for each licence. There are certain rules of the air that dictate the minimum heights for certain exercises. Engine failure and stalling practice should not be conducted over urban areas because it would not be possible to land in a safe area in the event of an emergency.

- 5.6 Natural England: Having reviewed the application and in particular noise and visual impact, Natural England does not wish to comment on this development. The proposal relates to the Kent Downs Area of Outstanding Natural Beauty and it is recommended that the advice of the AONB partnership organisation is sought regarding any impact upon the wider landscape setting.
- 5.7 Kent Downs AONB Unit: Rochester Airport is located immediately on the boundary of an AONB, a protected landscape of national importance and falls within its setting. The proposals should therefore be tested against the requirements of the NPPG and the statutory duty of regard to conserve and enhance the landscape character and scenic beauty of the AONB.
- 5.7.1 Tranquillity is a significant element of the landscape character of the Kent Downs. Appeal decisions on previous proposals to expand aviation operations in or within the setting of AONBs have confirmed that tranquillity is to be treated as a much valued attribute.
- 5.7.2 Given that any enhancement of the airport facilities here is likely to increase the attractiveness and usage of Rochester Airport, as both a visitor attraction and as a venue for flying, it is imperative that such works do not result in an unacceptable increase in noise and visual disturbance which would have a harmful impact on the noise environment and tranquillity of the Downs. This concern was raised by Natural England at an early stage in these proposals in response to the EIA Screening application where noise and visual impacts were identified as possible "Significant indirect impact".
- 5.7.3 The Kent Downs considers that no assessment has been undertaken of the impact of the proposals on the AONB. They consider that the Acoustic Report fails to address any acoustic impact of the proposals on the tranquillity of the AONB. Impact analysis is confined to adjoining residential areas only. In particular the concentration of future use of runway 02/20, its change of surface to a tarmac paved runway and usage of the two proposed helipads to the south of the airport. The Kent Downs AONB unit considers that the applicants have failed to address how the noise contours of the AONB will be affected. Given that all flights will overfly the AONB and at a low level, it is vital that the impact on the tranquillity of the AONB is adequately examined before this application is determined. The Unit therefore currently strongly objects to this application as it is contrary to policies SD1, SD3 and SD7 of the AONB Management Plan 2014-2019.
- 5.8 Kent Fire and Rescue Services: Confirm that the means of access is considered satisfactory.

Consultees received before 20 November 2014:

- 5.9 Burham PC: Would not like to see an increase in the number of flights over Burham or larger noisier aircraft using the new runway. Airport to close and become a business park providing more employment for Medway and the surrounding area.
- 5.10 Aylesford PC: No objection.
- 5.11 Wouldham PC: Supports the application.
- 5.12 Environment Agency: Object to the application on the grounds that there is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable. The site is an extremely sensitive setting overlying a principle aquifer and in an SPZ of a public water abstraction point. There is no information on pollution control measures, fuel storage and re-fuelling areas or management of any de-icer equipment. There is no site contamination report indicating where previous pollution could have occurred, how this was addressed in the past or still requires to be addressed. The applicant should therefore provide information to satisfactorily demonstrate how these matters can be overcome.
- 5.13 Kent Wildlife Trust: The application is the product of a fundamental review of operations and development at the airport at the start of a new lease period. It represents an excellent opportunity to consider how this extensive open area of land could be adapted and its habitats managed to achieve a significant enhancement of local biodiversity.
- 5.13.1 The ecological scoping survey report recommends a series of measures to achieve this goal and those that do not conflict with operational procedures are supported. The Trust is keen to see the implementation of the works to the pill box, broadening the native floral composition of the amenity grassland and adopting a Biodiversity Management Plan to steer the continuing maintenance of the grassland and other key habitat features. It is recommended that these measures are implemented by way of planning conditions. It is also considered that the applicants should be asked to consider the use of green/brown roofs to the buildings. A condition is recommended to prevent an increase in the number of flights into and out of the airport in any one year.
- 5.14 Private Reps: Initially, 1696 letters of representation were sent to residents of T & M Borough and 5620 were sent to addresses in Medway Borough by T & M. At the time of preparing the report representations had been received from 67 addresses raising objections to the application. Representations had been received from 27 addresses in support of the proposal. Some residents have made representations on more than one occasion.

5.14.1 Neighbours in support:

- Twenty five year lease states that Runway 16/34 will close and so traffic will be concentrated on 02/20.
- Aircraft will be able to leave the ground more quickly from a hard runway and achieve greater heights.
- Take-offs should be safer and less noisy from a hard runway.
- Improvements to one of Medway's assets is long overdue.
- Aircraft movements have been diminishing due to weather conditions.
- Cost of improvements is being paid for partly by Medway Council and partly by the operator.
- Hard runway is same length as the existing and its depth and design would only support light aircraft and not heavy or jet aircraft.
- Cap on movements and airport hours will be more restrictive than current situation.
- Airport is an asset to business, job creations and heritage for Medway.
- Concerns about the submitted noise survey.
- Aircraft can leave hard runway sooner than on grass and achieve greater distance from the ground in a shorter period. Aircraft can then turn more quickly.
- Miniscule amount of land falls in TMBC borough.
- Increase in flights does not necessarily lead to an increase in road traffic movements.
- Commercial viability of airport is not a concern of the public but a risk by the investors.
- Airport capacity in the south east is declining. Rochester Airport is a vital part of the strategic network of small airports.
- It is at the risk of the applicant to design an airport that is CAA compliant.
- A third party risk analysis is not required by law.
- Flight paths from the west will be reduced.

- There would not be a concentration of aircraft over T&M Borough.
- Misinformation is being spread by a resident in the area.
- Upgrade of buildings and facilities is welcomed.
- Welcome inclusion of public facilities into the scheme and provision for MAPS.
- T & M would benefit economically even if it does not share in the investment involved.
- Support for natural habitats at the airport to support birds and wildlife.
- The alternative to use the site for extra housing is not welcomed in the area.
- Airport is needed to provide training and is a crucial feeder for the pilot needs of the airline industry.
- People should not purchase properties in the vicinity of the airport if they are not happy with overhead flying.
- Cap on movements and control over aircraft size of operating hours will create a much improved environment.
- Rochester Airport is well placed to serve north Kent for energy purposes.
- The extent of the licence will regulate flying activity.
- The proposals would secure the long term future of a much loved airport.
- Small airfield infrastructure is being threatened.
- Rochester is an historic airfield and this proposal will enable it to continue to flourish and provide training and leisure facilities.

5.14.2 Neighbours objections:

- Increase in air movements and associated noise and safety hazard. Thousands more people will be at risk.
- Increase in take-off noise and frequency of noise disturbance close to residential areas.
- The submitted noise assessment included incorrect and misleading information. The 10 assessment period only included one weekend and should have covered a two weekend period, as these are the busiest flying times.
- Characteristics of the airport will completely change.

- No appropriate or adequate mitigation can be carried out by way of conditions or effective enforcement. How will noise level be minimised and mitigated?
- Criminal negligence, if the airport is allowed to expand in an area that is now urbanised. There could be criminal and financial liability.
- Altered flight path and hard surfacing could lead to year round flying facilities.
- Application would offer no benefits for the local community and could ruin thousands of lives.
- Low level repetitive circuits by those training to fly. Circuit flying should be banned at the weekends.
- Repetitive noise from helicopters and gyrocopters. Peak noise interruptions.
- Possible structural damage from the vibration of aircraft.
- Higher levels of air pollution.
- Loss of local amenity.
- Proposed runway may not be CAA compliant as no approval documents have been provided by the applicants.
- No emergency drop zones. It is the responsibility of the LPA to ensure mitigating measures are implemented to identify where potential for a hazard is most likely to occur and to mitigate against this inevitability.
- The proposed runway design would fail to provide Runway End Safety Areas (RESAs) of a size that would conform with the requirements of the CAA. The taxi way would encroach into the RESA.
- Turbo jet engines which are very noisy will be able to operate from this length of hard runway.
- Loss of respite because of increased additional air movements.
- Proposals will result in additional vehicle activity in the area. This will add to congestion at Laker Road, A229 etc.
- The proposed bund needs to be of adequate height, otherwise it could lead to noise seepage.
- Object to loss of runway 16/34 and associated reduction in available space for landing.
- Noise from gyrocopters doing circuits.

- Representations should not be taken from outside the area. Many people who fly from the airport do not live locally and so are unaffected by the impacts.
- Runway in very close proximity to housing, businesses and a number of schools etc.
- Should have been full public consultation in advance of the planning application.
- The airport is already dangerous and noisy. Noise and safety have not been properly addressed.
- No mention has been made of providing customs facilities.
- Site would be better used for industrial or housing purposes.
- The area cannot support any more traffic if the land currently occupied by the grass runway is redeveloped.
- The proposal will result in claims under the Land Compensation Act 1973 for a loss in property values.

5.14.3 Other matters raised:

- Waste of tax payers money.
- Impact on property values. A compensation fund should be provided.
- Additional traffic and noise during the construction phase.

5.14.4 The objections raised also reference a number of matters concerning procedure which are summarised as follows:

- These proposals are considered to represent a Public Infrastructure Project
- An Environmental Impact Assessment should have been a requirement for this proposal to make an adequate assessment.
- A public safety risk and societal risk analysis have not been carried out.
- A controversial development such as this should be referred for assessment by the Government's Planning Inspectorate as was the case with Redhill and Farnborough. Medway should have carried out pre-application consultation prior to the application being submitted.

- In addition objectors have stated that the scheme has been a waste of taxpayers' money, will impact upon property values (suggesting that compensation be paid) and that additional traffic and noise will arise during the construction phase.

6. Determining Issues:

- 6.1 Planning application decisions must be made in accordance with the Development Plan unless material factors indicate otherwise. Both of the relevant Development Plans (that in TMBC area and that in Medway Council area) predate the publication of the NPPF and Planning Practice Guidance and the analysis below takes that position into account.
- 6.2 Other material considerations may include other documents and policies applicable to the type of development proposed and, most importantly, the historic planning commitments and controls that apply to the site and form the baseline rights against which any proposed uses must be judged. In this case the planning rights to fly predate the introduction of planning controls in 1948, and there is no *planning* control over the number of flights, or hours of flying, nor is there any current *planning* control over the nature of the aircraft (whether fixed-wing, rotary-wing or gyrocopter) that can fly from the site. There may possibly be controls over such matters through other legislation/controls but there is no *planning* control over flying at present.
- 6.3 In addition representations have been made in respect of some procedural aspects of the proposal – the report deals with this aspect before moving on to policy matters and other material considerations.
- 6.4 Representations have also been received in respect of the merits of the proposal and these views are reviewed below
- 6.5 As mentioned in the previous report of 20th November, two submissions were made to Medway Council for an Environmental Impact Assessment (EIA) "Screening Opinion" for the proposed works. In relation to the first submission a decision was reached by Medway Council that an EIA was necessary due to the characteristics of the project and the identification, following consultation with statutory bodies, of potential likely significant effects on nearby sensitive areas. This decision was reached following submissions made by Natural England and KCC.
- 6.6 Subsequently the impacts identified by Natural England were addressed by the applicant in more detail and a second screening submission was made identifying limitations of levels of flying, as intended by the applicant. As a result, in August 2014 Medway Council issued a further "Screening Opinion" to the effect that subject to certain constraints on flying practice no EIA would be necessary.

- 6.7 TMBC is aware that approaches have been made to DCLG that may lead to a challenge to the Medway Screening Opinion but we are not aware that this has been formally pursued.
- 6.8 Medway Council was not required to consult TMBC on the EIA Screening process and did not do so. On the basis of a review of the relevant legislation and guidance, in particular the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (which in the UK enacts the provisions of the European directive on the assessment of the effects of certain public and private projects on the environment most recently codified in directive 2011/92/EU which itself was amended on 15 May 2014) and the guidance found in DCLG Circular 02/99 which provides indicative criteria for the need for EIA, there is no reason to question the Medway Council judgement on the second Screening Opinion.
- 6.9 The Development Plans relevant to the consideration of the proposed development are the Tonbridge and Malling Core Strategy 2007 and the Medway Local Plan 2003, which together cover the whole of the application site.
- 6.10 The NPPF provides the national policy context for determining planning applications. Amongst its aims the NPPF states that the planning system should do everything to support economic growth and should not act as an impediment for sustainable economic growth and should support existing business sectors. Planning authorities should seek to secure a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings. Emphasis is also placed on conserving and enhancing the natural environment and minimising impacts on biodiversity. NPPF is supported by DCLG Online Policy Practice Guidance (PPG) which was released after NPPF and is a dynamic and frequently updated resource and is to be used in combination with NPPF.
- 6.11 The TMBCS, and its associated Development Plan Documents, was adopted some time before the NPPF/PPG were published. Relevant policies are CP1 (sustainability) and CP7 (development affecting an AONB) in so far as the part of the site in TMBC area is quite close to the AONB boundary, which is on the southern side of the M2, and planes from the site will take-off/land directly over the AONB. Policy CP24 concerning the standard of development is also relevant. Policies within the MDEDPD of relevance include SQ6 (impact of noise), NE3 (impact of development on biodiversity) and SQ4 (air quality) but both the SQ policies are effectively superseded by NPPF/PPG. There is no site specific policy relating to airfield development in any TMBC planning policy.
- 6.12 The Medway Local Plan 2003 covers the vast majority of the site (excluding land in the TMBC area). There is one specific "saved policy" (this was saved in 2007 under procedures in place at that time and remains saved) which deals with aviation development, T23, and that policy and its preamble reads:

"The local plan is proposing to develop a science and business park at Rochester Airfield which would result in the closure of one of the main runways. However,

with the appropriate investment in the remaining runway and other aviation related facilities within the airport, the level of activity could increase. Policy T23 therefore sets out the criteria against which any future proposals for aviation related development will be measured. Such criteria would also apply to any proposals for new general aviation facilities within the plan area.

POLICY T23: AVIATION RELATED DEVELOPMENT

Development proposals at or affecting Rochester Airport and any proposed new aerodromes, will be considered against the following criteria:

- (i) compatibility with existing or potential aviation operations;*
- (ii) the scale and nature of the proposed development, taking account of the existing amount of activity on the site;*
- (iii) the economic and employment benefits of the development;*
- (iv) the proposals for a science and technology park at Rochester Airport in policies S11 and ED5;*
- (v) the impact upon residential and other noise sensitive properties;*
- (vi) traffic generation;*
- (vii) other environmental and social impacts; and*
- (viii) accessibility from the urban area of Medway.*

(N.B. Policy S11 mentioned above was not “saved” in 2007 but ED5 was. ED5 identifies the Airfield as a potential employment area.)

Other Medway policies are relevant in terms of impact on the AoNB, noise impact, traffic impact and archaeology which have more direct relevance to the significant proportion of the site within the Medway area (including the outline proposal for the new hangers) rather than the small element of runway within the TMBC area.

- 6.13 Medway Council published the Rochester Airport Masterplan in 2014. As the Medway Council committee report, on the parallel application to this case, indicates:

“[Medway Council] Members will be aware that the Rochester Airport Masterplan 2014 has been adopted by the Council and this document, while not constituting an adopted Supplementary Planning Document, nevertheless provides a framework for the evolution of development proposals at the airport and its contents are therefore a material planning consideration.”

- 6.14 The Masterplan, produced by Medway Council, was neither produced nor endorsed by TMBC although a TMBC officer was engaged in discussions surrounding the document in light of the cross-boundary implications. The Masterplan is neither a planning document nor was it subject to statutory planning consultations (but it is understood that wide ranging public contact was sought). As such it can play only a very limited part in the decision making process by TMBC. It is aspirational rather than giving any clear guidance as to how the project now embodied in the planning application meets the requirements of either of the relevant Development Plans and other material planning considerations. It has

been suggested by a third party that somehow Medway Council failed to carry out proper consultations on the Masterplan and not in compliance with the Medway Statement of Community Involvement. It is believed that public consultation was carried-out by post. A minute from the Medway Council meeting of 23.01.2014 reads *“The Council received 908 responses to the consultation held from 22 July 2013 to 20 September 2013. The report provided details to the background of the consultation responses, the concerns raised and the Council’s response to those concerns including any proposed amendments to the Masterplan.”* As indicated above the Master Plan itself is of limited status and relevance in this decision.

- 6.15 Reference has been made by some third parties to a leaflet entitled “Rochester Airport, the future”. It is understood that this was produced by Medway Council and circulated as part of the wide debate on the future of the Airport. It was not produced or approved by TMBC, which was not involved in the content or production of this leaflet. It has no meaningful status in the current planning decision as it is neither a planning document nor was it subject to statutory publicity.
- 6.16 Reference has also been made, by persons giving their views on this current TMBC planning proposal, to the Rochester Airport Options Study (August 2012), which was commissioned by Medway Council's Asset and Property Services and produced by the TPS consultancy, and which outlined options for the future of Rochester Airport. This document examined potential aerodrome layouts to enhance the viability of Rochester Airport through the implementation of a paved runway and the release of land for commercial development by the closure of one of the airports existing main runways. This document includes aspirations and compares options for the possible changes to the runways. This document was not submitted in support of the current application and is not a planning document or subject to statutory publicity. TMBC had no part in this document and it carries very little weight in this current decision.
- 6.17 In the wider context of commercial aviation the national Aviation Policy Framework (APF) is a collaborative document produced in 2013 by the Secretary of State for Transport. The APF may be a material consideration in planning decisions depending on the circumstances of a particular application. Land use planning and management is one of the elements of the balanced approach identified to be applied to the future of aviation related development and which should be explored when tackling potential or actual noise problems at an airport.

“3.20 Chapter 5 explains the status of the Aviation Policy Framework and its interaction with existing planning guidance and policies. Land-use planning and management is one of the elements of the ICAO [International Civil Aviation Organization] balanced approach which should be explored when tackling noise problems at an airport. In line with the Government’s noise policy, the Government’s National Planning Policy Framework (NPPF) says that planning policies and decisions should aim to avoid a situation where noise gives rise to

significant adverse impacts on health and quality of life as a result of new development, and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

3.21 The NPPF expects local planning policies and decisions to ensure that new development is appropriate for its location and the effects of pollution – including noise – on health, the natural environment or general amenity are taken into account. This does not rule out noise-sensitive development in locations that experience aircraft noise. In the same way that some people consider themselves annoyed by aircraft noise even though they live some distance from an airport in locations where aircraft are at relatively high altitudes, other people living closer to an airport seem to be tolerant of aircraft noise and may choose to live closer to the airport to be near to employment or to benefit from the travel opportunities.

3.22 There can also be other good economic or social reasons for noise-sensitive developments to be located in such areas. However, reflecting Government noise policy, the NPPF is quite clear that the planning system should prevent new development being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Local planning authorities therefore have a responsibility to ensure that the land use element of the balanced approach is implemented in the context of their local plan policies, including any on noise. People considering moving to an area which may be affected by existing aircraft noise also have a responsibility to inform themselves of the likely impacts before moving to the area, and airport operators should ensure that all necessary information to inform such decisions is easily accessible.”

- 6.18 The APF recognises that the aviation industry brings significant benefits to the national and local economy, but that there are potentially costs associated with its local environmental impacts, which are borne by those living around an airport. These include noise, air quality and other local environmental impacts. It is recognised that noise is the primary concern of local communities near airports and that the extent to which noise is a source of tension between airports and local communities will vary depending on factors such as the location of an airport. The APF makes the point that a balance needs to be struck between the potentially negative impacts of noise on health and amenity and the positive economic impacts of flights. As a general principle the Government expects that future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce and mitigate noise as airport capacity grows.
- 6.19 In this case it must be remembered that any noise impacts must be seen in the context of the currently wholly unfettered (in terms of planning controls) flying rights at the site.

- 6.20 The NPPF/PPG now, together, form the framework for consideration of noise in assessing planning applications (as opposed to the previous provisions of policy SQ6).
- 6.21 Local Planning Authority's decision taking should take account of the acoustic environment and consider whether or not a significant adverse effect is occurring or likely to occur or whether or not an adverse effect is occurring or likely to occur and whether or not a good standard of amenity can be achieved. The NPPG advises that as noise is a complex technical issue it may be appropriate to seek experienced specialist assistance when applying the policy of the Noise Policy Statement for England (NPSE). The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation. These include the source and level of the noise and the time of day at which it occurs, the frequency and pattern of occurrence of the noise, the character of the noise and that of the local area. When proposed developments could include activities that would be covered by the licensing regime Local Planning Authorities should consider whether the potential for adverse noise impacts will be addressed through licensing controls.
- 6.22 What NPSE also indicates is that:

“There is a need to integrate consideration of the economic and social benefit of the activity or policy under examination with proper consideration of the adverse environmental effects, including the impact of noise on health and quality of life. This should avoid noise being treated in isolation in any particular situation, i.e. not focussing solely on the noise impact without taking into account other related factors.

What do the aims of the Noise Policy Statement for England mean?

2.19 There are several key phrases within the NPSE aims and these are discussed below.

“Significant adverse” and “adverse”

2.20 There are two established concepts from toxicology that are currently being applied to noise impacts, for example, by the World Health Organisation. They are:

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

2.21 Extending these concepts for the purpose of this NPSE leads to the concept of a significant observed adverse effect level.

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur.

2.22 It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.”

6.23 The NPPG identifies that one way of mitigating the adverse effects of noise would be through planning conditions to restrict activities allowed on the site at certain times etc.

6.24 Most recently (December 2014) a government response was issued to recent media reports about noise complaints. This advised that clear guidance has been issued to Councils that the local character of a place should be taken into account during noise disputes, whilst ensuring councils still have powers to tackle new noise pollution that was not previously present. This is a key factor in the assessment of this case for, as mentioned above, the implications of the proposed runway surfacing are not to be judged in terms of development *de novo* but rather in the context of historic flying rights that are not currently subject to any planning controls. Therefore the Council sought some detailed specialist consultancy advice on aviation noise to assess the proposal in the context of the planning history and the aspirations of NPPF/PPG and NPSE. Following extensive discussions between the TMBC consultant and those acting for the applicant a further Noise Report was submitted early in March (dated February 2015) updating and overcoming some weaknesses in the noise modelling in earlier versions of the studies. This has now been assessed by TMBC’s consultant who is satisfied with the study and its results. The target is to ensure that flights occasioned by the newly hardened runway do not increase the noise impact on any neighbouring residences in the TMBC area and to do this the study models a 57dBA contour which relates to the APF criterion where the Government “*will continue to treat the 57dB L_{Aeq, 16h} noise contour as the average level of daytime aircraft noise marking the approximate on set of significant community annoyance.*” This might be considered to reflect the point of transition into SOAEL. The relevant noise contour is mapped from the modelling and it would appear that no dwelling in the TMBC

area is located in the zone beyond 57 dBA. Medway Council has obviously assessed the impact on the dwellings in their area before reaching a decision to grant permission for the application in their area.

- 6.25 Because of the orientation of the runway there are no dwellings in TMBC area that appear to be likely to be affected by noise above the 57 dBA level if practice, by virtue of approach routes or aircraft type, were unchanged from that actually incorporated into the latest noise study. However on Buckmore Park there are some potentially noise sensitive uses where noise creep between 57 and 60 dBA might be perceived to have an adverse effect. Use of an appropriate planning condition should effect adequate control to prevent the potential for such creep.
- 6.26 Also of relevance is the CAP 168 - Licensing of Aerodromes which is a Civil Aviation Authority (CAA) document which gives guidance to applicants and licence holders on the procedures for the issue, continuation or variation of an aerodrome licence. The document also describes the CAA's licensing requirements relating to operational management and the planning of aerodrome development.
- 6.27 The powers relating to the grant of an aerodrome licence are contained in the Air Navigation Order and should act consistently with the obligations in the UK under the Standards and Recommendations Practices (SARPs). The CAA is expected to implement such SARPs through its policy documents such as CAP 168.
- 6.28 CAP 168 makes reference to Runway End Safety Areas (RESA). These are designated areas at each end of the runway and are intended to minimise the risk of damage to an aeroplane where it overruns or undershoots a runway. CAP168 recommends the minimum requirement for a RESA depending on the classification of the runway. Aerodrome Licence holders are required to contact the CAA on these matters.
- 6.29 Department for Transport Circular 01/2010 – “Control of Development in Airport Public Safety Zones” identifies that the administration of PSZ policy will be carried out by the CAA. The decision on the need for a PSZ rests with the Department for Transport. Currently only the 30 largest aerodromes in the UK have PSZs. The Circular also contains guidance to Local Planning Authorities to enable them to decide planning applications and consider road proposals affecting land within PSZs.
- 6.30 As mentioned in the November 2014 report the operation and safeguarding procedures for pilots using Rochester Airport are matters that would continue to be covered under CAA requirements as they are at the present time. The CAA has confirmed that Rochester Airport does not have a Public Safety Zone. The criteria for having a PSZ is based on traffic movements (commercial, cargo and private) and the aircraft types that operate at the aerodrome.

6.31 It is understood that, to date, the CAA has not received a submission for approval for the proposed runway project. Should a submission be made to CAA it will be assessed for compliance against the applicable licensing criteria which is designed to ensure that the aerodrome is safe for use by aircraft. The assessment of the project does not take into account any planning application decisions as this is beyond their jurisdiction of the CAA as CAP168 points out.

6.32 The CAA has commented to TMBC:

"I spoke to the Senior Inspector and he provided the following comments "I'm not aware of any safety implications for residents in the airport's vicinity brought about by the closure of the cross wind grass runway (16/34). As the strongest winds we experience in this area are generally from the south west, they will favour the upgraded runway 20.

Pilot training processes and testing are conducted in accordance with the requirements of the EASA Aircrew Regulation which details what is needed for each licence. The Rules of the Air and in particular the Low Flying Rules dictate the minimum heights for certain exercises. Engine failure and stalling practice should not be conducted over urban areas because it would not be possible to land in a safe area in the event of an emergency..."

6.33 I am satisfied on the basis of these comments that in safety terms the introduction of a concrete runway does not introduce any further risks. Of course the cessation of the use of the crosswind runway does not, *in itself*, require any sort of planning decision or consideration.

6.34 The application has been considered in relation to the potential highways impacts on the nearby road network including M2. As the development concerned is limited in content (compared to the wider development opportunities reflected in the use of the wider site – see Medway Policies ED5 and T23) so the previously expressed concerns about the need to provide a full Transport Assessment have been addressed by clarification of the description of the development to indicate that it does not include the future development area. Both KCC Highways and the Highways Agency have concluded that the clarified proposals would not be likely to have any significant highway implications on the road network and that there would be little change in the overall context of traffic movements at the site. Parking will be provided within the site to the necessary standards.

6.35 One local resident has made a specific reference to a series of diagrams and graphs which are described as 'residential air movement impact analysis', which has been factored in to the case analysis.

6.36 It has been suggested, by a local person, that there may be some malicious behaviour taking place via email to distort opinion and comments on the application. It was implied that the views of those who may use the airport but who may not live locally had been encouraged to comment in support of the proposal. As mentioned in the November report it is not inappropriate for correspondents

remote from an application site to make comment on an application. As with all response commenting on the application it is not the weight of numbers of comments received that is relevant but the weight of the argument on material planning matters that must be taken into account. Nevertheless we are not aware of any possibly fraudulent emails being received in respect of these applications.

- 6.37 It has also been suggested by at least one local resident that the provisions of the Land Compensation Act 1973 may have some bearing as a material consideration in the Council's planning decisions. This legislation contains provisions relating to the payment of compensation by the operator of relevant infrastructure if the use of that infrastructure has a negative impact upon surrounding land values. My legal advice taken indicates that, even if this is a material planning consideration, the weight attributed to it would be low because the right to make any claim for compensation arises not from the grant of planning permission but the operation of the infrastructure and the provisions bear on the operator and not the LPA. It is not possible therefore to comment on any future claims made under the Land Compensation Act at this stage.
- 6.38 The decision on this application requires the balancing of a number of matters as described above. Inevitably this balancing act has to be performed in assessing the relevance of all of the material matters. In addition to the above, and bearing in mind the provisions of APF in identifying that that balancing process involves both economic factors as well as environmental factors, it should also be acknowledged that since the submission of the applications to both this Council and Medway Council, the Local Enterprise Panel, for Kent, Essex and East Sussex, has voted £4.4 million in favour of the runway project (but of course subject to the planning process), which clearly indicates that, at a sub-regional level, there is a belief in the economic merits of investment of a substantial sum in this project.
- 6.39 The main issues for consideration are the principle of the development, design and appearance, landscaping proposals and highway impact. Effects on ecology and impact on residential amenity in terms of noise, safety and the character of the area, including the AONB.
- 6.40 Rochester Airport is a long established aviation site that has been operational since the 1930s and most importantly since before the inception of the current regime of planning control in July 1948. The base datum for all planning judgements in this case is an unfettered flying regime, in all respects, with no limits on the number of flights, flying hours or aircraft types/sizes. The application seeks to rationalise operations at the airport to enable operational difficulties associated with sustained periods of heavy rain. At the current time it is understood that the existing grass runway can become waterlogged and unavailable for use by fixed wing aircraft.

- 6.41 The application proposes the closure of the grass cross-wind runway and the change of runway 02/20 from grass to hard paving, with additional hangars and replacement control tower. It should be noted that the applicant has indicated that the introduction of a hard paved runway would not result in “*moving into larger commercial aircraft operations as the runway length and width places a clear restriction on the size and type of aircraft that can use the site. Other constraints such as the size of fire service and cost of larger fire & rescue vehicles make it un-viable to take larger aircraft as the income generated would not cover the extra cost.*” This is likely, therefore, to militate against the use of turbofan powered executive jets or larger similarly powered planes as a runway length of 833m is not long enough for this type of aircraft to utilise. It has been indicated that the size and type of aircraft using the airport would not alter appreciably and, subject to satisfactory controls by way of planning conditions, the general principle of the proposed development is acceptable.
- 6.42 The proposed hangars and development at the site would have a generally functional appearance as would be expected in this type of facility in a location such as this. The buildings would be clustered together on one part of the site and would be largely screened from public vantage points outside of the site boundaries. The size and scale of the new buildings is considered to be appropriate in this location and there would be no conflict with the aims of policy CP24.
- 6.43 The application site does not fall within the AONB which is located between 0.4 and 0.6km to the west. This designated landscape area is separated from the airport by the M2 motorway and the route of High Speed 1.
- 6.44 Whilst it is appreciated that there is a physical separation it should be noted that as a result of the closure of runway 16/34, which is not in itself subject to any planning control, there would be an increase in the number of aircraft flying over the AONB on order to take off or land from the single direction runway. As a result this may have an effect on the character of the AONB and the overall visual impact of the AONB by virtue of overflying. Control over flight numbers, as anticipated by Medway Council and accepted by the applicant, will assist in limiting this impact (both on the AONB itself and the *immediately nearby* dwellings, which are mostly in Medway).
- 6.45 Notwithstanding the fact that the principle of the development, the design, appearance and landscape proposals are generally acceptable, it has been necessary for T & M to give detailed consideration to the noise and safety aspects associated with the proposals.
- 6.46 The balanced approach to aircraft noise management described above includes land use planning and management, noise abatement operational procedures (including the routes they follow to limit noise impacts) and operating restrictions

(including possible control of certain noisier types of aircraft from flying generally or at certain times).

- 6.47 The noise effects of the proposal have been assessed in terms of airborne aircraft noise and ground noise. Possible changes in noise levels will result from the concentration of all fixed wing flights on runway 02/20, which is due to some degree to the, uncontrollable, cessation of use of runway 16/34 and the change in the location of the helipad. This has been assessed above in the latest format agreed between this Council's consultant and the applicant's advisors.
- 6.48 There is currently no planning control exercisable over the number of flights using the site and no control that would prevent all flights from using the main runway only, for example through the abandonment of the use of the crosswind runway independently of whether an engineered runway is to be installed.
- 6.49 It is necessary to give weight to the fact that there is currently no PSZ associated with Rochester Airport but on the basis of CAA/DfT controls this appears appropriate for an airport such as this. The grant of planning permission on the basis of the current application would not obviate the need for the applicant to seek CAA/DfT involvement, quite separately, in safety controls in light of the runway changes. Whilst it is acknowledged that there is naturally some risk associated with flying from the site the hardened runway development, *per se*, does not warrant a presumption against the development.
- 6.50 As highlighted above the CAA is responsible for certifying aspects of the runway, aircraft and pilots through their own licencing provisions. The following comments were made by the CAA to TMBC:

"The aerodrome team focuses on making sure the licensed aerodrome complies with the regulations placed on it. This relates to the infrastructure and facilities that are provided by the aerodrome operator, together with the aerodrome operating procedures. There are several requirements to protect the surfaces around licensed aerodromes which are in place to ensure the environment remains safe for the aircraft to operate. Details of these can be found in CAP168, as mentioned above.

It is not unusual for aerodromes to only have one runway, the length and width of the runway will effect and dictate the size of aircraft that are able to use it under the conditions of the licence."

"Once an application has been received by the CAA under the CAP791 development approval process (which would normally follow once planning permission has been granted for the development), the positions and dimensions of the new runway will be confirmed. Any development will be assessed for compliance.

The CAA can only mandate RESA for runways which are required to have them in accordance with CAP168 which outlines RESA requirements at UK Aerodromes. Under the plans the CAA has been informed of, (a Code 2 visual runway), a RESA will not be required at Rochester.

It is incorrect that safety parameters for a concrete runway are significantly more stringent than for grass. Asphalt, tarmac or concrete yields a far better skid resistant and resilient surface than grass."

- 6.51 In response to the query that no CAA approval documents have been submitted with the application, it is understood that this is because the aerodrome operator has yet to submit a CAP791 Approval submission, which normally follows on from a planning permission. *"No work can commence until the necessary approval has been obtained from the CAA. A full set of working plans will be required with the CAP791 development submission and a full CAA compliant survey once the work is completed. This will identify any infringement and /or penetrations to the Obstacle Limitation Surfaces. As we have been notified that the hard runway will be laid on the existing 02/20 grass runway footprint, any "new" infringements or penetrations are highly unlikely."*
- 6.52 With regard to aircraft drop zones, it is stated that there are no CAA requirements to have any notified "drop zones" for stricken aircraft. Pilots are responsible for landing and positioning their aircraft in a safe area in the event of any malfunction requiring a landing and as in the present state of flying, that will be determined by the particular nature of any specific incident.
- 6.53 Mention has been made by third parties of planning matters surrounding flying arrangement and introduction of new runway infrastructure at Farnborough and Redhill aerodromes. Neither of those proposal are directly comparable to the proposal at Rochester, both because of the nature of the planning histories of those other sites but also, in the case of Redhill, the site lies within the Green Belt. The Secretary of State approved commercial aviation at Farnborough on appeal. At Redhill the SoS's Inspector refused permission because of impact on the Green Belt but that decision has been challenged in the Courts and at present a decision is awaited from the Supreme Court as to how an appeal re: the application of Green Belt policy may be resolved.
- 6.54 The balancing of all of these factors examined above lead me to the conclusion that, subject to the application of suitable safeguards in appropriate planning conditions, including many that parallel those applied by Medway Council, plus some related to potential impacts in the TMBC area, planning permission should be granted for these runway works and the erection of the new/replacement hangers.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details: Email re: bund dated 24.10.2014, Drawing 206.P/008 landscaped bund dated 24.10.2014, Letter dated 30.09.2014, Planning Statement dated 30.09.2014, Design and Access Statement dated 30.09.2014, Noise Assessment dated 30.09.2014, Drawing MASTERPLAN dated 30.09.2014, Flood Risk Assessment dated 30.09.2014, Ecological Assessment dated 30.09.2014, Drainage Statement dated 30.09.2014, Desk Study Assessment dated 30.09.2014, Tree Report dated 30.09.2014, Location Plan 206.P/001 dated 30.09.2014, Proposed Plans 206.P/002 dated 30.09.2014, Proposed Plans 206.P/003 dated 30.09.2014, Elevations 206.P/004 dated 30.09.2014, Proposed Plans 206.P/005 dated 30.09.2014, Proposed Plans 206.P/006 dated 30.09.2014, Demolition Plan 206.P/007 dated 30.09.2014, Drainage Layout 13H01-006 P3 dated 30.09.2014, Drainage Layout 13H01-007 P3 dated 30.09.2014, Details fencing dated 23.10.2014 subject to the following Draft Conditions (final wordings to be agreed with Director of Central Services):

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 No development other than that required to be carried out as part of an approved scheme of remediation shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

- 3 No development shall take place until details of the specification of the aviation fuel tanks, including any below ground pipe work and the bunding enclosing the fuel storage area have been submitted to and approved in writing by the Local Planning Authority. The fuel storage tanks and bunding shall be installed in accordance with the approved details and shall thereafter be retained in accordance with approved details.

Reason: In the interests of amenity and public safety.

- 4 No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (including a timetable for such investigation) which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: In the interests of archaeological research.

- 5 The total number of aircraft movements at the site shall not exceed 38,000 per annum, except in the event of an emergency.

Reason: In the interests of the residential amenities of the occupants of the area.

- 6 The total number of aircraft movements on Saturdays and Sundays shall not exceed 350, with the exception of the following instances: emergencies, pilots returning their aircraft to the airport when such aircraft are kept (homed) at Rochester Airport and on occasions when the airport is staging pre-publicised public open days, which shall not exceed two in number in any given calendar year.

- 7 All aircraft movements shall be recorded in an official log book, in accordance with the statement on page 46 of the Planning Statement dated September 2014, which shall be kept available for inspection by the Local Planning Authority at all reasonable times.

Reason: In the interests of the residential amenities of the occupants of the area.

- 8 Aircraft movements shall only take place between the hours of 07.30 to 19.30 on Mondays to Fridays and 08.30 to 17.30 on Saturdays and Sundays and on Public and Bank holidays, with an evening extension to dusk or 21.00 whichever is the

earlier for aircraft kept by their pilots at the airport. Out of hours movements may also take place when required by the emergency services or military and on up to 100 times on a pre-arranged basis per annum.

Reason: In the interests of the residential amenities of the occupants of the area.

- 9 In any single day no more than two autogyros shall use Rochester Airport and their flying sessions shall be limited to :

a) One session between 07.30 to 13.30 on Mondays to Fridays and

b) One session between 13.30 to 19.30 on Mondays to Fridays

Reason: In the interests of the residential amenities of occupiers of properties in the area.

- 10 Save for emergencies, the types of aircraft using the site shall correspond with those set-out in the Planning Statement of September 2014 (Headings “Existing” and “Future” in Appendix B, page 46) unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of the aural amenity of noise sensitive premises

- 11 Flight arrangements, including the mix of aircraft, shall ensure that the 57dBA noise contour as shown on “Figure F1: $L_{A_{EQ}, 16H}$ Noise Contours (54 – 69 dB Threshold)” in the Environ Noise Report dated February 2015 is adhered to.

Reason: In the interest of the aural amenity of noise sensitive premises

- 12 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

Informatives:

- 1 You are reminded of the need to obtain all necessary licences from the Civil Aviation Authority in association with the development hereby approved.

- 2 In the interests of environmental protection the applicant may wish to review the fuels used by the aircraft to ensure they are the most sustainable and emissions-positive as possible.
- 3 This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.
- 4 Your attention is drawn to the comments of Kent Wildlife Trust in their letter dated 20.10.14 regarding a Biodiversity Management Plan.

Contact: Hilary Johnson