

THIS HAS IMPORTANT IMPLICATIONS FOR THE DETERMINATION OF 20/02559/FU

Leeds Bradford Airport's claim regarding "exempt" aircraft

Key Points

1. Leeds Bradford Airport (LBA) have been claiming that, under the planning conditions currently in force, certain categories of aircraft¹ are exempt from being counted towards their overall cap on night flights. In fact, under the current planning conditions, LBA cannot operate any of these aircraft at night - let alone an unlimited number of them.
2. A key document (NOTAM/S45/1993)², which LBA used as an input to their Environmental Statement but which they have said they were having difficulty locating, has now been obtained from the Department for Transport and shows that LBA's claim is false (and that the "exemption" relates only to lightweight aircraft).
3. LBA make their exemption claim in the documents accompanying their current application and have repeated it to Local Authority Officers, Councillors and the general public on several occasions despite the fact that it is demonstrably untrue. They have said that, with no limit on their use of such planes at night, they can expand to seven million passengers per year with or without consent for development.
4. In the Environmental Statement accompanying their application (20/02559/FU), LBA use their claim to inflate the adverse impacts (noise, emissions, surface traffic, etc) associated with the "without development" scenario and thus minimise the increase in these impacts attributable to the development. This means that the Environmental Statement is seriously misleading³.
5. Leeds City Council could, if it thought it appropriate, give LBA permission to operate these aircraft but, if it did, the aircraft would still count towards the overall cap on night flights and so LBA's forecast of the number of planes operating in the "without development" scenario would still be contrary to the existing planning consent⁴.

¹ Aircraft with a QC rating of less than 0.5 (an aircraft's QC rating is based on its noise output)

² NOTAMs (Notices to Airmen) are official documents detailing hazards and procedures to be followed by airlines and pilots. NOTAM/S45/1993 is referred to in the planning conditions which apply at LBA and, inter alia, specifies which categories of aircraft are allowed at night and which count towards the cap on numbers.

³ Regulation 18(4)(b) of the EIA Regulations 2017 requires that an ES include "*information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment...*". If the information submitted is not sufficient, then the statement will not be an ES within the meaning of regulation 18 and so the EIA cannot be considered to be completed (see reg 4)

⁴ Precise estimates of the extent of the breach are difficult to make because key information has not been provided in the Environmental Statement, but it appears that the existing cap on night time flights would be exceeded by at least 25%.