

These questions were prompted by the Position Statement presented to Plans Panel for discussion on 25<sup>th</sup> September. This list is a development of our earlier list – some questions have been revised and some new ones added in the light of what was said, and not said, during the meeting on the 25<sup>th</sup> September).

We believe that these questions require written answers.

**Firstly, and fundamentally (because these issues have implications for everything that follows)**

**Q1. Are Officers confident that the Applicant's assumption that they are permitted to operate aircraft with QC lees than 0.5 is correct and would withstand legal challenge?**

(The Applicant's estimates of the "without" scenario are clearly based on the assumption that their night time operations will comprise numerous aircraft which they may not actually have permission to use<sup>1</sup>. If operations by these aircraft were limited in number or not permitted at all, it is doubtful that LBA could attract the amount of activity which is assumed in the without-development scenario and the volume of noise, greenhouse gasses and other emissions would be therefore be lower and the increases attributable to the development would, consequently, be much higher. The same argument would, quite probably, also apply to the number of passengers and hence road traffic).

**Q2. Given that the Environmental Statement is quite probably based on an inaccurate interpretation of what is possible in the "without development" scenarios, will Officers take independent legal advice on its status?**

(there are at least two issues:, firstly the Applicant's assumption that the current permission permits their use of an unlimited number of aircraft with QC of less than 0.5 at night time, and secondly their claim that they could operate 5 mppa – whereas a condition of the 2017 permission to extent the existing terminal was that an additional application would be required to go above 4 mppa and the observation that the existing terminal cannot cope with more than 4.5 mppa).

**Q3. Given that the Application is expressly designed to "meet the demand for air travel", and will increase GHG emissions, would approval be contrary to paragraph 103 of NPPF?**

(Paragraph 103 of the National Planning Policy Framework says that the planning system should "*actively manage growth .... through limiting the need to travel*", and indicates that any new development should be sustainable [*"meeting the needs of the present without compromising the ability of future generations to meet their own needs"*]).

**Regarding Highway and Transport Impacts:**

**Q4. How realistic is it to assume that growth at the airport could be accommodated without a new road link?**

(A key element of LBA's 2017 Masterplan and Surface Access Plan was "*construction of a new road link around the airport between the A658 and A65 with a spur to the airport*").

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<sup>1</sup> The current permission allows night time use of a limited number of aircraft with a QC of 0.5 on take-off or with a QC of 0.5 or 1.0 on landing. The Applicant relies on a document which they have failed to produce (NOTAM/S45/1993) to claim that they can also operate an unlimited number of aircraft with a QC of less than 0.5 but documentation from the Civil Aviation Authority and DfT indicates that this exemption does not apply to aircraft over 11,600kg. This suggests that, under the current permission, the Applicant cannot operate any of these aircraft at night – let alone an unlimited number of them.

**Q5. Will officers insist that the traffic modelling is revised to show whether the existing road network is able to cope with the extra traffic caused by the development in the context of traffic likely to be associated with the Employment Hub?**

(Creation of the Employment Hub adjacent to the airport is a key element in LBA's Masterplan and the resulting jobs are claimed by the applicant as part of the benefit of the new development).

**Q6. What assumptions are Officers making respecting construction of the Airport Parkway Station?**

(There are concerns over its suitability as a park and ride site, the required level of investment in new road infrastructure, doubts over the financial viability of appropriately frequent rail services which would need to run in anti-social as well as daytime hours and concerns regarding its likely adverse impact on service at other stations on the line. We understand that, although provision of a station at this location may be WYCA's ambition, the Business Case for it is not yet complete and the promised consultation has not been completed).

**Q7. What scale of contribution from LBA will be required to fund the Airport Parkway Station and the Employment Hub Spur?**

(The UK Aviation Policy Framework and Leeds Policy T2, taken together with the NPPF, indicate<sup>2</sup> that the Applicant must be required to pay for any off-site transport infrastructure made necessary by their development).

**Possible supplementary questions if it is being assumed, for the purposes of determining the contribution to be paid by LBA, that these projects would go ahead even if the airport development did not:**

- Does the business case for the Airport Parkway Station rely on expansion of the airport?
- Would the Employment Hub Spur road need to connect right through to Whitehouse Lane if it was not part of a link to the airport and parkway station?

**Q8. Can Officers confirm that, if the development were to go ahead, measures would need to be taken to dissuade traffic from using Scotland Lane and Dean Lane? (The most direct route from Leeds to the new terminal would be via these roads but they are clearly be unable to cope safely with extra traffic)**

**Possible supplementary questions:**

- Would LBA be required to pay for the traffic management measures that would be required?
- Has the traffic modelling allowed for the extra mileage (and associated emissions) which would result if the traffic had to go via the A658 instead of the direct route?
- Has any estimate been made of the extra journey times (and increased taxi fares) which would result if these road were closed?

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<sup>2</sup> UK Aviation Policy Framework 2013 indicates that expanding airports should pay for any resulting requirement to upgrade or enhancement necessary to accommodate surface access. Leeds Policy T2 indicates that developer contributions will be required for off-site highway improvements necessitated by a new development. Paragraph 108 of the NPPF indicates that, in considering applications, account must be taken of the need to mitigate impacts on highway network capacity, congestion or safety.

## Regarding Climate Change

- Q9. Do Officers accept the opinion of WSP (in paragraph 3.2.3 of their report) that the Applicants have under-estimated the GHG emissions by a factor of 4?**
- Q10. Do officers accept the Applicant's assertion that, if LBA is not allowed to expand, the passengers would use other airports instead?** (an assertion which, repeated by all airports, would logically imply that every airport can be allowed to expand without having any impact on the total amount of air travel and thus of GHG emissions).
- Q11. Can Officers confirm whether, if all emissions associated with the new development which occur in the Leeds area are included in the reckoning - including those from aircraft approaching and departing the airport, Leeds could become carbon neutral by 2030?**
- Q12. Can officers confirm that the applicant's forecast show an increase in emissions within the Leeds district even if aircraft emissions are excluded from the reckoning?** (Paragraph 10.18 identifies a net increase in GHG emissions of about 19% (from 2.1% of Leeds emissions to 2.5%) but then refers to "*further savings*" and an aspiration to "*bring emissions down further*" - thus giving the impression that there is to be a net decrease).
- Q13. Can Officers confirm that the 17% figure mentioned in paragraph 10.22 excludes aircraft emissions and can they indicate the source of the estimate?**  
(Para10.22 says that "LBA would (only) need to attract approximately 17% of (the car journeys to Manchester) in order to offset the additional GHG emissions forecast to occur if the development took place").
- Q14. Will the Applicant's latest proposals for achieving a greater use of public transport be made public?**  
(It is understood that the Applicant is preparing a document describing how, and to what extent, the public transport mode share for public transport could be increased. The potential measures would clearly affect the public's use of the airport and ought to be open to public comment).

## Regarding Air quality

- Q15. How can a near doubling of aircraft movements have a negligible impact on air quality under the flight path?**  
(Paragraph 10.29 suggests that the impact of increased flights on air quality outside the airport boundary would be negligible but people who live under the flight path already report the smell of exhaust gasses and unburned fuel and have noted sticky deposits on windows and metal surfaces. Do Officers believe that residents are mistaken in attributing these phenomena to aircraft?).
- Q16. How can Leeds meet its Best City aspiration (which identifies the need to improve air quality) unless it seeks to avoid all increments in air pollution however small?**  
(Paragraph 10.30 suggests that the effect of the increment of road traffic due to the development would not be significant. But the Leeds total is made up of lots of small increments!).
- Q17. How confident are Officers that a possible Travel Plan secured via a Section 106 agreement would have the hoped-for result – and what could be done if it doesn't? ( Paragraph 10.31 ).**

**Q18. Rather than devise conditions requiring monitoring of modal split and, perhaps, increased contributions to public transport cost if targets are not met, would it not be simpler to indicate that no increase in parking provision will be permitted on land owned by, or leased to, LBA or any associated company? (The Applicant is insisting that they should have the right to increase parking capacity ‘if it becomes necessary’).**

#### Regarding Noise

**Q19. Have officers managed to check the predictive capability of the Applicant’s noise model, and if so, what conclusions do they draw? (This is an important issue because those models are the basis of all the predictions of disturbance, sleep loss and adverse health impacts in the application documents. The Applicant’s own modellers have drawn attention to “the relatively low number of noise monitoring terminals at the airport” and to the fact that it was therefore necessary to extrapolate data in order to validate their modelling. This practice is clearly less than ideal and must reduce confidence in the accuracy of the model outputs<sup>3</sup>. Data from the Beckett Park Campus monitoring site suggests that the models may be under-predicting current noise levels but comparisons are difficult without access to flight data which has not been available to members of the public).**

**Q20. The applicant is seeking a relaxation of the existing controls on night flights and admits that this will lead to an increase in night flights and in noise at night time:**

- a. **How is this consistent with the Aviation Policy Framework (which requires the aviation industry to take steps to *minimise the demand for night flights... to minimise noise impacts and in particular to minimise noise nuisance associated with night flights*)? (note that mitigation the impacts of night noise cannot qualify as ‘minimising the demand for’ night flights. Note also that the current permission includes conditions which would limit the number of night flights)**
- b. **How could approval of the application be said to be consistent with the Noise Policy Statement for England (which expects adverse effects on health and quality of life to be minimised)?**
- c. **How could approval of the application be said to be consistent with Leeds Best City Strategy (which identifies the need to improve air quality and reduce pollution and noise in the city)?**

**Q21. Assuming that the development goes ahead and that the Applicant’s predictions are correct, how many people would be affected by aircraft noise loud enough to disturb sleep on an average summer night in 2030?**

**Q22. Assuming that the Applicant’s predictions are correct, how many more people would be affected by aircraft noise loud enough to disturb sleep on an average summer night in 2030 if the development goes ahead than would be the case if it did not?**

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<sup>3</sup> particularly since the applicability of two of the four NMT sites used to validate the models may be questionable – they are located close to Leeds Outer Ring Road and so will be subject to more background noise than is typical of the residential areas further out along the flight path (which is relevant for the calculation of Leq) and, since they are at a local low point under the eastern flight path (and thus subject to more attenuation).

- Q23. Has there been any analysis of the impact of the increased road traffic expected in the late evenings and early mornings when most people are in bed and the roads are generally quiet?**  
(Paragraph 10.44 reports that assessments have shown that there will be no significant increases in traffic noise as a result of generated traffic).
- Q24. What modelling work has been done to see how sensitive the 2030 noise forecasts are to the assumption that, if the development goes ahead, airlines would introduce quieter planes?**  
(This assumption, referred to in paragraphs 10.47 and 10.53, has been contested by some of the objectors and, post-Covid, it is clearly possible that airlines' finances may preclude purchase of new aircraft).
- Q25. Given that LBA's Masterplan mentions an intention to extend and modify the existing taxiways, does this mean that the number of flights during the morning shoulder period could be greater than has been assumed?**  
(Paragraph 10.51 refers to the fact that, if the development were to proceed and the current limits on flights between 0600 and 0700 were removed, the number of flights in this period would still be limited by the existing runway and taxiing procedures).
- Q26. Can officers confirm that the applicants' prediction that the number of flights between 0600 and 0700 would double even if the development does not go ahead is based on use of aircraft which, under current planning conditions, they may not be permitted to use?**  
(the doubling, referred to in paragraph 10.52, gives the impression that the development would only lead to a small increment on top of that. However, the applicant's prediction is based on their own interpretation of the current planning conditions).
- Q27. Given that the QC system was introduced to reduce night time noise and to ensure that the benefits of technological improvements were shared with communities exposed to night time noise, what justification would there be for Leeds to abandon night time restrictions which have previously been regarded as important?**  
(Paragraph 10.56 refers to the Applicant's proposal to remove the existing restriction on night time operations by aircraft with a QC of 1.0. Various DfT documents make it clear that the QC system was intended to promote a reduction in night time noise).
- Q28. Can we assume that Paragraph 10.58 and subsequent paragraphs (eg 10.61, 10.62 and 10.63) are subject to amendment when Officers complete their investigation of the relevant documentation?**  
(Paragraph 10.58 repeats the Applicant's claim respecting the current planning conditions).
- Q29. Why should Leeds permit LBA to operate without a numeric cap on its night time operations?**  
(The Applicant is proposing that their night time operations should be subject to a Night Quota Budget without an accompanying numeric cap. The quota budget system was originally designed to run alongside numeric caps. Manchester, and all the London Airports have numeric caps in addition to their quota budgets. Why should LBA be different?)
- Q30. Can Officers confirm that, when they were originally introduced in London, it was envisaged that quota count budgets would be periodically reviewed to ensure that the benefits of technological advances would be shared with communities affected by night time noise?**  
(The applicant is not proposing any periodic review of the proposed quota budget).
- Q31. According to the Applicant, how many flights at each QC level will occur during the 7 summer months of 2030 (a) if the development goes ahead and (b) if it does not go ahead?**

- Q32. What is the maximum number of night time ( 2300-0700) Air Traffic Movements possible per summer season if the application is granted with no restrictions other the QC budget of 1375 proposed by the applicants for the period 2330-0600? (This question asked in order to allow comparison of the current and proposed limits. The estimate should assume modernisation of the fleet such that all planes are QC 0.25 on landing and 0.5 on takeoff - like the A320).**
- Q33. Can Officers confirm that the argument for immediate replacement of existing controls on night flights is dependent on the assumption that the existing regulations allow night time use of aircraft with a QC of less than 0.5?**  
(Paragraph 10.63 appears to accept the Applicant’s argument that immediate replacement of the existing restrictions would prevent a short term deterioration in in the night time noise climate).
- Q34. Given that, according to the Applicant, the purpose of a night noise contour is to “reassure the local community”, can Officers confirm that it would be more effective if:**  
**(1) it related to the size of the exposed population (adjusted as necessary to reflect new housing development in the area) rather than to the square kilometrage? and**  
**(2) if it were based on actual flight movements rather than a theoretical situation wherein the mix of easterly and westerly flights was assumed to remain as it was in 2013-2018?**  
(Paragraph 10.65 refers to the proposed night noise contour system which would require annual reporting of the size (km<sup>2</sup>) of area which had been subject to a given level of night noise during the previous year).
- Q35. What sanctions would be available to LCC if the proposed Night Noise Contour were breached? (Although a Night Noise Contour could be a useful device for monitoring noise levels, it is unclear how effective would it be as a means of ensuring that night noise does not increase).**
- Q36. Can Officers confirm that Manchester Airport operates a system of financial penalties for airlines which infringe noise regulations (with proceeds going into a fund for community benefit) but that the Applicant has declined to consider having such a system at LBA?**
- Q37. Can Officers confirm that, as a general rule and without casting any aspersions on the current Applicant, enforcement of planning conditions is sometimes problematic and that one solution is to require actions to have been taken before permission is granted or before aspects of the development may proceed?**

#### Regarding Health

- Q38. Given that adverse health implications of night time noise are more fully recognised now than they were in 1994 (when the existing restrictions on night time operations at LBA were introduced), can Officers advise how removal of limits on flights during the shoulder periods can be thought more appropriate now than it was then?**
- Q39. Paragraph 10.70 notes that the Development is predicted to result in increased adverse health impacts due to increased noise, particularly at night. Can Officers comment on the implications that this has for Plans Panel Members’ duty to uphold Leeds’ Health and Wellbeing Strategy and its aspiration to be the “Best City for Health and Wellbeing**

**Q40. Can Officers comment on the observation that the main beneficiaries of the development would be the owners, airline operators and relatively affluent users of the airport whereas the adverse health impacts would be felt by residents under the flight path?**

(Leeds' Health and Wellbeing Strategy seeks to reduce health inequalities and improve the health of the poorest the fastest. According to the Applicant's Economic Impact Report, LBA *"has the highest proportion of ABC1 leisure passengers of any UK airport outside of London (ABC1 = consumers from the three highest social and economic groups. The Airport's business and leisure passengers are the wealthiest outside the UK"*. The flight path affects an area from Robin Hood to Low Road in Horsforth and includes parts of Beeston, Holbeck, Hunslet & Riverside, Middleton Park, Burmantofts & Richmond Hill, Armley, Little London & Woodhouse, Burley, Kirkstall and Headingley). "

#### **Regarding Economic Benefits**

**Q41. Have Officers had the opportunity to consider the NEF report which has recently been posted on the Planning Portal?**

(The New Economics Foundation have produced a report which apparently comes to some alarming conclusions. For example: (1) the Applicant's analyses are based on a flawed methodology (2) the Applicant failed to consider the fact that outbound tourism represents a £3.1bn drain on the local economy (3) the Applicant's forecasts of job creation have ignored established trends towards mechanisation in the industry and that the likely level job creation is at least 33% lower than they forecast (4) the Applicant's analyses have ignored the costs associated with the predicted adverse health outcomes and increased emissions (5) the net GDP/GVA impact of the scheme is likely to be strongly negative at the level of the Leeds City Region (£-239m), and (6) the social welfare impact of the scheme is likely to be strongly negative (-£883m) even if the very significant costs of carbon emissions are excluded).