



John Holland-Kaye  
Chief Executive  
Heathrow Airport Ltd  
(emailed to  
[feedback@heathrowconsultation.com](mailto:feedback@heathrowconsultation.com))

Contact: Ann Biggs  
Department: Regeneration & Growth  
Service: Strategic Planning  
Direct line: 01784 448619  
Email: [a.biggs@spelthorne.gov.uk](mailto:a.biggs@spelthorne.gov.uk)  
Date: 13 September 2019

Dear John

### **Airport Expansion Consultation – Response from Spelthorne Borough Council**

Thank you for consulting us on your preferred scheme for airport expansion at Heathrow. As one of the most affected boroughs closest to the airport, we have put in a lot of resource and taken considerable time to scrutinise the proposals and provide a full, comprehensive response to the consultation. Spelthorne has set out in detail its comments on the proposals to a topic by topic basis, each with an explicit action we expect Heathrow to fulfil. There are 86 of these covering issues as wide ranging as legacy benefits, compensation to communities, surface access strategy and construction impacts.

For ease of reference, we have produced a summary list of all these actions at the beginning of the main response, which follows, but I would like to take the opportunity to set out our key issues in this letter.

Spelthorne is only able to reaffirm its support for a third runway and expansion that is both appropriate and proportionate subject to:

- The sixteen requirements as recommended to Cabinet by our Overview and Scrutiny Committee on 3 September 2019 (set out at the end of this letter).
- We expressly reiterate our demands that impacted communities be properly compensated via the Wider Property Offer Zone scheme.
- We seek to further explore the Heathrow West proposal and to ascertain if this is a viable proposition (as we consider that it may have significantly less impact on our communities than your current scheme).

We wish to draw your attention to some key points arising from our response:

#### **1. Adequacy of consultation**

We are disappointed that despite the substantial volume of material produced for the consultation, there remains a wealth of information, detail and strategies that are missing, not yet available or, in many cases, will be submitted with the application for Development Consent. Whilst we appreciate the tight deadlines Heathrow is working to in order to submit in line with your published timetable, there is the risk that fundamental issues remain unconsidered and unresolved without the opportunity for local authorities, Heathrow Strategic Planning Group (HSPG), other stakeholders and local communities to have meaningful engagement in this process. This would represent a flaw in Heathrow's consultation and we intend to raise it with the Planning Inspectorate when

asked for our views on its adequacy if further consultation does not occur. (see also Supplementary legal and technical points at the end of this letter)

## **2. Lack of legacy**

The expansion proposals represent a missed opportunity to deliver a genuine legacy for the region and the Borough. Heathrow's proposals lack the ambition we expect from a scheme of this magnitude, particularly in respect of public transport, community benefits and green infrastructure. We question where the 'sell' is for our communities, who will experience the impacts of expansion through decades of construction, and the fruition of the scheme itself. Currently there is nothing.

## **3. Project costs**

We are concerned that the expansion costs are escalating at an alarming rate and have raised this concern with the Civil Aviation Authority in its recent consultation on early costs in respect of economic regulation of capacity expansion at Heathrow. These costs seem to be associated with a proposed masterplan that does not represent a cost-effective and sustainable scheme. Nor does it deliver the legacy benefits and world class compensation we expect, including expanding the Wider Property Offer Zone, as highlighted above. The absence of a business plan at the point at which you have shared your preferred masterplan for statutory consultation reinforces our concerns that there are still missing pieces of the puzzle to help us understand the whole picture.

## **4. Surface Access Proposals**

Information relating to the impact of traffic, such as the modelling data, has not been provided in a timely manner to allow scrutiny of Heathrow's Surface Access Proposals. This has proved frustrating and disappointing, resulting in a consultation that fails to provide the necessary detail for us to assess the impacts on our local roads and the wider network. We consider there to be fundamental flaws in the parking strategy, and we continue to object to the location of the Southern Parkway within the community of Stanwell, and the implications from a visual and environmental perspective. These concerns are exacerbated by the proposals that do not show the parkway hard-wired to the strategic road network, resulting in potential for additional traffic on local roads and on street parking.

## **5. Early growth and air traffic movements**

Spelthorne opposes the early release of an additional 25,000 flights before the third runway is operational. The new airspace design in a three runway scenario will provide benefits for residents in terms of respite through greater alternation and the mitigation that the DCO process will ensure for the expanded airport, but not for more intensive use of the existing two runways. In particular, we object most strongly to the use of Independent Parallel Approaches (IPA) as one of the measures to facilitate early growth due to the impact on newly overflowed communities and worsening health impact on existing overflowed communities. We do not expect Heathrow to exceed 740,000 air traffic movements per annum, with a third runway in place, by 2040.

Spelthorne also endorses the AEC response from HSPG and urges Heathrow to take account of the many similar concerns we share and take steps to address them. We welcome ongoing engagement with you on these matters and look forward to hearing from you in due course.

Yours sincerely



Councillor Ian Harvey  
Leader of Spelthorne Borough Council

## 16 requirements

1. Third runway, with capped growth of 740,000 Air Traffic Movements (ATM's) per annum by 2040, with no early release of 25,000 ATMs pa before a third runway is operational
2. That the expansion should include Heathrow T5X and T2 only, with further consideration given to the Heathrow West scheme
3. That any increase in car parking must be at the Northern Parkway or along Bath Road only
4. There must be no Southern Parkway, no Truck Park, no HGV filling station or associated lorry movements to the Crooked Billet, and Heathrow need to move new and re-aligned roads further away from Stanwell Moor
5. Deliver a genuine 'world class' integrated compensation and mitigation package, including Wider Property Offer Zone for Stanwell Moor and part of Stanwell village
6. To provide enhanced multi-purpose community halls for Stanwell Moor and Stanwell village as a positive legacy for the communities
7. Commitment to deliver 1,500 new apprenticeships for local colleges within the borough (Brooklands College in Ashford)
8. Controlled Parking Zones for Stanwell Moor, Stanwell village, and Ashford north of A308 and other areas as deemed appropriate by the Council – to be in place by the time the third runway is operational and to be funded in full by Heathrow
9. Southern Light Rail (SLR) to be built before the third runway is operational, and for the Council to work positively with Heathrow to ensure that they deliver
10. No Construction sites at CS10 or CS11 operating 24/7 365 days a year north of Stanwell and Stanwell Moor
11. Deliver continuous improvement and enhanced mitigation to neutralise air quality impacts to below legal limits on local communities
12. Comply with the Committee on Climate Change Further Ambitions Scenario (in order to deliver a reduction to 30 million tonnes CO2 in 2050)
13. Deliver continuous improvement by actively and directly reducing noise levels for aircraft and the airport (using 2013 baseline)
14. Night flights to be banned for 8 hours overnight, except for emergencies (World Health Organisation guidelines).
15. Immigration Removal Centre (IRC) must be outside the borough
16. Protect Staines Moor in perpetuity and ensure no changes to the River Colne upstream which might have an adverse impact on the biodiversity of the SSSI

## Supplementary legal and technical points

- Spelthorne Borough Council's view is that the consultation is premature, defective and non-compliant with the requirements of section 42-48 of the Planning Act 2008, guidance issued by the Ministry of Housing, Communities and Local Government (MHCLG) and, in some cases, specific provisions of the ANPS which require consultation on particular aspects. The consultation materials are incomplete, and in some respects misleading, contain leading questions and omit significant information (e.g. information on the Compensation Fund) and are wholly inconsistent with discussions between the Council and Heathrow Airport Limited.
- The assessments contained in the PEIR either:
  - as mentioned above, fall short of the requirement to provide enough information to allow consultees to reasonably respond (in accordance with Regulation 12 of the EIA Regulations);
  - do not comply with the requirements of the Scoping Opinion;
  - are methodologically flawed and significantly understate the adverse impacts of the proposals (contrary to the requirements of Schedule 4 of the EIA Regulations); or
  - show adverse impacts which are not sufficiently mitigated or compensated (contrary to the requirements of the ANPS).

- Spelthorne is particularly surprised that Stanwell and Stanwell Moor is not included in the Wider Property Offer Zone (WPOZ) given these communities *will* be newly impacted due to the proximity of the area to the expansion and the clear adverse impacts they will suffer, and in light of seeming assurances given by Heathrow to the community that they would be included. Heathrow must expand the WPOZ, and it must justify why there is a discrepancy between the WPOZ and those individuals who would be Category 3 persons under section 44 of the Planning Act 2008.
- Spelthorne objects strongly to the dilution of its jurisdiction and the proposed enforcement approach. The approach is wholly unprecedented and entails the Council losing control of physical development in its jurisdiction. The Council objects, in particular, to the proposal for ex-post facto enforcement thereby explicitly allowing breaches, the ability of a Panel to discharge requirements which are wholly related to the functions of the Council unless assurances are given as to our role and jurisdiction, and the lack of information about the amendment of the Control of Pollution Act 1974. The Council would urge Heathrow to provide a draft of its DCO, given how integral to the mitigation the approach is, so that the Council can provide comments in advance of any DCO application.
- Heathrow has not justified how the proposed airport related infrastructure is consistent with its assessments, and accordingly, how it can constitute associated development under section 115 of the Planning Act 2008 and comply with guidance issued by MHCLG.
- Heathrow has not provided evidence within the public consultation documents to show proper assessment of the impact of its proposals on the openness nor other purposes of the Green Belt; and it has not rationalised or detailed Very Special Circumstances required to justify its impact on Green Belt land in Spelthorne. It has only been shared and discussed with members of Heathrow Strategic Planning Group, of which Spelthorne is a member, during early engagement but not with the wider public through the statutory consultation where documents and evidence can be viewed by everyone. The omission of the Green Belt study and robust open space assessments is unacceptable and the Council would expect other consultees beyond the Heathrow Strategic Planning Group members are provided an opportunity to comment on the study, and its proposed compensation package.