



Proud of every journey

14th December 2020

Policy and Delivery
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FAO: Gary Palmer

SUBMITTED VIA EMAIL TO:
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Dear Mr Palmer,

CONSULTATION RESPONSE BY BIRMINGHAM AIRPORT LIMITED IN RESPECT OF SOLIHULL LOCAL PLAN – DRAFT SUBMISSION PLAN 2020 (REGULATION 19)

Thank you for consulting Birmingham Airport Limited (*hereafter referred to as 'BAL'*) in respect of the Solihull Metropolitan Borough Council (*hereafter referred to as 'SMBC'*) Local Plan – Draft Submission Plan (*hereafter referred to as the 'Local Plan'*).

Birmingham Airport: Key Economic Asset

As stated within the Local Plan, Birmingham Airport is a key economic asset and therefore its ability to grow sustainably and support both the national and local economy should be supported. The Birmingham Airport Master Plan 2018 remains relevant despite the short-term impact COVID 19 has had on the aviation sector. The Airport Master Plan included three growth scenarios (*Government, balanced and high*). Under the balanced growth scenario, the Airport is expected to grow to 18 million passengers by 2033. In the longer term, BAL expects to recover from the impact of COVID 19 and continue to have a positive impact on the regional economy increasing both the density and frequency of route networks to provide more choice for passengers in core catchment area and beyond.

Birmingham Airport's regional significance is reinforced by the excellent connectivity to surface access it enjoys. This will be further enhanced with HS2, Metro and Sprint providing an opportunity for Birmingham Airport to increase the positive impact it can have on the region and the wider UK economy.

Pre COVID 19 estimates suggest that the economic activity associated with intra-UK connectivity at Birmingham Airport is worth approximately 4,500 jobs and £225m of GVA per year. In terms of extra-

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UK connectivity, Birmingham Airport is associated with approximately 47,700 jobs and £2.4bn of GVA each year (*source: Oxera 2019*).

BAL will continue to capitalise on its strong position within UK Central, as a regional airport providing aviation services to the local community. This reduces the need for surface access travel to other airports which may be further away and has a range of benefits including reduced congestion on the road network, and lower CO₂ emissions, air pollution and road traffic accidents.

BAL is committed to achieving a net zero carbon target by 2033 and will work collaboratively with SMBC to help achieve this.

Comments on the SMBC Local Plan – Submission Draft

This representation is informed by the Birmingham Airport Master Plan 2018 and the tests of soundness which are set out in the National Planning Policy Framework (*hereafter referred to as 'NPPF'*) (*para 35*): “Local Plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound.”

Plans are ‘sound’ if they are:

1. Positively Prepared: providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

2. Justified: an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence This means that the Local Plan should be based on a robust and credible evidence base involving:

- Research/fact finding: the choices made in the plan are backed up by facts.
- Evidence of participation of the local community and others having a stake in the area; and
- The Local Plan should also provide an appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal.
- The Local Plan should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

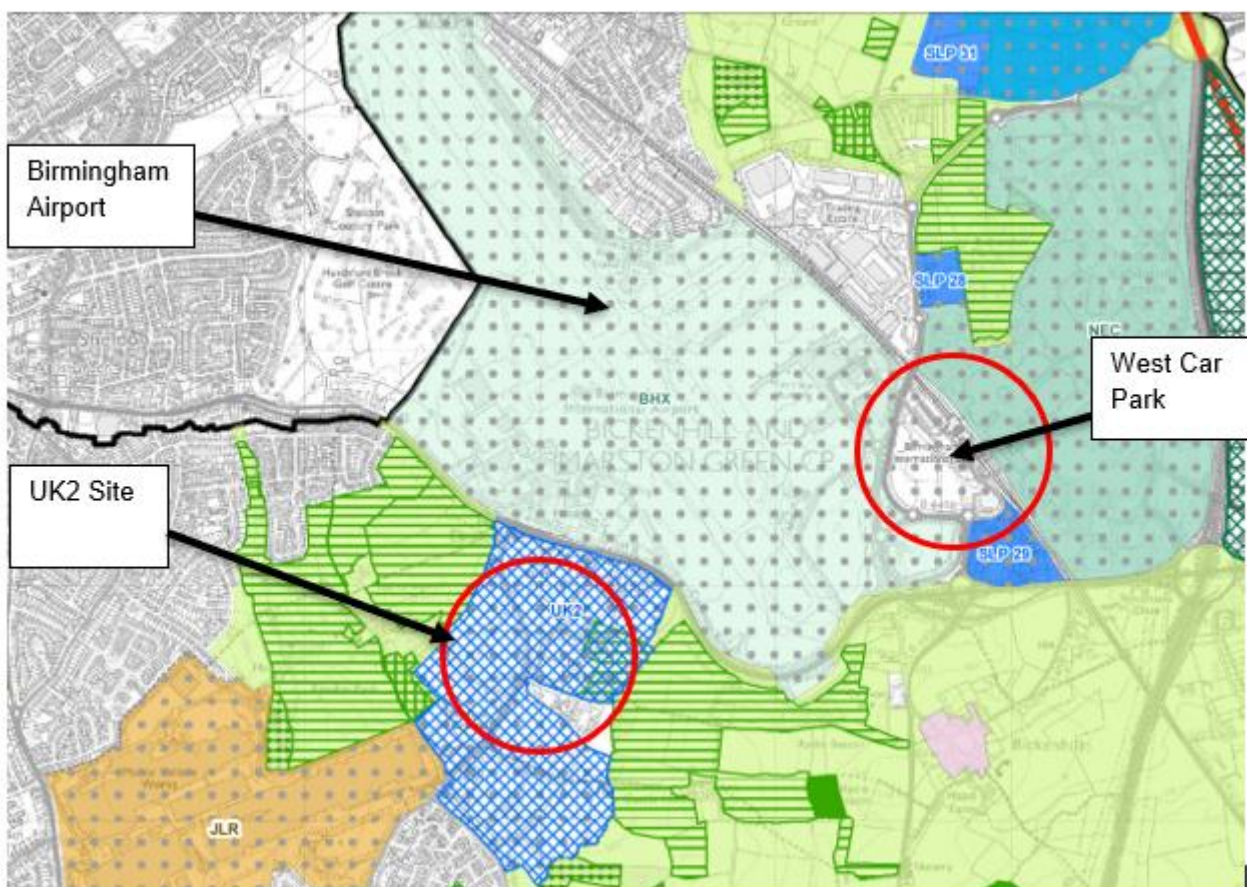
3. Effective: deliverable over the plan period and based on effective joint working on cross-boundary strategic matters.

4. Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in the NPPF. The NPPF is considered to be the government’s explanation of what sustainable development means for planning policy therefore compliance with the NPPF is key unless a locally justified departure is clearly evidenced.

Whilst BAL are supportive of the Local Plan and concur with the exceptional circumstances outlined in Policy P1 for releasing land from the Green Belt, BAL consider that minor amendments should be made to the wording of planning policies P1 and UK2 to help deliver a sound Local Plan.

Furthermore, additional policies should be included to ensure that West Car Park (*circled in red below*) is safeguarded for future Airport use and any future development near the Airport boundary does not harm Birmingham Airport's aerodrome or airspace. These issues will be discussed in turn below.

The plan below is taken from the Local Plan Proposals Map and shows the Airport, the UK2 site and West Car Park.



Extract taken from SMBC Local Plan – Draft Submission

Policy P1 states that following in respect of Birmingham Airport:

“Policy P1 – UK Central Solihull Hub Area

ix. The Council will support and encourage further development needed for operational purposes such as passenger and freight facilities, terminals, transport facilities and other development that supports operational needs, or which allows the capacity of the extended runway to be maximised.

x. The Council will also support a broad range of ancillary and complementary facilities including hotels, administrative offices car parks and other appropriate facilities needed to serve the needs of air travellers using the Airport. Proposals

should be justified in terms of scale and in terms of supporting the Airport function and be appropriately located so as not to detract from Airport function.

xi. Where justified, development for Airport related uses beyond the Airport boundary will be permitted, providing that it accords with other policies in the Plan, including Green Belt policy. This will include opportunities within the allocated employment site (UK2)."

BAL Comment

Policy P1 should be amended to include reference to development for Airport related uses proposed by Birmingham Airport only and the development of urban mobility. This ensures that the future of a key economic asset is safeguarded.

Furthermore, reference should also be made to West Car Park, which may be required to provide additional capacity for Airport related development beyond the 15-year horizon outlined within the Airport Master Plan (see *circled site above*). The Local Plan is currently silent on its intentions for this site.

Policy UK2 states the following:

"1. This site is allocated for employment development to meet local employment needs, needs associated with the key economic assets in the UK Central Solihull Hub Area, and for a potential relocated Household Waste and Recycling Centre and Depot.

2. Development of this site should be consistent with the principles of a Concept Masterplan for this site, which is expected to include the following:

i. No development within any area of higher flood risk zones;

ii. Relocation of the existing sports provision off Damson Parkway to a suitable site in the vicinity (see below);

iii. The existing sports provision off Damson Parkway will not be available for development until a suitable alternative site is provided and ready for use, within the vicinity of the existing sites;

iv. The alternative site must be agreed with the governing bodies and Sport England;

v. The alternative site must be in accordance with the relevant policies of the plan, in particular Policy P20;

3. Likely infrastructure requirements will include:

i. Development of the site should provide flood alleviation to Damson Lane;

ii. The Low Brook corridor shall be significantly improved and turned into a high quality linear attenuation and water quality improvement area for SuDS;

iii. Highway improvements as required and access improvements along Damson Parkway and Damson Lane;

iv. Appropriate measures to promote and enhance sustainable modes of transport including pedestrian and cycle connectivity to surrounding residential areas;

4. Green Belt enhancements will include:

i. Improvements to environmental quality of remaining Green Belt between the main urban area and Damson Parkway;

ii. Improvements to the environmental quality of Green Belt to the east to enhance/extend the important grassland habitats to the east of the site.

5. The Concept Masterplan document should be read alongside this policy. Whilst the concept masterplans may be subject to change in light of further work that may need to be carried out at the planning application stage, any significant departure from the principles outlined for Site UK2 will need to be justified and demonstrate that the overall objectives for the site and its wider context are not compromised.

BAL Comment

In accordance with intended connotations of the above mentioned policy, it is recommended that the following clauses should be added to the policy:

“6. The concept Masterplan document should be submitted alongside evidence of meaningful engagement with key stakeholders, landowners and interested parties.

7. The concept Masterplan should not prejudice Birmingham Airport’s ability to achieve it’s sustainable growth aspirations and serve the region as a key economic asset.”

Policy UK2 continued:

This is an employment led land release of c94ha which will provide additional employment land to meet local needs, including future expansion for JLR and JLR related activities and ancillary development for Birmingham Airport. It will also provide an option for a relocated Household Waste and Recycling Centre and Depot, which will address needs set out in Policy P12 and enable the delivery of Site SO2 housing allocation. The release of the site from the Green Belt will meet local employment and waste management needs, and needs associated with the key economic assets within the UK Central Solihull Hub Area.

The area east of Damson Parkway lies in a moderately performing parcel whilst the land to the west is lower performing in the Green Belt Assessment. Both parcels have been affected by development by JLR permitted under very special circumstances, so their contribution to Green Belt purposes is reduced. The site is in an area that has low capacity to accommodate change in the Landscape Character Assessment.

The site performs reasonably well in the Sustainability Appraisal with three times as many positive or neutral effects than negative, and the only significant negative effect due to the size of the site.

A Level 2 Strategic Flood Risk Assessment has been undertaken for this site, as a small part adjacent the eastern boundary in the corridor of Low Brook lies within higher flood zones. This area is included within the green infrastructure proposals for the site, and development will be restricted to areas within flood zone 1 and should ensure that flood risk is not increased to surrounding land uses. The low point on Damson Lane is known to flood significantly during rainfall events, so development at this point will be required to provide flood alleviation benefits to protect existing and proposed infrastructure. The Low Brook corridor on the south eastern boundary of the site has the potential to be significantly improved and turned into a high quality linear attenuation and water quality improvement area for SuDS.

The exceptional circumstances justifying its release are set out in Policy P1. Compensatory improvements will be required for the loss of Green Belt as set out in the policy.

A concept masterplan will be developed to help guide development of this site.”

BAL Comment

In line with the Local Plan soundness criteria set out above, in order to ensure that the Local Plan is fully justified, BAL consider that the above mentioned policy should provide more clarity on how the Masterplan will be developed. This includes guidance on significant stakeholder and landowner engagement and how such engagement will be recorded and addressed.

Aerodrome Safeguarding

As a statutory consultee, BAL is consulted on developments that are likely to impact on aerodrome safeguarding. BAL is responsible for protecting the airspace around an aerodrome to ensure no buildings or structures cause danger to aircraft either in the air or on the ground. This is achieved through the 'Obstacle Limitation Surfaces' (OLS).

Whilst BAL support local and regional growth, this must be balanced against the need to safeguard the Airport aerodrome and airspace. This is done through the aerodrome safeguarding process. This process should be referenced within the Local Plan with a separate planning policy included to ensure that any development (*not just waste as is currently the case*) with the potential to impact on the aerodrome and airspace should be referred to BAL prior to the planning application being submitted.

SMBC do consult with the BAL on planning applications close to the Airport boundary. However, the process is often time consuming and the applicant often has very little knowledge of the safeguarding process, what it might entail and crucially, how it might impact on timescales for determination of planning applications.

Therefore, it is recommended that a new policy is added to the Local Plan, which deals specifically with Aerodrome Safeguarding and encourages pre consultation with Birmingham Airport. Prior consultation will benefit SMBC in meeting its statutory determination periods for planning applications.

A brief explanation of the safeguarding process is provided below:

Aerodrome safeguarding covers several factors:

- Protecting the integrity of radar and other electronic aids to navigation by preventing reflections and diffractions of the radio signals.
- Protecting aeronautical lighting, such as approach and runway lighting, by ensuring that they are not obscured by any proposed development and that any proposed lighting could not be confused for aeronautical ground lighting.
- Protecting the aerodrome from any increased wildlife strike risk. In particular bird strikes, which pose a hazard to flight safety.
- Preventing any construction processes from interfering with aerodrome operations through the production of dust/smoke, temporary lighting or construction equipment impacting on radar and other navigational aids.

When BAL is consulted on a planning application, a safeguarding assessment is undertaken to identify potential hazards to the Airport operation, as follows;

Obstacle Limitation Surfaces (OLS)

The OLS is an area of specified dimensions provided around the airport, an example is the areas at the end of the runways where aircraft take-off and land. These protected surfaces extend as far as

a radius around the airport of 15km. The dimensions create invisible protected surfaces and areas of airspace with height restrictions by which no development should infringe into.

The OLS assessment needs to determine that the airspace is free from buildings or structures that have the potential to cause danger to aircraft. The objective is to protect the surfaces and communicate back to developers or Local Planning Authorities what the findings are.

Construction

Construction equipment and cranes have the potential to infringe the protected surfaces around the aerodrome and can impact on radar and other navigational aids by their height and moving parts. All crane applications will be assessed and may need a permit to operate.

Several potential hazards can be created from construction activities. These include, temporary lighting which can cause glare or confusion to pilots and air traffic control, and earthworks and soil disturbance provides a food source for birds.

Communications, Navigation and Surveillance (CNS) Technical Safeguarding

Air Traffic Control uses a range of equipment to undertake communications, navigation and surveillance of multiple aircraft and vehicles. The primary task of air traffic control is to maintain safe separation of aircraft on the ground and in the air.

Protecting the integrity of signals emitting from radar and electronic aids is critical, such as reflections and diffractions (*bending*) of the radio waves (*signals*). Signals must conform to very high standards of accuracy and interrupting them can cause degradation. An aircraft flying at night or in the fog must be confident the signals provided are accurate. The process of assessment is known as "Technical Safeguarding".

Wildlife Hazards

Wildlife includes animals and birds on and near the aerodrome. This might include foxes, badgers or even muntjac deer. The primary concerns are for birds and the risk of an aircraft striking a bird or flock of birds. The flight paths, roosting and feeding sites are of interest and the airport is responsible for continuous monitoring out to 13 kilometres.

Developments can easily influence bird behaviours. An example of this is a water park or landfill site, which birds will be attracted to, they can fly up to 30 kilometres in a day to feed and back again, twice. The generation and storage of putrescible waste will attract birds. These may cause the flight paths of the birds to change and this could bring them across the runway or near to the airport.

Developments and contract works could also act as nesting or feeding areas for birds, such as large pitched roofs, large landscaping schemes, earthworks which expose food for birds, buildings and structures with perching opportunities.

Instrument Flight Procedures (IFP's)

IFPs are rules established by aviation governing bodies allow aircraft to fly by reference to the instruments in the aircraft. Navigation is accomplished by provided by electronic signals and aircraft

fly using these as a reference in defined areas of airspace. The Airport has Standard Arrival Routes (STAR's) and Standard Instrument Departures (SID's) which are protected to allow a safe traverse by aircraft.

IFP's must always be clear of obstacles. The IFP surfaces must not be infringed and if they are it may cause flights to be diverted or cancelled. Long term, this may impact on future airspace development.

Lighting

Lights from local car parks, or construction sites, buildings or even street lighting can create dazzle to pilots or air traffic controllers.

Ground lights on and approach lights to the runway provide a light pattern which pilots can distinguish. The lighting pattern provides assurance to pilots for the critical task of landing the aircraft. Unwanted lighting may cause confusion at the critical stage of landing or prevent an air traffic controller from seeing important information.

Drones

Restricting drone operations to prevent impacts to aircraft safety is very important. This growing phenomenon offers several challenges, but we have a permit system in place which allows drones to be flown safely on or near the airport. Drone pilots must only do this if they meet specific criteria and with express permission of Air Traffic Control.

Public Safety Zones (PSZs)

At the ends of our runway are areas provided to protect people. A PSZ is an area of land where development is restricted in order to prevent people living and working within it. This minimises the risk to people in the event of an accident. Certain amenities are permitted such as parks and golf courses, but not permanent dwellings.

5G Technology

Whilst BAL supports technological advancements, the Airport does have a responsibility to ensure that the aerodrome communication, navigation and surveillance equipment used for the safe operation and navigation of aircraft are protected from any harmful interference.

Ofcom have identified an issue with the spectrum used by 5G when in the vicinity of aerodrome radar bands, as well as the specification surrounding the permitted out of band emissions of the mobile infrastructure, which could cause interference within the radar band.

Ofcom Guidance: https://www.ofcom.org.uk/data/assets/pdf_file/0018/114264/3.4-Radar-Co-ordination.pdf

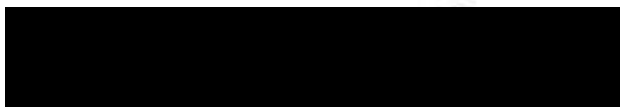
Considering the above, BAL are requesting that planning applications (including pre-application submissions) should include an assessment to demonstrate how there would be no harmful impact on Birmingham Airport's protected Radar system, as a result of any proposed development involving 5G technology.

In order to protect the Airport aerodrome and airspace, Birmingham Airport recommend that a new safeguarding policy is included within the Local Plan, which can be informed by the text provided above.

BAL are mindful of the positive impact the airport has and the potential the airport has to continue to make a significant contribution to the regional and national economy and will continue to work proactively with SMBC and our surrounding neighbours, residents, stakeholders, landowners, businesses and visitors in the development of the next stage of the Local Plan.

We trust the above information is helpful and look forward to continuing this engagement. If you have any queries or require further information, please contact me on 0121 767 7030.

Yours sincerely



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