

# Extracts from Terminal 5 Inquiry Report on Noise and the Importance of the Limit on Flight Numbers

The following extracts from Mr Vandermeer's report demonstrate that he considered the problem of aircraft noise pollution at Heathrow to be extremely serious and to weigh heavily in the balance against possible approval for the project. Mr Vandermeer makes it clear that he does not accept claims made in recent years by BAA and the Government, based on the LAeq16hour 57 dB(A) contour, that the noise climate around Heathrow has been improving:

"In my judgement, aircraft noise associated with Heathrow already causes substantial harm. I accept the Department's view that residents near Heathrow experience more severe noise problems than those living near any other airport in the UK or Europe. In this context, the fact that Terminal 5 would prevent the achievement of all the potential improvement in the noise climate must weigh heavily against it. (para 21.6.2)

"Although the area enclosed by the LAeq16hour 57 dB(A) contour has reduced, this is only part of the story. The very great increase in the number of aircraft has made the noise climate worse for many, particularly in the early morning." (para 34.5.20)

"I have reached the clear conclusion that noise from aircraft landing in the early hours of the morning does cause substantial disturbance over a wide area and that this, in turn, leads to significant annoyance. Indeed, I accept that, for many people, it causes genuine disturbance and very serious distress." (para 21.4.18)

"It is however necessary to look beyond the picture painted by the LAeq16hour 57 dB(A) contour as the Department accepted. On the basis of other considerations, primarily the increase in the number of aircraft movements, I conclude that Terminal 5 would cause substantial harm to the noise climate. This conclusion is based on an expectation that the number of aircraft movements would not exceed 480,000." (para 21.6.3)

Mr Vandermeer explains that a combination of these factors — the high levels of noise disturbance created by Heathrow as it is, the significance of flight numbers in determining the level of noise pollution experienced by residents, and the fact that Terminal 5 will worsen the noise climate — means that he is prepared to recommend approval for Terminal 5 only if strict controls on noise are imposed, the most important of which is the 480,000 limit per annum on flight numbers. Should this limit not be imposed and enforced, he would recommend refusal.

“I do not however, overlook the feeling of many that their environment has been irretrievably damaged by the uncontrolled growth of Heathrow. This reinforces the need for proper controls in the future whatever the fate of Terminal 5.” (para 34.5.1)

“I do, however, believe that Terminal 5 should be approved only if it is subjected to clear and specific controls that would prevent any increase in the noise impact over and above that which I have taken into account. It is also essential that these are measures in which the public and local authorities can have faith. Unless the total number of aircraft movements at Heathrow is strictly controlled and a realistic contour cap is imposed together with effective controls on movements at night, the impact of Terminal 5 would soon exceed that on which I have based my judgement. In short it would rapidly become unacceptable, whatever benefits it may bring.” (para 34.5.21)

“While I consider that the noise impact of 480,000 movements could be made acceptable, I am firmly of the view that any such further increase in flights, however it might be achieved, would rapidly become intolerable. The proper application of the precautionary principle demands the imposition of a planning condition to prevent this and to restore public confidence that Heathrow would be properly controlled. I do not believe that the Government should repeat the mistake of an earlier Government.” (para 32.5.40)

Mr Vandermeer accepts that, while BAA will undoubtedly welcome the overall decision to recommend approval, the company, and even the DTLR, may not feel so positive about the conditions on which he has based this recommendation. But he makes the strong personal declaration that he sees both the approval and the conditions as a package which must be accepted as a totality, without BAA or the Government “cherry-picking” the parts with which they are happy and discarding the rest. Should the conditions be weakened, Terminal 5 should not be approved.

“I recognise that some of the controls I advocate may be unpalatable to BAA or even to the Government and that the final decision is for the Secretary of State. Nevertheless, I regard it as essential that I put my own position beyond doubt. It is my judgement that any substantial reduction in the package I shall be identifying would render Terminal 5 unacceptable in spite of the economic benefits it may bring.” (para 32.1.18)

Mr Vandermeer also recognises that the history of the expansion of Heathrow since the Glidewell Inquiry into Terminal 4 has generated extreme distrust among the communities affected by the

airport that any assurances from the Government, BAA or the aviation industry about environmental conditions relating to developments have any value.

“Particular concern was expressed about BAA’s proposed reliance on assurances that had no legal force. Opponents of the proposed terminal started from the thesis that previous controls on Heathrow had been totally ineffective and that promises made by the airport operator and the Government had been consistently broken.” (para 32.1.1)

“Nobody hearing evidence from people living around Heathrow as I have done could fail to appreciate the profound feeling that noise generated by aircraft using the airport has not been controlled in any effective manner. There was particular anger at the Government’s failure to impose the limit on aircraft movements proposed by Sir Iain Glidewell which had permitted the subsequent dramatic increase in the number of movements. This led HACAN to conclude that no useful purpose would be served by proposing any planning conditions or obligations. Such a situation does not reflect well on our planning system.” (para 32.5.30)

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