

Expansion of Bristol Airport to 12mppa - Planning Appeal

PINS Ref APP/D0121/W/20/3259234

Planning Issues Proof of Evidence for XR Elders

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Abbreviations used in the Statement:

‘Application’ refers to the NSC planning application Ref 18/P/5118/OUT

AONB Mendip Hills Area of Outstanding Natural Beauty

BAAN Bristol Airport Action Network

BAL Bristol Airport Ltd – the **‘Appellant’**

COVID-19 (or COVID) Coronavirus disease 2019

GBI Green Belt Inset

DMPLP North Somerset Development Management Policies Plan Part 1 July 2016

LPA Local Planning Authority (NSC)

mppa million passengers per annum

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

NSC North Somerset Council

NSCS North Somerset Core Strategy 2017

‘Officer Report’ refers to the report of the Application to the 17th Feb 2019 planning committee

PCAA Parish Councils Airport Association

PTI Public Transport Interchange

XR Extinction Rebellion

YAL York Aviation LLP

1. Introduction and Scope of Evidence

1.1 Personal Details: My name is Liz Beth, and I am a chartered Town Planner, with 35 years experience in all aspects of the planning service. I have worked with local planning authorities, in development management and policy development, as well as for private and not for profit organizations. I have also taught Planning Practice and Cycle Planning units on Town Planning MA courses. Areas of interest and experience have included transport and cycle planning, renewable energy and low carbon planning and urban design and public art. I have appeared at planning inquiries and submitted Appeal statements for environmental groups as well as local authority employers. I have a BA in Prehistory and Archaeology (2.1 honours) and an MA in Town and Regional Planning; both from Sheffield University and a post-graduate diploma in Design in the Built Environment from Cheltenham and Gloucester College of Higher Education.

1.1.1 For the last 10 years I have focused on neighbourhood planning: firstly with the Centre for Sustainable Energy and then with Planning Aid, the charitable arm of the RTPI. I am now self-employed; working with local groups undertaking neighbourhood plans, and also as an examiner of neighbourhood plans for the NPIERS service. I have undertaken nearly 40 neighbourhood plan examinations for a range of local authorities, within varied rural, coastal and more urban environments. Examination and assessment of neighbourhood plans requires detailed consideration of national and local planning policy, and its implications for policies in the neighbourhood plan.

1.2 Scope of Evidence: I am presenting evidence on behalf of the XR Elders group on planning matters, particularly with regard to policy and issues of prematurity. I do not deal in any detail with climate change, economic and public health issues and policy, as these matters are being dealt with by other organisations and witnesses appearing at this appeal.

2. Planning Context and background

2.1 The Development Plan for North Somerset Council comprises the North Somerset Core Strategy (NSCS) adopted in 2017, the North Somerset Development Management Policies Plan Part 1 (DMPLP adopted in July 2016 and the Sites and Policies Plan Part 2 adopted in April 2018. Relevant policies from these documents were identified in the officer report (p7) for Application 18/P/5118/OUT (the 'Officer Report' and 'Application') as follows, and we agree with it in the main, but would add Policy CS26 to the list, as it requires large scale developments to assess how the development will contribute to improving the health and well-being of the local population.

NSCS	DMPLP
CS1 – Climate change	DM1 – Flooding and drainage
CS2 – Sustainable design and construction	DM2 – Renewable and low carbon energy
CS3 – Environmental Impact and flood risk	DM6 – Archaeology
CS4 – Nature conservation	DM7 – Non-designated heritage assets
CS5 – Landscape and historic environment	DM8 – Nature Conservation
CS6 – North Somerset's Green Belt	DM9 – Trees
CS10 – Transport and Movement	DM10 – Landscape
CS11 – Parking	DM11 – Mendip Hills AONB
CS – 12 High quality design and place making	DM12 – Development in the Green Belt
CS20 – Supporting a successful economy	DM20 – Major Transport Scheme
CS22 – Tourism strategy	DM24 – Safety, traffic and infrastructure
CS23 – Bristol Airport	DM26 – Travel Plans
CS24 – Infrastructure and contributions	DM27 – Bus accessibility criteria
CS26 – Ensuring Safe and Healthy Communities	DM29 – Car parks
	DM30 – Off-airport car parking
	DM31 – Air safety
	DM32 – High quality design and place making
	DM33 – Inclusive access
	DM50 – Bristol Airport
	DM70 – Development infrastructure
	DM71 – Development contributions

2.2 The Officer Report sets out the relevant sections of the NPPF that are particularly relevant to this Appeal, and our only comment here is that section 15 'Conserving and Enhancing the Natural Environment' has inadvertently not been properly identified. Aspects of the NPPG are also relevant to this appeal; notably for prematurity and climate change issues. Within these sections of the NPPF, the following paragraphs are considered particularly relevant for this application:

NPPF para	Reason for Relevance
2, 47	Applications to be determined in accordance with the development plan and other material considerations
7	Purpose of the planning system is to help achieve sustainable development
10	Presumption in favour of sustainable development
80	Support for economic growth
83	Decisions should support growth in the rural economy while respecting the character of the countryside
91	Decisions to enable healthy lifestyles and local well-being
103	Growth should support sustainable transport objectives
104	Support for aviation requirements
108	Ensure opportunities to promote sustainable transport are taken up
117	Effective use of land, prioritizing brownfield development
133	Green Belts and their openness to be permanently protected
134	Purposes of Green Belts
136	Green Belt boundaries to only altered in exceptional circumstances
137	LPA should demonstrate that all other options examined before altering boundaries
141	LPAs should plan to enhance Green Belts and their beneficial use
143	Inappropriate development in Green Belt only in very special circumstances
144	Substantial weight to be given to harm in the Green Belt; if it is allowed needs to be clearly outweighed by other considerations.
148	Planning to support transition to a low carbon future in a changing climate
150	Development should help to reduce greenhouse gas emissions
170	Decisions should contribute to and enhance the natural and local environment
172	Great weight to be given to conserving and enhancing AONB.
174	Biodiversity to be protected and enhanced, including net gains with development
180	Development to avoid noise impacting health; protect tranquil areas and limit light pollution in dark landscapes – all to include cumulative impacts
181	Avoid causing air pollution and contribute to compliance with national objectives

3. Impact on Mendip Hills AONB

Evidence from Christine Tudor will deal with this issue in depth, but Policies CS5 and DM10 and DM11 all offer protection to the AONB. Policy CS5 states that development should ‘*conserve and enhance its natural beauty and respect its character*’. Policy DM10 deals with landscape issues generally, and specifies that the tranquility of an area should be respected, and light pollution avoided particularly where dark skies are an important feature of the area. Policy DM11 is specifically concerned with the AONB. This policy states that:

“Development which would have an adverse impact on the landscape, setting and scenic beauty of the Mendip Hills AONB, including views into and out of the AONB, will not be permitted unless in exceptional circumstances and where it can be demonstrated that it is in the public interest.”

It goes on to require that:

“Wherever possible new roads and major infrastructure proposals should be kept away from the AONB and, where they would be likely to affect it, proposals should demonstrate the need for development and that the siting and design would do as little damage to the environment as practicable.”

3.1 The Airport is located about 3km to the north of the AONB, on high ground that rises above the Yeo valley and is clearly visible from viewpoints within the AONB. The Airport and development within it clearly impacts on the setting of the AONB. Air and road traffic into and out of the airport has a significant noise impact and adversely affects the tranquillity of the AONB – an important aspect of the character of the AONB. The latest AONB Management Plan defines the special qualities that create the Mendip Hills sense of place and identity as including:

“The dark skies, tranquillity, sense of remoteness, and naturalness of the area. ...

Views towards the Mendip Hills and the distinctive hill line. The views out, and panoramas, including across the Severn Estuary to Wales, the Somerset Levels and Moors, and the Somerset Coast. ...”

3.2 Local Plan policy emphasises that development that harms the setting and character of the AONB should only be allowed where there is a demonstrated need for the development and public interest will be served. The Officer Report deals with impact on the AONB at page 112: Issue 13 Landscape and Visual Impacts. The Landscape and Visual Impact Assessment submitted with the

Application is quoted, with its assessment of impact on the defined Landscape Character Areas as mostly negligible and always ‘not significant’. This assessment has been challenged by the AONB Partnership and Natural England, and the evidence of Christine Tudor will consider impact and the robustness of the LVIA further.

3.3 The Officer Report considers that change in noise levels with the proposed increase in flights is not significant for communities in the AONB (p113), which has been challenged both within North Somerset and communities in neighbouring planning authorities. Evidence on this is offered in other Proofs. The impact of 11% extra flights a day is not negligible, and tranquillity is not just about noise, it is also movement and activity resulting in damage to the character and ambience of the landscape. The importance of preserving tranquillity, a key attribute of the AONB, has not been properly considered in the Officer Report, contrary to the requirements of the NPPF (para 180), which also requires cumulative impacts to be considered.

3.4 In a similar vein, the increase in artificial lighting is acknowledged to be visible from the AONB (p114), and to have ‘*some moderate close-range impacts on dark skies*’. However these are dismissed as ‘*one of several light clusters seen in the wider setting.*’ Policy DM50 is quoted in the Officer Report into landscape impact (p112) as stating that development in the ‘GBI’ (Green Belt Inset) ‘*will be permitted provided it is suitably sited, designed and landscaped*’. This is misleading however; a significant part of the Application is not located within the GBI. The main increase in lighting on site will come from the very significant increase in parking on the proposed extension into the Green Belt (5.1 ha), as well as intensification of an existing adjacent surface car park (7.8 ha) also within the Green Belt. This combined total 12.9 ha of serviced and lit car parking used all year is of course located outside of the GBI and not permitted by Policy DM50. It will extend airport operations on the most sensitive land nearest to the AONB and should have been challenged more effectively as being contrary to local and national planning policy.

3.5 The discussion on landscape in the Officer Report has concentrated on potential impact on the defined landscape character areas of the 2005 North Somerset Landscape Character Assessment. Consideration of the impact of the nearby AONB, a nationally protected landscape, has been cursory, with adverse impacts from an 11% increase in flights dismissed as not that much more than already impacts on the AONB. 11% extra flights a year on top of further expansion to 10mppa is approximately 15,500 extra aircraft movements a year or 43 extra aircraft movements a day. Given that national policy (NPPF para 172) states that ‘*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of*

Outstanding Natural Beauty, any impact on the AONB, including cumulative impact, should have been more rigorously considered in the Officer Report. The Report accepts that the proposed development will diminish, not enhance, the AONB and its characteristics with no further consideration of why the benefits of the development justify this adverse impact on the AONB.

3.6 There is generally an acceptance in planning that, where policies conflict, a balance is to be struck between harm and benefits: if the latter are considered to outweigh the harm, then the development will be considered acceptable in policy terms. Indeed policies in the development plan of North Somerset acknowledge this, for example in Policy DM11 quoted above. However if adverse impact is to be allowed on the AONB, the same policy requires that the circumstances are exceptional and in the public interest. XR Elders are also presenting evidence to this inquiry that questions the need for any further expansion of the Airport – a case that has strengthened with the impact of the pandemic on the airline industry and the resulting downgrading of passenger increase projections. Moving to a zero carbon economy requires no net increase in carbon emissions from air travel (CCC 6th Carbon Budget). The need to reduce carbon emissions is at least as strong a candidate for the ‘public interest’ of Policy DM11 as the benefits of an ever-expanding airport, especially as climate change will have an impact on landscape (AONB Management Plan).

3.7 Given the new uncertainty around future expansion of passenger numbers, there is no longer a public interest in allowing further expansion of an airport with significant adverse impact on a nationally protected landscape. The Application was not refused on grounds of unacceptable impact on the AONB, in our view a mistake at the time. With the changed circumstances of future projections of passenger numbers and tighter regulation of carbon emissions, the potential impact on the AONB has become significantly more difficult to justify. There are now clearly no exceptional circumstances that would point to the Application on balance being acceptable despite the adverse impact on the AONB.

4. Sustainable Transport provision

4.1 Travel to and from Bristol Airport is overwhelmingly by private car and the airport has one of the lowest modal share of public transport journeys to airports in the UK (NSC officer's report; table page 85 and Wood EIS for BAL; Parking Strategy 2018: para 4.2.2). Providing yet more parking that perpetuates this situation, and with no proposals for a robust public transport infrastructure and pricing mechanism that would significantly improve the situation is not acceptable and contrary to the NPPF (para 103) and the NSCS policies CS1 and CS10. Policy CS10 requires transport schemes to deliver better public transport, reduce adverse environmental impacts and contribute towards carbon reduction. It states for example that Transport Schemes should:

“deliver better local bus, rail and rapid transit services in partnership with operators;”...

“reduce the adverse environmental impacts of transport and contribute towards carbon reduction;”...

The Officer Report (p83) details several policies in the NPPF that require development to promote sustainable travel and a genuine choice of transport modes. There are small improvements to the current bus services proposed, but the aim is only for a 2.5% increase in passenger use of public transport. There is no firm commitment to a reduction in fares, only that BAL will ‘consider the fare structure’. Bus services to the airport are relatively expensive, which mitigates against their greater use, and fare reduction should be a priority for real promotion of modal switch to public transport. The Heads of Terms of the proposed legal agreement to the Application mention a sum of £625,000 for public transport improvements (iv p225) and another sum of £500,000 (vi p226). There is a commitment to continue the underwriting of existing services under the terms of the previous expansion permission and a feasibility study into Metrobus integration, but no commitment. The sums proposed are very small, seen in the context of the extra number of journeys resulting from a 2.5% increase in public transport use (about 600,000 extra public transport journeys a year).

4.2 The importance of a Public Transport Interchange (PTI) for encouraging greater use of public transport is acknowledged in the Officer Report (p88), but has not been negotiated to form part of the current permission. The statement from BAL that the PTI that formed part of the previous permission for expansion to 10mppa is unlikely to be built for several years has not been challenged. There is (p89) a reported commitment from BAL that a better PTI will be built, but it has not formed part of this proposal. This is in the context of a development proposal that has

included intensified use of a 7.8 ha surface car park, a new surface car park of 5.1 ha, and a new multi-storey car park with a footprint of 1.2ha. The proposed legal agreement details that a PTI is to be constructed subject to necessary approvals, but there would appear to be no penalty clauses compelling this to be agreed, and construction begun, before other aspects of the permission are allowed to commence.

4.3 Additional parking provision is proposed by BAL to be 'low cost' parking, justified by the statement that this is what customers want (Parking Demand Survey 2018 para 7.12 p32). Pricing is a crucial component of modal travel choice, and the Officer Report acknowledges that provision of more (relatively) cheap parking could adversely impact on the popularity of public transport (p90 quoted below). However despite this, the provision of more (relatively) cheap parking has been allowed and given first priority. No detailed viability assessment has tested the reasonableness of the current parking strategy and pricing prior to accepting green belt construction as the first priority. This is contrary to the NPPF expectation that development on brownfield land should be preferred (para 117); that all options should be considered before a change to Green Belt boundaries is made (para136 - the extension is effectively a boundary change); and that harm to the Green Belt needs to be clearly justified (para144). The requirement in local and national policy that sustainable transport and genuine modal choice be promoted also required a more rigorous justification for the parking strategy (NPPF para103 and NSCS CS10). The requirements of sustainable development (NPPF para7) require a better transport solution.

4.4 The LPA objectives as regards the transport strategy for the Airport is muddled and ineffective where parking provision is concerned. The Officer Report states (p90):

"It would be counter-productive to prevent any new additional car parking from coming forward before improved PT services are introduced. A balance will however need to be struck where car parking is realised on a phased basis so that it is deals with urgent demands, but not make it too easy to travel by car and prejudice PT use."

In what way linking provision of the allowed additional car parking to be introduced in tandem with the better public transport services is 'counter-productive' is not explained. The statement would also appear to contradict the statement in the Officer Report (top p104) that the new parking development in the Green Belt *"should only be supported if substantial funding for new or enhanced PT services is also in place from the outset."* The report goes on to say *"that timing and phasing arrangements will need to be agreed as part of a S106 agreement"*. A robust commitment to a sustainable travel plan would be making firm commitments, with clear phasing and timing in

the heads of terms offered with the Officer Report. Until the required highway improvements are made, recommended planning condition 23 restricts passenger numbers allowed to use the airport annually. A similar restriction could have been imposed on the increased parking and public transport improvements agreed, so that they were implemented and ready to serve the increased passenger traffic. But the parking aspect of the development is not clearly tied to convincing promotion of sustainable travel modes; either as a planning condition or as part of the draft legal agreement.

4.5 The draft legal agreement suggests a phasing of the new parking that starts with all of the development in the Green Belt as phase 1, the cheapest provision. This is the most unacceptable parking proposed, in Green Belt and sustainable transport policy terms, and the most damaging location for impact on the AONB, ecology and the Special Area of Conservation. Two further phases include multi storey car parks (MSCP) in the Green Belt Inset (GBI); one of these was originally required as part of the permitted extension to 10mppa in 2011. The MSCP granted in 2011 was required, in that permission and legal agreement, to be built in tandem with the permitted extension of surface parking also allowed. A further permission and revision of the legal agreement has largely broken this link, with only a small part of the MSCP required as part of the 2011 permission actually built. (Ref 16/P/1455/F and 16/P/1486/F for the Silverzone surface parking permission). As this MSCP is located in the GBI, and it was considered necessary for the permission to expand to 10mppa, its completion should have been the first priority, not Green Belt development, to comply with the NPPF. A third MSCP is proposed in the current Application, but to be conditional on achieving an interim target on public transport travel and a review of the parking requirements needed. It is quite possible, given the acknowledged over-provision of car parking generally (see discussion below), that this extra MSCP will either not be required or can be reduced in size.

4.6 Discussion of parking numbers and likely increases in demand in the Officer Report (Vehicle Parking section p101-5) have been largely rendered inaccurate by the impact of the pandemic. However the assessment in the Report (p102) that BAL's estimate of a need for 3,900 extra car parking spaces is excessive is still relevant. The Report states that BAL's addendum to the Parking Demand Study has not taken the projected increase in public transport use into account, and that the LPA consider only 3,200 spaces are necessary for the projected increase to 12mppa. The LPA propose that only 3,200 parking spaces should be immediately available, with another 700 spaces

being “*prevented from being used through planning controls*”. Given this, the final paragraph of this section of the Officer Report (p104), is frankly perplexing:

“the proposed level of on-site car parking at the airport is the minimum required to meet the needs arising from the proposed increase in passenger numbers after the level of public transport use has increased.”

How can the LPA conclude that BAL are providing the minimum car parking requirements, given the stated LPA view that only 3,200 extra parking spaces are necessary but BAL are proposing 3,900 spaces? And why provide parking spaces that may never be used? There is a statement in the Officer Report (p90) that should BAL fail to deliver the required public transport modal share, they ‘*would be required to remove parking spaces from use*’. The draft legal agreement sets out a proposal for doing this, but it requires mutual consent and offers ‘other modifications’ besides a reduction in consented parking spaces. It is not certain that parking spaces could be removed from use, and if the development had occurred in the Green Belt, then needless harm would have already been caused to the Green Belt.

4.7 There are clear indications that the proposed increase in parking is designed to generate a surplus of places that will draw custom from the current unauthorised providers (Parking Demand Survey 2018 paras 6.3 and 7.6). Such over-provision is likely, as admitted indirectly by the Officer Report quoted above, to encourage use of private cars over public transport for journeys to the Airport. The discouragement of unauthorised parking in the local area and Green Belt is the main justification for prioritising low-cost parking given by BAL (for example in the Parking Strategy: Wood 2018: para 2.6.13). There is a problem of unauthorised parking operations in the surrounding countryside and green belt, demand for which could be reduced with better and cheaper public transport provision to the Airport. The LPA take regular enforcement action against these operations however, and have policy in place (DM30) supporting enforcement action. BAL are effectively offering to provide inappropriate additional car parking in the Green Belt in order to deal with inappropriate car parking in the Green Belt. Their proposed solution would not improve matters; cheap parking in the Green Belt is not acceptable wherever it is.

4.8 In summary, the agreed transport provision does not comply with the basic requirements of sustainable transport, and is contrary to planning policy in the NPPF as well as the North Somerset development plan. When staff parking is considered, reduction in the amount of parking is promoted as a way of transferring journeys to public transport (p91) and accepted by BAL. For customers of the Airport however, such a policy is resisted; resulting in a development proposal

recommended for approval with an over-generous parking provision. Controls on parking provision are not convincingly tied into public transport improvements and phasing prioritises the parking provision in the most sensitive and inappropriate part of the site. A significant opportunity to tie in a proper Public Transport Interchange to any expansion of numbers has been missed: a facility already agreed as part of a previous planning permission, and considered 'vital' to the success of increasing public transport use (p89 Officer Report). The proposal conflicts with Policy CS10 of the NSCS and the NPPF, and there is no clear justification offered for why this has been allowed. More robust solutions for travel to the airport should have been negotiated.

5 Inappropriate Development in the Green Belt

5.1 The preference of customers for low-cost parking solutions has been used to justify building further car parks and intensifying existing use in the Green Belt. Some of this expansion is acknowledged to be an attempt to capture more of the market for parking provision associated with use of the Airport, and to divert vehicles currently parking in unauthorised sites. This report has already refuted this argument (para 4.7 above). The purpose of Green Belts is defined in the NPPF (para 134), which also states that their essential characteristics are ‘openness’ and ‘permanence’. Particularly relevant criteria from the NPPF for the purposes of the Green Belt around the Airport are the following:

- a) To check the unrestricted sprawl of large built-up areas;
- c) to assist in safeguarding the countryside from encroachment.

Car-parking requires the introduction of lighting, security and signage structures besides hard surfacing and fencing, and in the countryside, introduces a jarring visual series of ranked motor vehicles into an agricultural landscape. An Inspector in a recent enforcement appeal decision (APP3250492) concerning unauthorised use of land for car parking at Birds Farm, stated that

“there is no statutory definition of openness, but I regard it as the absence of physical manifestations of development. The parking of densely packed cars on the scale involved here, where several hundred cars may be parked at one time, appears as man-made development and it clearly reduces the spatial openness of the land. ... I am firmly of the view that openness is not preserved by the use”

The Inspector also considered that the intensity and frequency of use was relevant to a consideration of ‘openness’ (para13 same appeal decision notice).

5.2 That car parking is inappropriate development in the Green Belt by way of its impact on the openness of the landscape, is agreed by both the appellant (BAL SoC para 9.1) and the Officer Report (p106). Indeed the scale of this proposed development makes that point indisputable. Birds Farm involved possibly several hundred vehicles parked at peak times of the year: this Application is proposing 2,700 new spaces on an extension of the Silver Zone car park in the Green Belt, as well as the intensification of a permitted summer seasonal use on 7.8 ha of the Green Belt to be used all year (resulting in parking 3,650 vehicles all year instead of seasonally). It is acknowledged that this extension of use beyond the summer peak travel period will not address the need for additional parking, it is justified in the Parking Strategy 2018 (para 5.5.5) as helping

to “cater for the increased year-round demand for low-cost parking” and ensuring that the airport can offer an attractive alternative low-cost product to unauthorised off-site providers”.

5.3 Intensification of the seasonal car park will require the provision of permanent structures to support this. The adverse impact on the openness of the green belt will no longer be restricted to temporary structures in the lighter days of summer. Winter lighting of the site will be much more intrusive due to reduced daylight, with adverse impact on the dark skies of the nearby Mendip Hills AONB (AONB objection letter Jan2019), contrary to NPPF policy 180. This, and the proposed permanent structures to support the unrestricted use, will both intensify the adverse impact on the openness of the Green Belt and further erode its permanence contrary to NPPF policy 133.

5.4 Policy DM12 in the DMPLP states that inappropriate development in the Green Belt will not be approved except in very special circumstances. This Proof has set out evidence that the amount of car parking to be constructed cannot be justified in terms of sustainable transport requirements, and that any extra parking to be provided does not need to be provided within the green belt, there is capacity for it within the GBI. Thus there are no special circumstances that justify this inappropriate development in the Green Belt.

5.5 The conclusions drawn by BAL regarding the level of additional parking required for an expansion of the airport to 12mppa are in our view not accurate. Others are presenting detailed evidence on the estimates of parking demand, we wish to draw attention to the following aspects of the work submitted by BAL in support of the Application.

5.6 The Parking Demand Survey 2018 (para 5.1), submitted with the application stated:

“We have also considered the impact of autonomous vehicles on parking demand. However, our research and analysis indicate that there would be no impact until 2030. Therefore, any consideration of how vehicle autonomy would disrupt parking demand at the airport is not required at this stage.”

The impact of autonomous capability may impact before 2030, industry views vary on when they will be able to travel on the public highway. The key impact will be the ability to use an autonomous vehicle to journey to the airport but not need to park it there. As our evidence on forecasting passenger numbers sets out (Johnny Devas Proof of Evidence for XR Elders), the case that airport expansion will inevitably go beyond 10mppa has not been made. It could be after 2030 before the currently permitted car parking provision is not adequate as assessed at this time with current technology. The use of autonomous vehicles may well have eroded the need for

extra parking capacity by then. Autonomous capability is already being incorporated in new models, with Level 5 (full autonomy) capability for most new vehicles expected in 2023. Future autonomous capability of cars will reduce the demand for car parking space at the airport, as acknowledged in The Parking Demand Study Update 2020 (fig 9). It is very likely that with the postponement of the projected increase in passenger traffic the Applicant acknowledges, technological changes will mean there will be no justification for this new permanent parking development in the Green Belt, especially if parking intensification in the GBI is prioritised first. This report argues in para 4.3 above that this is the sustainable development option.

5.7 Although the appellant claims to have considered alternative locations for airport park and ride, there are alternative commercial proposals, more conveniently located by the motorway network, that should be given serious consideration as preferred alternatives if the need for additional parking is accepted. The NPPF (para 141) requires the LPA to plan for positive enhancement of the Green Belt once it has been defined, including to enhance landscapes and visual amenity. This Application would be detrimental to the landscape and visual amenity.

5.8 Legal precedent has determined that commercial issues are a material consideration for planning purposes, and that the council may come to a decision that for these reasons the ‘very special circumstances’ required for allowing inappropriate development in the Green Belt may be said to exist (Failed judicial Review Ref CO/6483/2016). BAL do not suggest that the Airport will not be viable without the proposed additional parking in the Green Belt. They make a case that low-cost parking is easier to sell and in more demand, but this is a business case for their greater profitability. Silver Zone parking may be in greater demand, but alternative parking nearer the airport in the GBI is also well-used. The commercial viability of the Airport does not require parking to be provided at surface level in the Green Belt therefore. The business case for more low-cost parking is contrary to planning policy promoting sustainable transport as well as protecting the Green Belt. While the LPA may have been legally justified in coming to a decision that commercial considerations outweighed other planning considerations, it was in our opinion not the rational decision, nor one that complied with their own planning policy. The Planning Committee were fully justified in coming to the opposite decision with regard to the ‘very special circumstances’ not having being met. The Officer Report has also accepted the case for inappropriate development on commercial grounds in the Green Belt without sufficient and robust evidence.

5.9 A cheaper option for provision of additional parking would be to build two storey deck parking in the GBI, which as table 1 below shows, can be built for lower costs than a MSCP. Interestingly the Parking Strategy 2018 considered this an option for building over the Silver Zone car park in the Green Belt (para 5.5.3), but not as an option for increasing the current long stay surface parking in the GBI.

Construction method	Typical Costs for car parking space	BAL parking Charge pw
Surface car park on green field	£3-6,000 per space	£48.99
MSCP	£12-15,000 per space	£60.99
Two storey deck parking	£10-12,000 per space	N/A

Table1: Construction costs for different car park construction and BAL parking charges Summer
(information pers comm Consulting Architect)

Table 1 has also given figures for car parking charges for a week in August at Bristol Airport (website accessed 12/03/21: charges vary with demand). This shows the much greater profitability of providing surface car parking, and thus the attractiveness of this option for BAL. There would appear to already be some cross-subsidy between surface and MSCP parking, and charges that the market will bear suggest profits could well afford to do this. A rough calculation assuming 80% occupancy of the Silver Zone Car Park (capacity 11,770 from May to October; 8,120 November to April) will have a gross income (assuming six months at £50, six months at £40) of £15.3m in peak months and £8.4m in winter months, total £23.7m. The construction costs of providing the spaces, using a median estimate of £4,500 per space, are £52.9m, so that even with running costs, investment payback is likely to have been obtained within 10 years, maybe less.

5.11 More than a year and a pandemic further on, future expansion beyond that already permitted is not going to materialise in the short term. Particularly relevant for the proposed development in the Green Belt, is that increased parking demand associated with any future expansion is not going to be needed in the short term, and in the medium to long term technological change may render land for expansion of car parking unnecessary. No overriding financial reasons have been given to justify preferring green belt and greenfield development over brownfield development in the GBI, and none are immediately obvious. At this point in time therefore, there are no 'very special circumstances' (NPPF 143) that justify this inappropriate development in the Green Belt and it is therefore contrary to national and local planning policy.

6. Other Planning Policy Considerations

6.1 Climate Change: The NPPG emphasizes that planning and development plans have a statutory duty to introduce policies to tackle climate change. It draws attention to the Climate Change Act 2008 and the system of regular carbon budgets it introduced as relevant for planning decisions. (Ref: ID 6-001-20140306 and ID 6-002-20140306). The NPPF (para 148) states that planning “should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions”. North Somerset Local Plan Policy in the NSCS (CS1) states that the authority is committed to reducing carbon emissions and tackling climate change and that development “*should demonstrate a commitment to reducing carbon emissions*”.

6.1.1 The need and policy support for carbon reduction will be detailed by other parties; beyond the planning policy requirements for development to reduce carbon emissions, there is national legislation requiring that the UK moves to zero carbon by 2050. There is national policy concerning airports and air travel (‘Beyond the Horizon’ (MBU) 2018), that sets a general carbon limit for airports in the UK. An Appeal decision for the Stansted expansion (APP/C1570/W/20/3256619), has recently interpreted this as putting Airports, and their carbon load, beyond consideration for the purposes of planning policy. However the most recent national planning policy (NPPF 2019) requiring development to reduce carbon emissions does not make any exceptions, and is more recent than MBU (originally out a month later, then revised following a court decision in 2019). Generally MBU, although still government policy, is not consistent with other government policy, legislation and the 6th Carbon Budget. This inconsistency, and the fact that a draft revision of the Airport Strategy is currently in development, should reduce the weight given to MBU in my view.

6.1.2 The appellant argues that their increase in emissions is acceptable because compared with the overall national carbon load it is small (Planning Statement: para 5.14.9), a position supported by the Officer Report (p38). Logically of course, this argument repeated by every carbon producer would make the targets of the Climate Change Act and its budgets impossible to achieve. While this may be an interpretation of the MBU, NSCS policy CS1 is looking for a commitment to reduce emissions. The continued reliance on private cars for journeys to the airport also increases carbon emissions, and is subject to national and local planning policy requiring emission reduction. The need for carbon emissions reduction, as required by both national and local planning policy, has not been adequately addressed in the Officer Report, or the development proposals.

6.2 Local Plan policies dealing with Bristol Airport: The NSCS, adopted in 2017, and **Policy CS23** requires development at the airport to demonstrate the '*satisfactory resolution of environmental issues*'. The Application was refused because it had not done this. The justification for the policy also sets out the requirement for any future development proposal for expansion beyond the permitted expansion to 10mppa to be the subject of a development plan document, to enable community involvement in the proposals at an early stage. The justification indicates that the airport does not support the requirement for a formal policy document, and in the event they ignored this written advice from the LPA and moved straight to submitting a planning application.

6.2.1 Policy DM50 is dealing with development at Bristol Airport specifically within the GBI, the area around the working airport on the north side with customer access and departure. It limits development to be connected with aircraft, passenger and air freight facilities, and requires environmental emissions to be minimized and there to be no unacceptable noise impact. Much of the development proposed in the Application is not within the GBI, but the Green Belt. Beyond a rather unusual caveat at the end of this policy, that would appear to be pre-judging an environmental impact assessment, Policy DM50 does not deal with development outside of the GBI. It does however repeat the requirement and advice that future major development at the airport should be set out in a planning policy document.

6.2.2 Policy DM30 aims to protect the Green Belt from off-airport car parking and promote wider travel choices by managing the demand for travel by car. In fact the policy restricts permissions for car parking outside the Green Belt, and requires it to be linked to existing overnight accommodation. As pointed out in the justification, the aim of protecting the Green Belt from off-airport car parking is mainly achieved through the Green Belt status itself. There is also a suggestion that protecting the Green Belt will be achieved "*by making alternative provision for airport-related car parking, while preventing an over-provision that would discourage the use of alternative modes of travel*". The proposals of this Application have signally failed to follow this stated intent.

6.2.3 Policy DM31 protects the airport and its operations from development that would prejudice the safe operation of the airport.

7. Premature and Unjustified Development

7.1 Premature development has a particular meaning in planning terms, and is generally related to a proposal being offered while policy is still being developed that could influence the acceptability or otherwise of that development proposal (NPPF paras 48-50). Policy CS6 in the NSCS states that:

“further amendments to the Green Belt at Bristol Airport will only be considered once long-term development needs have been identified and exceptional circumstances demonstrated.”

The justification for Policy CS23 in the NSCS states that *“additional development requiring consent beyond 2011 is expected to form the subject of an Area Action Plan or other development plan document”*. The justification for policy DM50 in the DMPLP repeats the preference of NSC for a policy document for future major development. This has not happened prior to the Application being lodged with the local planning authority, so that there are planning reasons to consider the application premature.

7.2 The proposed development in the Green Belt is a de-facto altering of the Green Belt boundary. It will certainly create ‘previously developed land’ and make further development on it easier to justify. The NPPF (para 136) states that Green Belt Boundaries should only be altered:

“where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.”

It is our case that this proposed development in the Green Belt is premature because it effectively alters the Green Belt boundary, and has not been undertaken within a plan-making process as required by the NPPF (para136), and set out in the justification for Policy DM50 of the DMPLP.

7.3 As set out in our proofs collectively, the application is premature in the general sense of the word, in that there is no proven need for the expansion proposed. The appellant does not have to show need for the application to be acceptable, but if need cannot be clearly demonstrated then the dis-benefits of the proposal become more important in the planning balance. The impact of the pandemic has made predictions of need more uncertain, and delayed, and the adverse impacts of the development, detailed in many proofs to this inquiry, are not justified by tangible benefits.

8. Conclusion

8.1 We have presented evidence across our submitted proofs that the predictions offered by the appellant of a quick return to 2019 levels of airport use and then increased use rising as before are far too optimistic (partly because they were overtaken by events). Their assumptions on economic factors are likely to be erroneous (XR proof J Devas). Contrary to the YAL assumption that COVID impact will be short-lived, ongoing travel restrictions and developments in the pandemic are likely to continue to impact adversely on the airline industry and people's ability and willingness to fly (XR Proof Lawson). Social factors such as greater awareness of the environmental damage caused by flying (XR Proof Capstick), coupled with a tightening of the requirements for carbon reduction nationally, also suggest that increase in passenger traffic is likely to be much slower than predicted.

8.2 Passenger numbers in UK airports have fallen on average about 80% in 2020, and are still severely impacted. All recent forecasts from the industry show that this will delay pre-COVID projections of increase in air travel. We have shown that it is quite possible the currently permitted increase to 10mppa at Bristol Airport will not happen before 2030, and further increase beyond this cannot be assumed. In these circumstances, at this point in time, an application for further expansion with all its damaging impacts is not justified. These adverse impacts include increased carbon emissions, harmful impacts on local ecology, increases in traffic and air pollution and noise nuisance for local people with resulting health impacts.

8.3 Very special circumstances have not been demonstrated for this inappropriate development in the Green Belt. When need for further expansion of permitted car parking cannot be confidently evidenced, there can be no special circumstances justifying development in the Green Belt. Similarly there can be no justification for setting aside the requirement to promote sustainable transport effectively and reduce carbon emissions.

8.4 In our opinion the adverse impacts of the proposed expansion were not outweighed by the claimed benefits prior to the pandemic. In these new medical, societal, economic and technological circumstances, where there may never be a need for the expansion proposed, the application is not justified. The adverse impacts of the development cannot be weighed against claimed planning benefits of a further expansion in passenger numbers that may never happen. The planning balance now comes down firmly in favour of avoiding the dis-benefits of this development proposal and we respectfully request that the appeal is dismissed.