

Date: 12 March 2021
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Leanne Palmer – Case Officer
Planning Inspectorate
Sent via email

Dear Leanne

Re: Appeal by Bristol Airport Limited (“the Appellant”) against the refusal of North Somerset Council (“the Council”) to grant planning permission for application reference 18/P/5118/OUT for the development of Bristol airport to accommodate 12 million passengers per annum

1. I write further to the case management conference meeting held on 8 March 2021.
2. Comments were invited from the parties on the matters set out in the letter from the Appellant dated 3 March 2021 (“**the Letter**”), in particular on (1) the parties’ availability in August 2021 and (2) the formulation of the main issues.

The matters in the Letter generally

3. The Council has no general comments on the contents of the Letter. The matters set out in Appendix 1 of the Letter remain matters of agreement between the Appellant and the Council, subject to the Council’s further comments below.

The parties’ availability in August 2021

4. It remains the Council’s preferred approach that a two week break in proceedings is scheduled (commencing on 16 August – see point 2 in Appendix 1 to the letter). The Council’s availability is severely constrained in that two week period (with both Counsel and multiple witnesses unavailable for some, if not all, of that period), owing to the fact that those weeks fall outside of the originally anticipated sitting days.
5. Given the extended duration of this inquiry there are also a limited amount of other date conflicts where some of the Council’s witnesses and Counsel are engaged with other

inquiries and events. Whilst these dates are immovable in themselves, we do not anticipate that any of those commitments will prevent the inquiry sitting (if necessary) subject to appropriate scheduling. To assist with scheduling, the periods of unavailability are listed below:

- (a) The Council's climate change witness is unavailable in the week commencing 30th August 2021.
- (b) The Council's air quality witness is unavailable in the week commencing 13th September 2021.
- (c) The Council's noise witness is unavailable in the week commencing 16th October (although this is likely to fall beyond the anticipated duration of the inquiry).

The formulation of the main issues

- 6. The Council takes a pragmatic and realistic approach to the formulation of the main issues. The formulation of the main issues will never be able to capture the multitude of different perspectives and argument raised by the parties. Further, the formulation of the main issues provides direction for the consideration of the evidence, but it does not prevent parties raising legitimate arguments which may not fall neatly within the formulation of the issues. The Council also recognises that the main issues may require refinement in advance of the inquiry, for example following exchange of evidence and completion of the statement of common ground.
- 7. The Council's preferred formulation remains as set out at point 5 in Appendix 1 to the Letter, with the slight reformulation of the climate change issue (arising from the Council's reflection on the points raised by third parties at the pre-inquiry meeting) as follows:

“The effect of permitting the proposed development on the ability of the UK to meet its climate change obligations, and the consequences for compliance with development plan policy, national policy and the statutory framework.”

- 8. The Council has considered the correspondence from the other parties this week regarding the formulation of the main issues. It is clear that there is no common consensus and the Council does not consider it proportionate or helpful to comment on

all of the different formulations proposed. Nevertheless, on a few matters the Council does wish to comment further, namely:

- (a) The Council does not see the need for the addition of a new issue, as proposed by the PCAA. This new issue does not capture any discrete matter which is not captured in the existing range of issues. Further, this new issue does not bring any greater clarity to the existing range or formulation of the issues.
- (b) The Council does not agree with the changes proposed on behalf of Mr Pearce: the proposed changes seek to introduce too great a level of detail into the formulation of the main issues and/or seek to introduce matters which can more properly be dealt with through the statement of common ground.

Yours sincerely

Natalie Richards

Principal Planning Policy Technical Officer

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