

SP & LS – Amanda Sutherland

Following the CMC this morning, the Inspectors asked the rule 6 parties to provide comments on;

- the pre CMC note, and
- the letter from NSC / BAL re suggested timetabling / topics.

There was a lot of correspondence with proposed amendments from parties over the weekend which will no doubt already be picked up by those parties. I set out only the comments of my client in the response below but agreed with the suggestions made by the other rule 6 parties in the circulated correspondence.

PINS Pre-CMC note

The relevant sections for my client are 10 b and d.

b - Green Belt issues - we would suggest that this is amended to record (as agreed by BAL today) that the expansion of the proposed car parking into the Green Belt is accepted by all parties as inappropriate development for which very special circumstances must be demonstrated. We would suggest that the inclusion of reference to the need to demonstrate very special circumstances and the relevant sequential testing process is made specifically in this subject so as to make clear the necessary expert professionals required to address the issue.

At present the section lends itself to being considered as purely a planning policy matter whereas it is our view that transport / highways (d) and impact on air quality / noise / disturbance (e and f) are all raised as a result of the alternative available site which can demonstrate significant benefits in this regard as well as addressing the sequential testing process.

Given that as rule 6 parties we are funding our input without financial gain accruing and the proposed length of the inquiry, ensuring that relevant expert input is minimised as to attendance will be very much appreciated.

d. As part of the Highway considerations both of the main parties have made reference to assessment of traffic impact arising from the provision of the proposed additional parking in the green belt. The inspectors have noted there are " off site parking issues". May I suggest this is more clearly explained. I would suggest;

" Highway matters;

- The status of the ASAS

- public transport provision - is it sufficient to meet policy requirements to encourage less use of the private car and is it in accordance with previous consents

- types of parking - MSCP / Surface / staff - is there a justification of need

- park and ride provision - On site / off site - consideration of off site parking provision"

As I mentioned briefly, I raise a concern for both of the main parties in respect of the use of the phrases " unauthorised car parking" and " unauthorised off-site parking" which I hope can be addressed prior to the drafting of proofs.

For clarity, both main parties have carried out an assessment of parking need by reference to their knowledge of " unauthorised off site parking" which it is understood derives from data provided by the LPA in relation to enforcement action against off site parking operators. I seek to understand the nature of this data and test whether it is correct at the inquiry. Hence it would be useful if clarification can be provided as to exactly how " unauthorised off site parking" was defined for the purposes of the evidence gathering and assessment purposes. Whilst it may appear pedantic, there are many off site operators that are not "unauthorised" and given the importance of the need argument advanced by the appellant to the issue of very special circumstances, it is pertinent to understand the derivation of the data used and the extent of parking operations assessed other than that provided by the appellant on the airport site.

Generally, I should be grateful for at least a week to review the SOCG/ Conditions when received from the main parties

No other comments

BAL / LPA letter

Section 5 sets out suggested wording for the main issues agreed between the main parties. The above suggestions are to be applied to the suggestions here.

However, it is noted that the expression in this document is biased towards the appellant and would suggest it is more appropriate to rephrase the relevant parts as

- GB issue as " **whether** the harm to the Green Belt is outweighed by very special circumstances "
- Highways issue to include " the sustainability of all airport parking being on site in the future" as part of the sustainability considerations."

kind regards

Amanda Sutherland LLb(Hons) PG Dip LPC
Planning Solicitor
Sutherland Property & Legal Services Ltd
1st Floor
1 Stamford Fort Cottages
Stamford Road
Plymouth
PL9 9SQ
Tel: 01752 403983 or 07747 084630
Email: admin@sutherlandpls.com
http:// www.sutherlandpls.com