

# **Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum**

## **Summary Planning Proof of Evidence**

### **Alexander Melling**

Section 78 Town and Country Planning Act 1990 Appeal by Bristol Airport Limited Relating to Bristol Airport, North Side Road

AND

The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020

Planning Inspectorate Reference: APP/D0121/W/20/3259234

North Somerset Council Reference: 18/P/5118/OUT

# 1. Introduction

## Qualifications and Experience

- 1.1.1 This Summary Proof of Evidence is prepared by Alexander Melling. I am an Associate Director at Wood Group UK Limited (Wood) with approximately 13 years' planning experience. I hold a BA (Hons) Degree in Geography from the University of Manchester and a MSc in Spatial Planning from University College London. I am a Chartered Member of the Royal Town Planning Institute (RTPI).
- 1.1.2 I was responsible for the preparation of the Planning Statement<sup>1</sup>, co-ordination of the Environmental Statement (ES)<sup>2</sup> and submission of the planning application in respect of Bristol Airport Limited's (BAL) proposals for the development of Bristol Airport to accommodate 12 million passengers per annum (mppa) (planning application reference 18/P/5118/OUT) (the Appeal Proposal).
- 1.1.3 I have now been instructed by BAL to act as expert witness on planning matters for the Section 78 appeal (reference APP/D0121/W/20/3259234) and The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020<sup>3</sup>. In this capacity, I have contributed to the Appellant's Statement of Case<sup>4</sup> and the Environmental Statement Addendum (ESA)<sup>5</sup>.

## Scope of Evidence

- 1.1.4 My Proof of Evidence, which is summarised in this document, concerns the detailed planning matters relating to the Appeal Proposal, including Green Belt. I consider the need for the Appeal Proposal and its benefits, conformity with the Development Plan and the material considerations relevant to the determination of the Appeal Proposal. I conclude my evidence by setting out my professional judgement on the overall planning balance.
- 1.1.5 **Appendix C** to my Proof provides additional evidence in respect of The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order.

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<sup>1</sup> CD 2.3: Wood (2018) Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum: Planning Statement (December 2018).

<sup>2</sup> CD 2.5.1 to CD 2.5.49: Wood (2018) Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum: Environmental Statement (December 2018).

<sup>3</sup> CP 001: The Bristol Airport Limited (Land at A38 And Downside Road) Compulsory Purchase Order 2020.

<sup>4</sup> CD 2.18: BAL (2020) Full Statement of Case (September 2020).

<sup>5</sup> CD 2.19 to CD 2.20.6: Wood (2020) Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum Environmental Statement Addendum (November 2020).

## Statement of Truth

- 1.1.6 The evidence which I have prepared and provide in my Proof of Evidence and in this summary is true and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

## 2. Policy Context

- 2.1.1 In **Section 2** of my Proof of Evidence I summarise the broad planning policy framework for decisions in respect of development at Bristol Airport; this is in terms of the Development Plan, the National Planning Policy Framework (NPPF)<sup>6</sup> and national aviation policy. I also identify other relevant policy, strategy and guidance documents.

### The Development Plan

- 2.1.2 The adopted Development Plan for the Appeal Proposal comprises of the: North Somerset Core Strategy (adopted 2017)<sup>7</sup>; Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016)<sup>8</sup>; and Sites and Policies Development Plan Part 2: Site Allocations Plan (adopted April 2018)<sup>9,10</sup>.
- 2.1.3 In my Proof of Evidence, I highlight that the Development Plan recognises the benefits of economic growth and the role that Bristol Airport can play in supporting this policy objective. I note that the policies of the Development Plan require that the impacts of the Appeal Proposal on surrounding communities and the environment must be mitigated to an acceptable level and that these impacts should be balanced against the benefits of increasing the capacity of Bristol Airport to accommodate 12 mppa.

### National Planning Policy Framework

- 2.1.4 The NPPF establishes, at paragraph 80, that significant weight should be afforded to the economic benefits of the Appeal Proposal when balancing the positive and adverse impacts of increasing the capacity of Bristol Airport to handle 12 mppa. I note that, if the Appeal Proposal is sustainable

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<sup>6</sup> CD 5.8: Ministry of Housing, Communities & Local Government (2019) National Planning Policy Framework (February 2019). Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf) [Accessed May 2021].

<sup>7</sup> CD 5.6: North Somerset Core Strategy (adopted 2017).

<sup>8</sup> CD 5.4: Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016).

<sup>9</sup> CD 5.26: Sites and Policies Development Plan Part 2: Site Allocations Plan (adopted April 2018).

<sup>10</sup> The Sites and Policies Plan Part 2 identifies detailed allocations. It does not include a specific allocation in respect of Bristol Airport and is therefore not considered further in my evidence.

development, it should be granted planning permission without delay in accordance with the presumption in favour of sustainable development set out at paragraph 10 of the NPPF.

## National Aviation Policy

- 2.1.5 UK policy on aviation is contained in the following documents: Aviation Policy Framework (APF) (March 2013)<sup>11</sup>; Beyond the Horizon - The Future of UK Aviation: Making Best Use of Existing Runways (June 2018) (hereafter referred to as 'MBU')<sup>12</sup>; and the Airports National Policy Statement: New Runway Capacity and Infrastructure at Airports in the South East of England (June 2018) (ANPS)<sup>13</sup>.
- 2.1.6 I highlight in my Proof of Evidence that the APF, ANPS and MBU establish the Government's policy of airports such as Bristol making best use of their existing runway capacity as part of a balanced approach to aviation growth. I note that MBU makes clear that carbon emissions are to be considered at a national level and that the emerging position in relation to the Sixth Carbon Budget and the UK Emissions Trading Scheme (UK ETS) / Carbon Offset Scheme for International Aviation (CORSA) is that this is to be achieved through a carbon traded mechanism.

## 3. Need for the Appeal Proposal and Benefits

- 3.1.1 In **Section 3** of my Proof of Evidence, I establish the compelling need for the Appeal Proposal and the benefits of allowing Bristol Airport to grow to 12 mppa. This includes:
- the Government's economic objectives and the levelling-up agenda;
  - the strong national aviation policy support for the growth of regional airports and making the best use of existing runways, which underpins the Government's wider economic policy objectives;
  - forecast passenger demand that ought to be met at Bristol Airport; and
  - the substantial social, economic and environmental benefits associated with the development of Bristol Airport to accommodate 12 mppa.

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<sup>11</sup> CD 6.1: HM Government (2013) The Aviation Policy Framework (March 2013). Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/153776/aviation-policy-framework.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/153776/aviation-policy-framework.pdf) [Accessed May 2021].

<sup>12</sup> CD 6.4: HM Government (2018) Beyond the Horizon – The Future of UK Aviation: Making Best Use of Existing Runways. Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/714069/making-best-use-of-existing-runways.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714069/making-best-use-of-existing-runways.pdf) [Accessed May 2021].

<sup>13</sup> CD 6.9: Department for Transport (2018) Airports National Policy Statement: New Runway Capacity and Infrastructure at Airports in the South East of England (June 2018), Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/714108/airports-nps-new-runway-capacity-and-infrastructure-at-airports-in-the-south-east-of-england-print-version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714108/airports-nps-new-runway-capacity-and-infrastructure-at-airports-in-the-south-east-of-england-print-version.pdf) [Accessed May 2021].

## UK Government Economic Objectives and the Levelling-up Agenda

- 3.1.2 With reference to key national economic strategy documents including the Industrial Strategy<sup>14</sup> and Build Back Better<sup>15</sup>, I highlight that the Government's policy objectives for economic growth, increased productivity and global connectivity underpin the need for investment in infrastructure, including at the UK's regional airports. I also emphasise the importance of infrastructure investment to the Government's strategy for economic recovery from the COVID-19 pandemic, increased trade following the UK's departure from the European Union (EU) and levelling-up economic growth across the UK's regions.
- 3.1.3 Overall, I contend that the Government's economic policy objectives and the importance of infrastructure delivery to achieving them should be afforded significant weight.

## National Aviation Policy

- 3.1.4 National aviation policy is clear in its support for airports making best use of their existing runways and this policy is closely related to, and is an important pillar of, the Government's wider economic objectives. Critically, MBU policy remains extant and the Government has not indicated that it is minded to review its position. On the contrary, I note in my Proof of Evidence that the Government has consistently reiterated its position on MBU and on its support for regional airports.
- 3.1.5 I demonstrate that allowing Bristol Airport to grow by an additional 2 mppa responds directly to MBU and the Government's wider economic objectives and that this should be afforded significant weight. The Appeal Proposal will maximise the use of current, and bring forward investment in new, infrastructure and services required to support the growth of Bristol Airport to handle 12 mppa and will provide sufficient capacity to meet forecast passenger demand as part of a balanced approach to growth. It will additionally increase the South West's connectivity, facilitating international trade and connectivity and supporting the Government's levelling-up agenda. It will also support regional and local economic recovery from the COVID-19 pandemic.

## Meeting Passenger Demand

- 3.1.6 Drawing on updated forecasts prepared by York Aviation Limited (YAL)<sup>16</sup> and the evidence of Mr Brass, I demonstrate in my Proof of Evidence that despite the short-term impacts of the COVID-19

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<sup>14</sup> CD 11.4: HM Government (2017) Industrial Strategy: Building a Britain fit for the future (November 2017). Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/664563/industrial-strategy-white-paper-web-ready-version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/664563/industrial-strategy-white-paper-web-ready-version.pdf) [Accessed May 2021].

<sup>15</sup> CD 11.10: HM Treasury (2021) Build Back Better: Our Plan for Growth (March 2021). Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/969275/PfG\\_Final\\_print\\_Plan\\_for\\_Growth\\_Print.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/969275/PfG_Final_print_Plan_for_Growth_Print.pdf) [Accessed June 2021].

<sup>16</sup> CD 2.21: York Aviation Limited (2020) Passenger Traffic Forecasts for Bristol Airport to Inform the Proposed Development to 12 mppa (November 2020).

pandemic on the aviation sector, passenger demand at Bristol Airport is still forecast to reach 12 mppa, albeit over a slightly longer timeframe than anticipated in the original planning application.

3.1.7 I determine that there is a need to accommodate this demand in order to meet the Government's national aviation policy and wider economic objectives and to clawback the historic leakage of passengers from London's airports. As the main international gateway for the South West region and South East Wales, I contend that Bristol Airport is most appropriate location to accommodate this forecast passenger demand.

### Benefits of the Appeal Proposal

3.1.8 The Appeal Proposal will deliver significant economic and social benefits in terms of jobs, Gross Value Added (GVA) and the wider benefits that increased connectivity affords. In my Proof of Evidence, I note the findings of the Economic Impact Assessment Addendum<sup>17</sup> which identifies that increasing the capacity of Bristol Airport to accommodate 12 mppa will:

- create 1,335 jobs and generate £57m GVA during construction;
- create an additional 825 direct jobs on-site;
- create a total of 4,000 opportunities in the wider economy during operation, net of displacement;
- deliver benefits associated with enhanced productivity including improved access to international markets and supply chains;
- generate £310m GVA, taking the airport's total economic impact to £2.3 billion; and
- increase the inbound tourism impact in the South West and South Wales by £60m, supporting an additional 1,090 jobs.

3.1.9 Importantly, the Appeal Proposal will support national, regional and sub-regional economic growth and recovery from the COVID-19 pandemic. The employment benefits associated with expanding Bristol Airport will deliver increased prosperity and associated health benefits and will, supported by a Skills and Employment Plan, stimulate regeneration in nearby deprived communities.

3.1.10 The Appeal Proposal will also deliver environmental enhancements in terms of ecology, transport and ground noise and will facilitate the transition of Bristol Airport to net zero.

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<sup>17</sup> CD 2.22: YAL (2020) Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum: Economic Impact Assessment Addendum (November 2020).

3.1.11 Drawing on the evidence of Mr Brass, I highlight that in a situation where the appeal is dismissed and Bristol Airport is unable to grow beyond its current passenger cap of 10 mppa, passengers would either not make trips at all or gravitate towards airports outside the South West region and South Wales. The significant economic benefits of expansion would therefore not be realised and the existing benefits Bristol Airport provides are likely to be diminished. In my view, this would be contrary to national aviation policy and the NPPF.

## 4. Main Issues for the Appeal

4.1.1 In **Section 4** of my Proof of Evidence, I consider the main issues for the appeal. I do this on a topic basis, taking into account the principal matters raised in NSC's reasons for refusal<sup>18</sup> and the main issues for the appeal set out in the Case Management Conference (CMC) Summary Note<sup>19</sup>. Specifically, I consider the following matters:

- surface access;
- air quality;
- noise;
- climate change; and
- the benefits of the Appeal Proposal.

4.1.2 I conclude that NSC's reasons for refusal are not valid nor based on any substantive evidence and that the Appeal Proposal is in accordance with those policies of the Development Plan and NPPF that relate to the matters listed above.

### Surface Access

4.1.3 I highlight that the Transport Assessment Addendum (TAA)<sup>20</sup> has confirmed that, even on a reasonable worst-case basis, the additional traffic generated by the Appeal Proposal will not prejudice highway safety or result in severe cumulative impacts on traffic congestion; on the contrary, the proposed A38 improvements will deliver significant local capacity benefits and enhance safety. I also note that appropriate provision has been made to mitigate wider impacts on the highway network and directly address concerns expressed by local communities.

<sup>18</sup> CD 2.17: NSC (2020) Notice of Decision – Application 18/P/5118/OUT (19 March 2020).

<sup>19</sup> The Planning Inspectorate (2021) Case Management Conference (8 March 2021) Summary Note.

<sup>20</sup> CD2.20.3: Stantec (2020) Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum: Transport Assessment Addendum (TAA) (November 2020).

- 4.1.4 Drawing on the evidence of Mr Witchalls, I observe that Bristol Airport has the highest public transport mode share of any regional airport cited in 2019 data produced by the Civil Aviation Authority (CAA). BAL is now proposing a further, stretching 2.5% increase in public transport mode share that will be delivered through a comprehensive package of deliverable, sustainable transport measures. This leads me to conclude that the Appeal Proposal is supported by clear surface access proposals that will promote sustainable transport solutions and provide for a wide choice of modes of transport that will promote public transport use by passengers and help to minimise impacts on the highway network.
- 4.1.5 On this basis, I conclude that the Appeal Proposal is in accordance with Development Plan Policies CS1, CS10 and CS23, as well as Policies CS11, DM50 and DM54, and the NPPF and national aviation policy on matters concerning sustainable travel and airport surface access.

## Air Quality

- 4.1.6 I note that the ESA (Chapter 7) and the evidence of Mr Peirce clearly establishes that the air quality impacts of the Appeal Proposal will not be significant, that all concentrations of pollutants will remain comfortably within the Air Quality Objective (AQO) limits and that current compliance with all relevant limit values and objectives will be sustained. I also note that a range of measures will be implemented to mitigate the air quality impacts associated with an additional 2 mppa which is in addition to, and alongside, wider measures being taken by the aviation industry to reduce emissions from aircraft. Taking into account the findings of the air quality assessment, the health assessment presented in Chapter 9 of the ESA has confirmed that the Appeal Proposal will not cause significant adverse health impacts.
- 4.1.7 Development Plan policy requires that the air quality impacts of proposals are mitigated to an acceptable level and that environmental issues are satisfactorily resolved. The NPPF (paragraph 181) requires proposals to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. These are the key policy tests relevant to the Appeal Proposal and in both cases I conclude in my Proof of Evidence that they have very clearly been satisfied. It is my view that the Appeal Proposal is, therefore, in accordance with Development Plan Policies CS3, CS23 and CS26 and paragraphs 170(e) and 181 of the NPPF.

## Noise

- 4.1.8 The Appeal Proposal will not result in significant adverse noise impacts. I highlight in my Proof of Evidence that whilst the number of properties predicted to experience average night-time air noise levels above the Significant Observed Adverse Effect Level (SOAEL) will increase, the changes in

noise level will be small and not significant. Further, I note that for some receptors, the Appeal Proposal will provide a benefit in terms of ground noise due to additional screening.

4.1.9 BAL has proposed a number of measures to limit the noise impacts of the Appeal Proposal. These include:

- a reduction in the 57 dB  $L_{Aeq,16h}$  daytime noise contour area limit from its current value of 12.4 km<sup>2</sup> to 11.5 km<sup>2</sup>;
- a reduction in the number of night flights allowed during the 'shoulder periods' (23.00 to 23.30 and 06.00 to 07.00 hours) from 10,500 flights to 9,500 flights;
- a new night noise contour limit whereby from 2030, the area enclosed by the 55dB  $L_{Aeq,8hr}$  night-time noise contour shall not exceed 6.8km<sup>2</sup>;
- acceptance of a new 1 dB Quota Count (QC) banding night control scheme as proposed by NSC with the retention of the seasonal budgets as per today;
- the phasing out of a QC 10% borrow and/or carry over as previously agreed with NSC; and
- the banning of QC2 and above rated aircraft period 23.30 to 06.00.

4.1.10 In addition, BAL is proposing an enhanced noise insulation scheme that goes beyond both the requirements of the APF (paragraph 3.39) and the recommendations contained in Aviation 2050<sup>21</sup>.

4.1.11 Taking into account the findings of the air noise assessment, the health assessment presented in the ESA has confirmed that the Appeal Proposal will not cause significant adverse health impacts.

4.1.12 Accordingly, I conclude in my Proof of Evidence that the Appeal Proposal is in accordance with Policy CS3 and Policy CS23 of the Development Plan. By delivering improvements in noise and controlling and mitigating adverse impacts, the Appeal Proposal also accords with Policy CS26, paragraph 180 of the NPPF, the Noise Policy Statement for England<sup>22</sup> and national aviation policy.

<sup>21</sup> CD 6.5: HM Government (2018) Aviation Strategy 2050: The Future of UK Aviation (December 2018), paragraph 3.122. Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/769696/aviation-2050-print.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/769696/aviation-2050-print.pdf) [Accessed May 2021].

<sup>22</sup> CD 10.4: Defra (2010) Noise Policy Statement for England (March 2010). Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69533/pb13750-noise-policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69533/pb13750-noise-policy.pdf) [Accessed May 2021].

## Climate Change

- 4.1.13 Taking into account the evidence of Mr Ösund-Ireland on climate change, I establish in my Proof of Evidence that increasing the capacity of Bristol Airport to accommodate 12 mppa will not materially affect the ability of the Government to meet its 'net zero' carbon target for 2050.
- 4.1.14 MBU remains current Government policy and I also note that the introduction of the net zero target in 2019 has not changed this position, nor will the inclusion of emissions from international aviation and shipping within the Sixth Carbon Budget. How these emissions are managed is a matter for Government to determine through its national aviation policy and I highlight that there are a range of legal and policy mechanisms available to it to ensure that its target and budgets are achieved. These include, in particular, the UK ETS and the UN's CORSIA system.
- 4.1.15 Drawing on the ESA and the evidence of Mr Ösund-Ireland, I can confirm that emissions arising from the Appeal Proposal will, in any case, be very small in the context of the current planning assumption of 37.5 MtCO<sub>2</sub>/annum. Even if the figure of 23 MtCO<sub>2</sub>/annum by 2050 for international, domestic and military aviation used by the Committee on Climate Change (CCC) in its 'balanced pathway' option to 'net zero'<sup>23</sup> is considered as a comparator, this would still be the case.
- 4.1.16 Aligned with its Carbon Roadmap<sup>24</sup>, BAL has sought to minimise greenhouse gas emissions and be an exemplar airport for sustainable aviation growth across the industry. I highlight that BAL has now published its draft Carbon and Climate Change Action Plan (CCCAP)<sup>25</sup> which sets out how it will manage the carbon impacts of increasing the capacity of Bristol Airport to accommodate 12 mppa and facilitate the transition of the airport to net zero by 2030.
- 4.1.17 Overall, for international aviation emissions, the UK's legal and policy framework will ensure that the Government's climate change obligations are met. Non-international aviation emissions will be reduced through the implementation of the CCCAP, aligned with BAL's target for carbon neutrality and net zero and in accordance with the policy tests established in the Development Plan and NPPF. I conclude in my Proof of Evidence that the Appeal Proposal is, therefore, in accordance with Development Plan Policy CS1, the NPPF and national aviation policy and that it will unequivocally not affect the ability of the UK to meet its climate change commitments.

<sup>23</sup> CD 9.34: CCC (2020) The Sixth Carbon Budget: The UK's Path to Net Zero (December 2020). Available from <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf> [Accessed May 2021].

<sup>24</sup> CD 9.10: BAL (2019) Becoming a Net Zero Airport: Our Roadmap to Reduce Carbon Emissions. Available from <https://www.bristolairport.co.uk/about-us/news-and-media/news-and-media-centre/2019/7/bristol-airport-carbon-roadmap> [Accessed May 2021].

<sup>25</sup> CD 9.48: Wood (2021) Bristol Airport Ltd Draft Carbon and Climate Change Action Plan (CCCAP).

## The Benefits of the Appeal Proposal

- 4.1.18 I demonstrate that increasing the capacity of Bristol Airport to accommodate 12 mppa will support the achievement of the economic priorities established in the Development Plan, the West of England Industrial Strategy<sup>26</sup> and the North Somerset Economic Plan<sup>27</sup>, as well as the Government's wider economic policy objectives. I also set out the wider social benefits that will be delivered as a result of the Appeal Proposal.
- 4.1.19 On this basis, I confirm in my Proof of Evidence that I am satisfied that the benefits of the Appeal Proposal will be significant and, in accordance with paragraph 80 of the NPPF, I contend that the economic benefits should be afforded significant weight. Overall, it is my judgement that the Appeal Proposal is in accordance with Development Plan Policy CS23 and the NPPF and is consistent with the objectives of the Government's national aviation policy and wider economic policies.

## 5. Green Belt

- 5.1.1 In **Section 5** of my Proof of Evidence, I deal with the development of additional car parking in the Green Belt. I highlight how, in developing its proposals for the expansion of Bristol Airport to accommodate 12 mppa, BAL has sought to maximise development in the Green Belt inset but that there is a demonstrable need to bring forward the proposed year-round use of the existing seasonal car park and an extension to the Silver Zone Car Park. I find that these components of the Appeal Proposal are inappropriate development in the Green Belt and go on to consider the harm to the Green Belt that would be caused by their development and the very special circumstances that outweigh this harm.

### Harm to the Green Belt

- 5.1.2 Taking into account the specific nature of the development proposed, its location in the context of the wider airport site and the mitigation proposed by BAL, it is my judgement that the proposed year-round use of the existing seasonal car park and the extension to the Silver Zone Car Park will result in only limited harm to the Green Belt. My conclusion is based on the landscape and visual impact assessment presented in the ES (Chapter 9) as well as a supplementary assessment which is presented in the Technical Note at **Appendix A** to my Proof of Evidence.

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<sup>26</sup> CD 11.7: HM Government (2019) The West of England Local Industrial Strategy (July 2019). Available from [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/818989/1907\\_VERSION\\_West\\_of\\_England\\_Interactive\\_SINGLE\\_PAGES.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818989/1907_VERSION_West_of_England_Interactive_SINGLE_PAGES.pdf) [Accessed May 2021].

<sup>27</sup> CD 11.15: NSC (2020) North Somerset Economic Plan 2020-2025 (September 2020). Available from <https://innorthsomerset.co.uk/wp-content/uploads/2020/10/North-Somerset-Economic-Plan.pdf> [Accessed May 2021].

## Very Special Circumstances

5.1.3 I establish in my Proof of Evidence that the following very special circumstances outweigh any harm to the Green Belt that would be caused by BAL's proposals for car parking to the south of the Bristol Airport site:

- the need for additional car parking in the Green Belt to meet demand associated with an additional 2 mppa;
- the lack of alternative, available and suitable sites for parking outside the Green Belt; and
- the need for, and benefits of, the growth of Bristol Airport.

### Very Special Circumstance 1: The Need for Additional Car Parking in the Green Belt

5.1.4 I contend that BAL's parking solution forms part of a holistic and balanced approach to sustainable travel that seeks to promote public transport, whilst ensuring that there is sufficient on-site parking capacity to meet demand. I identify that the need for additional car parking in the Green Belt is driven by the following factors:

- **Car parking demand associated with an additional 2 mppa:** On the basis of the evidence presented in the Parking Demand Study Update (PDSU)<sup>28</sup> and in Mr Witchalls' Proof of Evidence, and taking into account the surface access measures contained in the draft Section 106 Heads of Terms<sup>29</sup>, I conclude that BAL has established a requirement for 4,200 car parking spaces to serve an additional 2 mppa and, further, that this requirement takes full account of BAL's proposed public transport mode share target.
- **Insufficient capacity for additional spaces in the Green Belt inset to meet in full the car parking demand and the consequences of not meeting the residual requirement:** I highlight that BAL has already delivered a multi-storey car park to the north of the airport site (MSCP1) and will bring forward MSCP2 as an initial phase of further car parking. To maximise development in the Green Belt inset, a further multi-storey car park (referred to as MSCP3) is proposed adjacent to the current MSCP1 that will provide approximately 2,150 spaces; this equates to 1,500 net spaces. Against the total projected requirement of 4,200 spaces, this still leaves a residual requirement for 2,700 spaces. It is my judgement that there are no suitable opportunities to deliver additional surface level or multi-storey car parking in the Green Belt inset at Bristol Airport, having regard to the requirements for other landside uses within the

<sup>28</sup> CD 2.23: Teneo Consulting (2020) Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum: November 2020 Update to the Parking Demand Study.

<sup>29</sup> See CD 4.11: NSC (2020) Report to Planning and Regulatory Committee 10 February 2020 on 18/P/5118/OUT, Appendix 3.

inset including circulation space and the need to respect residential amenity for adjoining properties. This means that, even with the provision of a total of three multi-storey car parking facilities in the inset, there is insufficient capacity in the inset to accommodate all of the parking demand associated with an additional 2 mppa. In consequence, there is a need to consider opportunities outside of the Green Belt inset to meet the residual requirement. I contend that a failure to make adequate provision for the residual car demand outside of the inset would, critically, result in an increase in unauthorised off-site car parking and drop-off/pick-up.

- **No suitable, off-site alternatives for car parking outside of the Green Belt:** I note that no alternative sites outside of the Green Belt have been identified by BAL or NSC in the Officers' Report<sup>30</sup> to accommodate the residual demand for 4,200 spaces. In consequence, it is necessary to consider opportunities within the Green Belt at, and adjacent to, Bristol Airport.
- **No suitable, alternative sites within the Green Belt and Bristol Airport's operational area, beyond the existing seasonal car park:** With the exception of the year-round use of the existing seasonal car park, which is included in the application scope and would not meet peak summer parking demand at 12 mppa, I confirm that there are no other suitable options within the airport site.
- **The opportunity to bring forward car parking on land contiguous to Bristol Airport's operational boundary to meet the residual requirement for car parking and the benefits this delivers in terms of low-cost parking provision and making efficient use of land:** I confirm that the proposed extension to the Silver Zone Car Park is the most appropriate option for accommodating demand not met by further car parking in the Green Belt inset. Providing circa 2,700 spaces will meet in full the residual requirement, help accommodate the demand for low-cost parking, further mitigate unauthorised off-site car parking and represents an efficient use of land.

5.1.5 I highlight that BAL is currently proposing to deliver car parking in two phases, secured by way of a planning obligation:

- **Phase 1:** The removal of restrictions on the existing seasonal car park and MSCP2 in parallel with the early delivery of public transport improvements;
- **Phase 2:** The delivery of the extension to the Silver Zone Car Park and completion of MSCP3.

5.1.6 Importantly, BAL is currently proposing that the delivery of car parking in Phase 2 would be phased through a monitor and manage approach to anticipate demand for these facilities as it arises. At

<sup>30</sup> CD 4.11: NSC (2020) Report to Planning and Regulatory Committee 10 February 2020 on 18/P/5118/OUT.

this stage, it is anticipated that the extension to the Silver Zone Car Park would be brought forward ahead of MSCP3 in Phase 2.

5.1.7 I conclude that BAL's proposed phasing represents a balanced and controlled approach to the delivery of additional car parking capacity at Bristol Airport on the basis that:

- the proposed phasing is consistent with the PDSU, further demonstrates BAL's commitment to maximising development in the Green Belt inset, would see BAL bringing forward early investment in public transport measures and would secure delivery of a public transport interchange (PTI) facility (which forms part of MSCP2), in-turn encouraging sustainable travel;
- the adoption of the currently proposed monitor and manage approach to the delivery of car parking in Phase 2 will ensure that provision is fully aligned with demand and that it does not undermine the achievement of BAL's public transport mode share target and wider Airport Surface Access Strategy (ASAS) objectives;
- the delivery of the Silver Zone Car Park extension in the second phase prior to MSCP3 will better meet the demand for low-cost, long-stay car parking, ensuring that BAL is better positioned to offer an attractive, alternative, low-cost product to unauthorised off-site providers. In any case, both components of Phase 2 (the extension to the Silver Zone Car Park and MSCP3) will ultimately be required to accommodate a passenger throughout of 12 mppa. From a Green Belt perspective, therefore, when in Phase 2 each facility is brought forward is irrelevant as the same limited harm to the Green Belt will still occur ultimately. On that basis, BAL should be able to phase delivery to meet demand for different types of parking product as it arises.

#### Very Special Circumstance 2: No Further Suitable and Available Sites for Car Parking Outside of the Green Belt

5.1.8 I confirm that no suitable and available alternative sites outside of the Green Belt and remote from Bristol Airport have been identified by either BAL in its Parking Strategy<sup>31</sup> or by NSC in the Officers' Report<sup>32</sup> to accommodate the residual demand for car parking that would be catered for by the proposed extension to the Silver Zone Car Park.

5.1.9 In my Proof of Evidence, I consider two further sites promoted by third parties as alternatives to the proposed extension to the Silver Zone Car Park: a proposed 3,000 space park and ride (P&R) facility near Junction 21 of the M5 that was promoted by Mead Realisations (reference no. 19/P/0704/FUL)

<sup>31</sup> CD 2.12: Wood (2018) Parking Strategy: Final Report.

<sup>32</sup> CD 4.11: NSC (2020) Report to Planning and Regulatory Committee 10 February 2020 on 18/P/5118/OUT, page 111.

(the Mead proposal); and a proposed 3,101 space capacity P&R facility on land adjacent to Heathfield Park to the south of the A370 at Hewish (hereafter referred to as 'Heathfield Park') (reference no. 20/P/1438/FUL).

- 5.1.10 I note that the planning application for the Mead proposal was withdrawn and that the Officers' Report concerning the Appeal Proposal concluded (at page 110) that the scheme would not be compliant with the Development Plan. I contend that the proposal was, therefore, not a realistic option to accommodate the residual parking demand associated with the Appeal Proposal.
- 5.1.11 In terms of the Heathfield Park proposal, based on the information available to me at the time of writing including concerns raised by NSC officers<sup>33</sup>, Natural England<sup>34</sup> and the Environment Agency<sup>35</sup>, I observe that there seems to be significant uncertainty in terms of the demand for a P&R facility in the location proposed by the applicant, its potential impacts on the environment, highways and surface access and its compliance with the Development Plan. This leads me to conclude that the scheme is not a suitable and available option for meeting the residual demand for car parking and, further, that it is not a preferential alternative to the proposed extension to the Silver Zone Car Park.
- 5.1.12 Notwithstanding this, I note that BAL's proposed parking solution does not preclude the delivery of an appropriately sited and managed P&R facility that aligns with, and contributes towards, BAL's ASAS. In fact, BAL's currently proposed monitor and manage approach would take specific account of the capacity provided by authorised off-site P&R facilities in establishing whether there is sufficient demand to bring forward additional car parking at the Bristol Airport site.

### Very Special Circumstance 3: Need for, and Benefits of, the Growth of Bristol Airport

- 5.1.13 I highlight that the provision of additional parking is integral to the proposals for an expanded Bristol Airport, forms part of a strategy that makes best use of the existing airport site, in accordance with national aviation policy, and will, in-turn, deliver the substantial benefits of the Appeal Proposal.
- 5.1.14 An additional 2 mppa will generate demand for further low-cost car parking and I contend that an extension to the Silver Zone Car Park (alongside the year-round use of the existing seasonal car

<sup>33</sup> CD 15.9: NSC (2021) Internal Memorandum From Flood Risk Management Team 20/P/1438/FUL; CD 15.10: NSC (2021) Internal Memorandum from Mrs Susan Thomas (Environmental Protection) 20/P/1438/FUL; CD 15.12: NSC (2021) Internal Memorandum From Natural Environment Service Area 20/P/1438/FUL; CD 15.13: NSC (2021) Internal Memorandum From Senior Archaeologist 20/P/1438/FUL; CD 15.3: NSC (2021) Internal Memorandum From Highways & Transport; Place Directorate, 20/P/1438/FUL.

<sup>34</sup> CD 15.11: Natural England (2021) Letter from Alison Howell Lead Advisor, Sustainable Development Wessex Area Team to NSC re application 20/P/1438/FUL (25 March 2021).

<sup>35</sup> CD 15.8: Environment Agency (2021) Letter from Richard Bull, Sustainable Places - Planning Advisor to North Somerset Council re application 20/P/1438/FUL (18 March 2021).

park) is the most appropriate option for accommodating this demand. I also highlight that the provision of additional car parking will help to ensure that Bristol Airport makes the best use of the existing runway, in accordance with national aviation policy set out in the APF and MBU.

- 5.1.15 Consistent with the NPPF and national aviation policy, I consider that the need to meet this demand as part of the wider growth of Bristol Airport should be afforded significant weight.

### NSC and Third Party Issues

- 5.1.16 In **Section 5.5** of my Proof of Evidence, I address the issues raised by NSC and the Rule 6 parties on matters pertaining to the provision of additional car parking in the Green Belt. The issues concern: premature development in the Green Belt; harm to the Green Belt; need for additional car parking including low-cost car parking; impact on public transport mode share; phasing of car parking; further multi-storey car parking; staff car parking; and alternative off-site car parking.
- 5.1.17 Overall, I find that the issues raised by NSC and the Rule 6 parties are misconceived and not based on any substantive evidence.

### Conclusion

- 5.1.18 I conclude that, in accordance with national planning policy contained in the NPPF and Policies DM12 and DM50 of the Development Plan, BAL has clearly demonstrated the very special circumstances that outweigh the harm to the Green Belt and any other harm caused by the Appeal Proposal. I contend that NSC was, therefore, wrong to refuse the planning application on grounds relating to the Green Belt and that in coming to this decision, it did not take full account of these very special circumstances, the evidence before it nor the clear recommendations of its officers.

## 6. Other Issues Raised by Third Parties

- 6.1.1 In **Section 6** of my Proof of Evidence, I deal with those planning issues that do not form part of NSC's reasons for refusal but which have been raised in the Statements of Case of NSC and third parties and/or in representations on the ESA and appeal. These matters include: the need for the Appeal Proposal; landscape and visual impacts; ecological impacts; and impairment of residential amenity. I also briefly consider the remaining planning matters considered in the ES and by NSC in determining the planning application. These matters are also not identified as reasons for refusal in the Decision Notice and BAL understands that NSC is satisfied that the associated impacts are acceptable and, where relevant, appropriately mitigated.
- 6.1.2 Overall, I conclude that none of the other issues raised by NSC and third parties, as well as in the representations on the appeal, amount to reasons to dismiss the appeal. In determining their

reasons for refusal, Members of NSC also did not consider that these matters properly amounted to reasons to refuse the planning application and did not specify them as such when issuing the Decision Notice.

## 7. Conditions and Obligations

- 7.1.1 In **Section 7** of my Proof of Evidence, I explain the current position (at the time of writing) in respect of the draft conditions and Section 106 Agreement. I highlight that substantive proposed amendments to the draft planning conditions previously agreed between BAL and NSC officers were circulated by NSC to all parties on 18 May 2021. BAL has considered NSC's amended planning conditions and comments on their appropriateness are contained in **Appendix D** of my Proof of Evidence, alongside BAL's proposed alternative planning conditions where relevant.
- 7.1.2 I conclude that BAL's proposed alternative conditions provide the best mechanism through which the Appeal Proposal can be made acceptable in accordance with paragraphs 54 and 55 of the NPPF.
- 7.1.3 I am informed that BAL is willing to engage further with NSC and all Rule 6 parties so that, as far as is possible, a single set of proposed conditions can be agreed during the course of the inquiry.
- 7.1.4 Section 106 Heads of Terms for planning obligations relating to surface access, air and ground noise, air quality, environmental amenity and employment and skills were agreed with NSC officers prior to the determination of the planning application for the Appeal Proposal. These are presented in Appendix 3 of the Officers' Report.
- 7.1.5 BAL is continuing to engage with NSC on the form and content of the draft Section 106 Agreement. At this stage, BAL is proposing only limited changes to the Heads of Terms previously agreed with officers, chiefly to reflect BAL's proposals for the phasing of car parking (including the delivery of a PTI facility). The delivery of car parking in accordance with this phasing would be linked to a monitor and manage approach that would, if adopted, be secured by way of planning condition.

## 8. Planning Balance and Conclusion

- 8.1.1 Section 70(2) of the Town and Country Planning Act 1990<sup>36</sup> and Section 38(6) of the Planning and Compulsory Purchase Act 2004<sup>37</sup> (as amended) require that the appeal is determined in accordance with the Development Plan, unless material considerations indicate otherwise. Accordingly, in

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<sup>36</sup> CD 5.1: Town and Country Planning Act 1990. Available from <https://www.legislation.gov.uk/ukpga/1990/8/contents> [Accessed May 2021].

<sup>37</sup> CD 5.2: Planning and Compulsory Purchase Act 2004. Available from <https://www.legislation.gov.uk/ukpga/2004/5/contents> [Accessed May 2021].

**Section 8** of my Proof, I set out my evidence on the overall planning balance. In undertaking this balancing exercise, I assess the extent to which the Appeal Proposal is in accordance with the policies of the Development Plan before turning to other material considerations.

### Accordance of the Appeal Proposal with the Development Plan

8.1.2 In assessing the extent to which the Appeal Proposal is in accordance with the Development Plan, I have carefully considered NSC's reasons for refusal and the main issues for the appeal identified in the CMC Summary Note. I establish that all of the matters raised in NSC's reasons for refusal, and the main issues for the appeal, have been satisfactorily addressed. In summary:

- **Reason 1:** The economic benefits of the Appeal Proposal will be significant and will, crucially, support the South West region's economic recovery from the COVID-19 pandemic, enhance vital international trade and transport links following the UK's withdrawal from the EU, and contribute to the Government's objective to 'level-up' regional growth. The Appeal Proposal will also deliver important social benefits in terms of increased prosperity, quality of life benefits and regeneration. All of the environmental issues associated with increasing the capacity of Bristol Airport have, meanwhile, been minimised and (where appropriate) mitigated. In my view, the benefits of the Appeal Proposal substantially outweigh its residual impacts. Reason 1 is therefore not a valid reason to refuse the planning application.
- **Reason 2:** The ESA has clearly established that the air quality and noise impacts of the Appeal Proposal will not be significant and a range of measures will be implemented to mitigate the impacts associated with an additional 2 mppa. Taking into account the findings of the air quality and noise assessments, the health assessment presented in the ESA has confirmed that the Appeal Proposal will not cause significant adverse health impacts. Reason 2 is therefore unjustified.
- **Reason 3:** The carbon dioxide emissions from aviation are effectively controlled by Government at the national level. In that context, increasing the capacity of Bristol Airport to accommodate 12 mppa will not materially affect the ability of the Government to meet its carbon 'net zero' target for 2050 or, indeed, its carbon budgets. BAL has published its draft CCCAP which sets out how it will manage the non-aviation carbon impacts of increasing the capacity of Bristol Airport to accommodate 12 mppa and facilitate the transition of the airport to net zero. Reason 3 is, therefore, not valid.
- **Reason 4:** The proposed year-round use of the existing seasonal car park and the extension to the Silver Zone Car Park will result in only limited harm to the Green Belt. Very special

circumstances exist which outweigh any harm to the Green Belt. Reason 4 is therefore misconceived.

- **Reason 5:** The TAA confirms that the additional traffic generated by the Appeal Proposal will not prejudice highway safety or result in severe cumulative impacts on traffic congestion; on the contrary, the proposed A38 highway improvement scheme will deliver significant local capacity benefits and enhance safety. BAL has committed to a stretching 2.5% increase in public transport mode share. This target will be delivered through a comprehensive package of deliverable, sustainable transport measures. On this basis, Reason 5 is unjustified.

8.1.3 Overall, I conclude that the Appeal Proposal is in accordance with the Development Plan and that it should therefore be approved unless material considerations indicate otherwise.

### Other Material Considerations

8.1.4 I determine that the Appeal Proposal is sustainable development and that, in accordance with the presumption in favour of sustainable development in the NPPF, it should therefore be granted planning permission.

8.1.5 I establish that increasing the capacity of Bristol Airport and the associated investment in infrastructure and services will make best use of the existing airport runway as part of a balanced approach to growth. The Appeal Proposal therefore directly responds to, and is in accordance with, the Government's aviation policy set out in the APF and MBU.

8.1.6 Finally, I take account of the compelling need for the Appeal Proposal; in summary, the Appeal Proposal will:

- accommodate forecast passenger demand in order to meet the Government's national aviation policy of MBU and wider economic objectives and clawback the historic leakage of passengers from London's airports;
- deliver substantial social and economic benefits, supporting national, regional and sub-regional economic growth and recovery from the COVID-19 pandemic. This aligns with the West of England Industrial Strategy and the North Somerset Economic Plan;
- help meet the UK's global ambitions for increased international connectivity and trade following the UK's departure from the EU; and
- ensure adverse impacts on the environment and local communities are minimised and securing, where possible, enhancements.

- 8.1.7 Should Bristol Airport's capacity be constrained at 10 mppa, passengers would either not make trips at all or gravitate towards airports outside the South West region and South Wales, the significant economic benefits of expansion would not be realised and the existing benefits Bristol Airport provides are likely to be diminished. I contend that this would be contrary to national aviation policy and the NPPF.

## Conclusion

- 8.1.8 In my conclusions on the planning balance, I confirm that the Appeal Proposal is in accordance with the Development Plan and national planning policy and that there are no other material considerations which indicate that planning permission should be refused. Importantly, the Appeal Proposal will make best use of Bristol Airport's existing runway, delivering the UK Government's national aviation policy and wider economic objectives. I give this significant weight in the planning balance.
- 8.1.9 The Appeal Proposal is sustainable development. I contend that increasing the capacity of Bristol Airport to accommodate 12 mppa will deliver substantial, material benefits in terms of jobs, prosperity and increased connectivity. In accordance with the NPPF, I also afford these benefits significant weight in the planning balance.
- 8.1.10 The evidence presented by BAL's witnesses demonstrates that the growth of Bristol Airport, and the benefits this delivers, can be achieved whilst ensuring that adverse impacts on the environment and local communities are appropriately minimised and mitigated. As I have demonstrated above, all matters raised in NSC's reasons for refusal have been satisfactorily addressed by BAL and any residual adverse impacts deserve limited weight.
- 8.1.11 In refusing planning permission, I argue that NSC did not provide any proper justification for departing from the balanced and well-reasoned advice of its own officers. In all the circumstances, NSC's decision was unreasonable. I also contend that the way in which the application was handled was unreasonable.
- 8.1.12 Overall, it is my judgement that the need for, and significant benefits of, the Appeal Proposal outweigh the limited adverse impacts associated with increasing the capacity of Bristol Airport to serve 12 mppa. Respectfully, I therefore invite the Inspectors to allow the appeal.

## 9. The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order: Planning Evidence

- 9.1.1 BAL made The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 ("the Order") on 15 September 2020 under the provisions of the Airports Act 1986 (the Airports Act)<sup>38</sup>. The Order is required to acquire the land necessary for a proposed improvement to the A38 to accommodate an additional 2 mppa (the A38 highway improvement scheme); this scheme forms a component of the Appeal Proposal.
- 9.1.2 In **Appendix C** to my Proof of Evidence, I deal with the planning matters relating to the Order. I conclude that BAL is able to demonstrate that there are no sound reasons as to why planning permission for the Appeal Proposal, including the proposed A38 highway improvement scheme, should be withheld. Further, I confirm that there are no objections pertaining to planning matters which mean that the Order should not be confirmed. I therefore request that, subject to the planning appeal being allowed, the Order should be confirmed.

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<sup>38</sup> CD 5.14: Airport Act 1986. Available from <https://www.legislation.gov.uk/ukpga/1986/31/contents> [Accessed May 2021].

**wood.**

