



Appeal by: Bristol Airport Limited

Appeal Reference: APP/D0121/W/20/3259234

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

**Summary proof of evidence of
David Gurtler BA(Hons), BPI, DipSurv MRTPI
Planning and Green Belt**

Reference: NSC/W7/3

Alpha Planning Ltd



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Bristol Airport Public Inquiry

Planning Proof of Evidence Summary

David Gurtler

on behalf of

North Somerset Council

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I. QUALIFICATIONS AND EXPERIENCE

1. My name is David Gurtler and I am a Director of Alpha Planning Ltd. I have been a member of the Royal Town Planning Institute since 1989. I have been in practice for over 35 years, working at three London Boroughs and three planning consultancies.
2. I have worked within the aviation sector since 1992, providing planning advice to airport operators (including Heathrow Airport, Stansted Airport, Bournemouth Airport and Southend Airport) as well as to local planning authorities (including the London Borough of Newham [London City Airport public inquiry] and Luton Borough Council [Luton Airport expansion]).

II. STRUCTURE AND SCOPE OF EVIDENCE

3. My proof of evidence considers the impact of the Proposed Development on the Green Belt before assessing it against development plan policy, identifying other material considerations (including national policy) relevant to the determination of the appeal and undertaking a planning balance.
4. My evidence draws upon the Council's consideration of the Proposed Development and the subsequent refusal of planning permission.

III. GREEN BELT

a) Green Belt Inset

5. The majority of the airport is located in the Green Belt apart from the North Side, which is referred to as the Green Belt Inset. My evidence concentrates on the elements of the Proposed Development that fall within the Green Belt, namely: the year round use of the seasonal car park by 3,650 cars; the extension of the Silver Zone car park to provide parking for 2,700 cars; the taxiway widening; and the A38 improvements.

b) Inappropriate development

6. Bristol Airport Limited ("BAL") acknowledge in their Statement of Case that the operational change to the seasonal car park as well as the extension to the

Silver Zone car park to provide 2,700 additional spaces is inappropriate development in the Green Belt. I agree with that assessment.

7. Whilst RfR4 addresses only these two elements of the Proposed Development, I also set out my view on the entirety of the operational development within the Green Belt. The widening of the taxiways is an engineering operation, but since it does not preserve the openness of the Green Belt either spatially or visually, I consider that it does not fall within any of the exceptions from inappropriate development in paragraph 146 of the NPPF. Whilst the A38 is local transport infrastructure and situated in the Green Belt, I consider the proposed widening and junction improvements cause loss of openness, both visually and spatially, to the Green Belt and also encroach into the open countryside, consequently I conclude that they also are inappropriate development.

c) Assessment of harm to the Green Belt

8. In assessing the impact of the Proposed Development on the openness of the Green Belt, I apply the guidance in the PPG, that derived from case law, and assess the impact on the spatial and visual aspect of openness.
9. The field on which the Silver Zone car park extension (Cogloop Phase 2) is proposed is 5.1ha of best and most versatile agricultural land situated to the south of the airport, outside its boundary. Currently the openness of this Green Belt land in spatial terms is not compromised in any way. The proposed extension to the Silver Zone car park entails operational development and the change of use of this open field to provide block parking for 2,700 vehicles for use throughout the year.
10. The seasonal car park within the Silver Zone (Cogloop Phase 1) occupies an area of 7.8ha of land, and adjoins the open field upon which the Silver Zone car park extension is proposed. The use of the seasonal car park was controlled by a number of conditions, one of which restricts its use to between 1 May and 31 October. The appeal proposals seek year-round use of this site, together with the provision of permanent fixed lighting and CCTV cameras.
11. In total therefore, these two fields cover an area of 12.9ha (31.9 acres) of countryside and the proposed development would make provision for a maximum of 6,350 cars to be block parked at the same time. Whilst the

seasonal car park already has permission for use for part of the year, the development would result in block parking on both sites for 365 days a year, causing the permanent loss of the openness of the Green Belt in spatial terms in this location. The associated fixed lighting and CCTV cameras would also become permanent fixtures.

12. In terms of the spatial aspect, it is clear that the proposed use, with up to 6,350 densely parked cars covering over 30 acres of land significantly reduces the openness of the land.
13. Whilst views of the seasonal car park are restricted by a two metre bund, there are views from publicly accessible locations, and the proposal to extend the use to allow year round use would mean that the operational elements of the development would be permanent, and vehicles would be parked in this field throughout the winter months, when the visual impact on openness is likely to be greatest.
14. With regard to the open field that will become the Phase 2 car park, although the harm in terms of the visual impact of this element might be mitigated, due to the fact that the field is less visible from Winters Lane than the seasonal car park, the extent of the visibility of the site does not necessarily reduce the contribution that it makes to the openness of the Green, and currently this field is open and provides an open buffer to the mass of car parking that has accumulated on the southern side of the airport. The proposal will introduce the permanent use for the parking of 2,700 vehicles with associated access roads, aisles, lighting, CCTV and fencing, with vehicles coming and going and being block parked in what currently is open countryside, providing a buffer to the airport.
15. The proposed development will see the change of use of these two fields and the introduction of built development on a permanent basis. I do not consider that these two land parcels could be readily remediated since although the vehicles might be removed, it would also be necessary to remove the paved areas and associated paraphernalia. This would require a substantial amount of operations and it is unlikely that this land would ever be returned to its former agricultural condition.

16. I consider that the new parking development will also amount to encroachment into the countryside, contrary to the Green Belt purpose in NPPF para. 134(c) and will result in significant harm to the Green Belt.
- d) Assessment of very special circumstances**
17. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (“VSC”). The VSC advanced by BAL are:
- (a) The need for additional low-cost parking to meet demand associated with an additional 2mppa and to address the impacts of unauthorised parking in the Green Belt;
 - (b) Lack of alternative sites outside the Green Belt;
 - (c) The need for and benefits of the growth of the Airport.
18. Mr Colles’ evidence demonstrates that BAL has over assessed the demand for parking and that 3,900 is not required, concluding that such an over provision will undermine the need to increase public transport mode share.
19. I do not accept that the provision of parking in the manner sought by BAL represents a coherent strategy. Parking should be maximised within the Green Belt Inset with the delivery of the MSCPs before considering the Green Belt.
20. It has not been demonstrated that it is not possible to provide car parking in MSCP form in the Green Belt Inset to meet the levels of need which will arise from the growth of the airport (when measured accurately). This is the foremost example of an alternative to further provision within the Green Belt.

IV. PLANNING POLICY

a) National Aviation Policy

21. National aviation policy recognises the importance of the aviation sector to the economy. However, the support for expansion is conditional upon it being established that the benefits of an expansion scheme outweigh the environmental impacts and other costs and support for such a scheme can only be obtained this has been established.

22. National aviation policy anticipates that future growth in aviation should share the benefits with local communities, requiring a reduction in the number of people significantly affected by aircraft noise.
23. The Government's support for MBU of existing runways is subject to environmental issues being addressed and in Mr Hinnells' evidence, he sets out why the carbon assessment relied upon by proponents of airport expansion is out of date.

b) National Planning Policy

24. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
25. The NPPF identifies three overarching objectives to be pursued to achieve sustainable development, namely; economic; social; and environmental.

c) The Development Plan

26. The Development Plan comprising: the Core Strategy ("CS"); Sites and Policies Plan Part 1: Development Management Policies ("DMP1"); and the Sites and Policies Plan Part 2: Site Allocations Plan ("DMP2"), present the spatial, land-use expression of the Council's shared priorities, delivering the identified vision. The development plan is up-to-date and consistent with national policy.
27. **Noise:** Policy CS3 of the CS explains that development will only be permitted where its environmental impacts upon amenity or health are mitigated to an acceptable level. Policy CS23 of the CS requires proposals for development at the airport to demonstrate satisfactory resolution of environmental issues, including impacts on surrounding communities.
28. Policy CS26 provides that the planning process will support programmes and strategies which increase and improve health services throughout the district, promote healthier lifestyles and aim to reduce health inequalities.
29. Mr Fiumicelli's evidence concludes that: there will be an increase in the number of people experiencing adverse and significant adverse impacts on health and quality of life from noise (for instance 247 people exposed to noise levels above

the SOAEL at night); the proposed noise insulation scheme is not sufficient to address noise impacts; and that the impacts have not been reduced to an acceptable level, consequently the Proposed Development will contribute to a deterioration in health and quality of life rather than improving it.

30. Since the assessment in the ES and ESA, Jet2.com have announced that they will commence operations from Bristol and the impact of noise from their older fleet has not been assessed.
31. The proposed development conflicts with paragraphs 170(e) and 180 of the NPPF and policies CS3, CS23 and CS26 of the Core Strategy. The conflict with the development plan and the NPPF should be given very significant weight against the grant of planning permission.
32. **Air Quality:** As explained above Policy CS26 requires large scale development to demonstrate that it will contribute to delivering improvements to health and well-being.
33. Dr. Broomfield's evidence considers BAL's approach of simply looking to whether air quality limit values are met with the proposed development in place to be overly simplistic – assuming that there are no health impacts at levels below the limit values and that this assumption is flawed.
34. The Proposed Development will result in an increase in emissions of NO₂ and particulate matter, even taking mitigation into account, and as a result will not contribute to improving the health and well-being of the local population as required by the Development Plan.
35. Again, the impact of Jet2.com has not been taken into account, and their older fleet will result in higher emissions of air pollutants than those set out in the ES and ESA.
36. The Proposed Development gives rise to breach of Policy CS3, CS23 and CS26 of the CS. It also fails to deliver the innovative solutions and incentives expected by both national aviation policy and the NPPF.
37. **Climate Change:** National aviation policy was formulated in the context of a markedly different approach to carbon emissions to that which exists now, where national targets for carbon emissions were lower than today and

international aviation was not to be included in the attainment of national targets.

38. Mr Hinnells' explains that the policy approach in MBU was founded on it being established that the modest expansion envisaged could come forward on a basis which would ensure that the then existing climate change targets could still be met. However, with the adoption of the 6th Carbon Budget and net zero targets for 2050 (to include international aviation), if it cannot be demonstrated that the UK target can be achieved then to grant planning permission would be inconsistent with the legal duty in section 1 of the Climate Change Act 2008.
39. What is clear from Mr Hinnells' proof is that not all airports will be able to expand. Since there are more schemes than capacity, there has to be a process of identifying which schemes should come forward and which should not. A comparative exercise needs to be undertaken by national government. Since that exercise has not been undertaken, BAL cannot demonstrate that its scheme should be selected ahead of other airport expansion schemes. It follows that to grant planning permission for the proposed development now would be premature.
40. The proposed development is premature, has not demonstrated consistency with the attainment of the 6th Carbon Budget target or Net Zero 2050 target. As such it is contrary to the NPPF, policy CS1 of the CS and the duty in the CCA 2008 (as amended) to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. In my view, this is a significant material factor weighing heavily against the grant of planning permission.
41. **Surface Access:** Both national and local policy identify surface access as a key consideration in assessing the acceptability of aviation development.
42. Mr Colles has identified that the Proposed Development will give rise to unacceptable effects on highway safety and severe residual cumulative impacts on the road network at key junctions and that it fails to deliver the necessary public transport mode shift, in particular due to an overprovision of parking. These conflicts are unsurprising given the absence of an up-to-date surface access strategy, a key mechanism by which public transport mode shift can be achieved.

43. I consider that the Proposed Development's surface access infrastructure is inadequate and the Proposed Development will exacerbate, rather than ameliorate, the adverse effects of off airport parking. The Proposed Development conflicts with policies CS1, CS10 and CS23 of the development plan and as such is not growth which is supported by national aviation policy.
44. **Green Belt:** I have set out in Section III the relevant Green Belt policies and my conclusions on the application of those matters, subject to the question of the balance in NPPF paragraph 144, which I consider below in Section V.

d) Benefits

45. BAL asserts that the proposed development is needed. I disagree.
46. I recognise that the proposed development will bring economic and other benefits, producing jobs and supporting local businesses. However, as Mr Siraut explains in his evidence the degree of that benefit will not be as significant as BAL has identified. That is because there are a number of elements of the BAL economic impact assessment which result in an over-estimation of the benefits, whilst a number of economic costs that ought to have been considered in BAL's sensitivity test have been omitted from the cost benefit analysis (including carbon, noise and air quality costs as well as the cost of outbound tourism).
47. Mr Siraut also identifies that that most of the direct jobs provided by the expansion are likely to be low-value and low-skilled, posts which are generally at high risk of being automated. The nature of the potential jobs contrasts with North Somerset's economic policies which aim to improve the skill sets of its resident population.
48. Other claimed benefits included improved connectivity, though my understanding is that the airport does not provide for a significant number of transfer passengers and is not forecast to in the future, nor that the Proposed Development will materially increase the range of destinations served. Thus, whilst there may be changes in connectivity, they are likely to be limited.
49. Further, planning decisions have to be taken on the basis of a balance of the impacts and benefits that will arise if planning permission is granted. I consider there to be considerable uncertainty as to whether the benefits of the Proposed

Development will be realised – as a matter of reality – in this case. Given this, the weight to be afforded to the benefits must be reduced.

V. PLANNING BALANCE

50. The extension to the Silver Zone car park and the lifting of seasonal restrictions amounts to inappropriate development, which, by definition, is harmful to the Green Belt. This should be afforded substantial weight. I have also identified that this element of the Proposed Development results in the loss of openness of the Green Belt and conflicts with the purposes for including land within the Green Belt. Again, this should be afforded substantial weight. Added to this is the “other harm” for the purposes of NPPF paragraph 144 in respect of all the principal issues. Given the clear conflicts with local and national policy in respect of this “other harm”, I afford it significant weight.
51. Turning to the three VSC matters relied on by BAL, I do not consider that the harm that I have identified is clearly outweighed by those considerations, given the deficiencies in those matters that I have also identified. Accordingly, I do not consider that VSC have been demonstrated for the extension to the Silver Zone car park and the lifting of seasonal restrictions. It follows that I consider RfR 4 is well founded.¹
52. My view is that the proposed development is not in accordance with the development plan as explained above. Overall, I regard the conflict with the development plan to be significant. That conflict gives rise to a presumption that planning permission for the proposed development should be refused unless material considerations indicate otherwise.
53. As I have identified above, the proposed development also conflicts with the NPPF. I regard those conflicts as weighing significantly against the grant of planning permission.

¹ For the avoidance of doubt, I have conducted this balancing exercise by focussing on the extension to the Silver Zone car park and the lifting of seasonal restrictions. I have not brought in the additional parts of the Proposed Development which amount to inappropriate development, namely the taxiway widening and fillets, as well as the A38 highway works. In my view consideration of these matters would only strengthen by conclusion.

54. I have also identified that it has not been established that the proposed development can come forward on a basis which demonstrates that the UKs 6th Carbon Budget targets and the Net Zero 2050 target can be attained. I have concluded that it would be premature to grant planning permission for the proposed development now.
55. Whilst I acknowledge that the proposed development will deliver economic and other benefits, I do not consider those benefits are sufficient to outweigh the conflict with the development and the NPPF.
56. Since the benefits of the development do not outweigh its costs, the proposed development does not accord with the APF or with MBU.
57. For these reasons, my view is that planning permission for the proposed development should be refused.