

5. Legislative and policy overview

- 5.1.1 This chapter provides an overview of the relevant national, regional and strategic local planning policies to establish the policy context against which the proposals for the Proposed Development will need to be considered. Further topic specific policies that have been considered are provided in the environmental topic chapters (**Chapters 6-17**) within this Environmental Statement (ES).

5.2 Legislative context

EIA Directive 2014/52/EU¹

- 5.2.1 The legal basis for Environmental Impact Assessment (EIA) derived from European Community (EC) Directive 85/337/EEC², then further amended by Directives 97/11/EC³ and 2003/35/EC⁴ with the amended directive being consolidated as Directive 2011/92/EU⁵. Subsequent to this, Directive 2011/92/EU⁵ has been substantially amended by Directive 2014/52/EU⁶.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

- 5.2.2 On 16 May 2017, the *Town and Country Planning (EIA) Regulations 2017*⁷ (hereafter referred to as the 'EIA Regulations') came into force in England to incorporate the requirements of the 2014 Directive into domestic legislation. These regulations apply to development which is given planning permission under Part III of the *Town and Country Planning Act 1990*⁸. The EIA regulations revoke the *Town and Country Planning (EIA) Regulations 2011*⁹.

5.3 National planning policy context

National Planning Policy Framework

- 5.3.1 On 24 July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published a revised *National Planning Policy Framework*¹⁰ (NPPF) which sets out the Government's planning

¹ Environmental Impact Assessment Directive 2014/52/EU, [online]. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0052> [Checked 27/07/2018].

² Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment.

³ Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment.

⁴ Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/E.

⁵ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification).

⁶ Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

⁷ The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, [online]. Available at: <http://www.legislation.gov.uk/uksi/2017/571/contents/made> [Checked 27/07/2018].

⁸ Town and Country Planning Act 1990, [online]. Available at: <https://www.legislation.gov.uk/ukpga/1990/8/contents> [Checked 01/08/2018].

⁹ The Town and Country Planning (Environmental Impact Assessment) Regulations 2011, [online]. Available at: <http://www.legislation.gov.uk/uksi/2011/1824/contents/made> [Checked 01/08/2018].

¹⁰ Ministry of Housing, Communities & Local Government (2018). National Planning Policy Framework, [online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf [Checked 01/08/2018].

policies for England and is a material consideration in determining planning applications. The revised Framework replaces the previous NPPF published in March 2012.

- 5.3.2 At the heart of the revised NPPF¹⁰ is a presumption in favour of sustainable development through plan-making and decision-taking. Paragraph 11 sets out that this is taken to mean:

"approving development proposals that accord with an up-to-date development plan without delay; or

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- 5.3.3 Section 9 (Paragraph 104) of the revised NPPF¹⁰, "Promoting Sustainable Transport", refers to large scale transport facilities and states that planning policies should:

"...provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements..."

- 5.3.4 Furthermore, Paragraph 104 presents a strengthened policy position in respect of aviation and states that planning policies should:

"recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy".

- 5.3.5 The revised NPPF¹⁰ includes a range of other policies that are potentially relevant to the Proposed Development. These policies relate to (inter alia): the economy; design; health; climate change; the natural environment; and the historic environment. Where appropriate, these policies are referred to in the topic chapters of this ES (**Chapters 6-17**) and are therefore not repeated here. The Green Belt issues will be addressed in the Planning Statement.

National Planning Practice Guidance

- 5.3.6 On 6 March 2014, the Department for Communities and Local Government (DCLG) launched the *National Planning Practice Guidance*¹¹ (NPPG), a web-based resource. Together with the NPPF¹⁰, this sets out the Government's overall planning policy framework. With specific regard to aviation and airport planning, the NPPG¹¹ does not introduce any additional guidance beyond that which is already captured by the NPPF¹⁰.

¹¹ Ministry of Housing, Communities & Local Government (2014). Planning Practice Guidance, [online]. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance> [Checked 01/08/2018].

5.4 Aviation planning policy

Aviation Policy Framework

- 5.4.1 The *Aviation Policy Framework*¹² (APF) was published in March 2013 and fully replaces the 2003 *Air Transport White Paper*¹³ as Government policy on aviation. The framework outlines objectives and principles to guide plans and decisions on airport developments, bringing together many related and discreet policies, some of which are 'in train' – for example, the work being carried out to deliver the Airport NPS. By defining the Government's objectives and policies on the impacts of aviation, the APF sets out the framework within which decisions on aviation ought to be made to deliver a balanced approach to securing the benefits of aviation and to support economic growth.
- 5.4.2 For many years, the Government has sought to open up access to the airports outside the South East to improve opportunities for connectivity and to help reduce demand on South East airports. It recognises that *"airports in Northern Ireland, Scotland, Wales and English airports outside of London play an important role in UK connectivity"*. There is general support for the growth of regional airports, with the APF highlighting that *"new or more frequent international connections attract business activity, boosting the economy of the region and providing new opportunities and better access to new markets for existing businesses"*.
- 5.4.3 It is identified, that beyond their regional importance, airports outside of the South East of England also have an important role in helping to accommodate wider forecast growth in demand for aviation in the UK and that the availability of direct air services locally from these airports can reduce the need for air passengers and freight to travel long distances to reach larger UK airports. In this context, the APF recognises the vital role Bristol Airport plays in the economic success of the South West region.
- 5.4.4 The APF states that the *"Government wants to see the best use of existing airport capacity"* and that in the short-term, a key priority for Government is to continue to work with the aviation industry and other stakeholders to make better use of existing runways at all UK airports to improve performance, resilience and the passenger experience.
- 5.4.5 Section 5 (planning) sets out that all proposals for airport development must be accompanied by clear surface access proposals which demonstrate how the airport will ensure easy and reliable access for passengers, increase the use of public transport by passengers to access the airport, and minimise congestion and other local impacts.
- 5.4.6 The Government is in the process of replacing the APF with a more comprehensive Aviation Strategy. The final Aviation Strategy is expected in 2019.

Beyond the Horizon: The Future of UK Aviation¹⁴

- 5.4.7 The Government announced that the Department for Transport (DfT) is currently progressing work to develop a new strategy for UK aviation¹⁵ that will set out the long-term direction for aviation policy to 2050 and beyond. It is anticipated that the strategy will be published by the end of 2019

¹² Department for Transport (2013). *Aviation Policy Framework*, [online]. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/153776/aviation-policy-framework.pdf [Checked 27/07/2018].

¹³ Department for Transport (2003). *The Future of Air Transport*, [online]. Available at: <https://www.gov.uk/government/publications/the-future-of-air-transport> [Checked 31/07/2018].

¹⁴ Department for Transport (2017). *Beyond the horizon: The future of UK aviation*, [online]. Available at:

<https://www.gov.uk/government/consultations/a-new-aviation-strategy-for-the-uk-call-for-evidence> [Checked 27/07/2018].

¹⁵ Written Statement to Parliament on Airport Capacity and Airspace Policy – 2nd February 2017.

and that it will sit alongside the Airports NPS. Together, they will constitute the Government's new aviation policy and framework.

- 5.4.8 A call for evidence was published in July 2017 which invited views on the proposed aims, objectives, policy priorities and timetable for the strategy. This document, *Beyond the horizon: the future of UK aviation*¹⁴, affirms the Government's support for the growth of airports outside the South East of England. It also states that the Government's declared preferred option for one new runway in the South East (by 2030) "*will not open for at least 10 years and it is vital that the UK continues to grow its domestic and international connectivity in this period, which will require the more intensive use of existing airport capacity*".
- 5.4.9 In considering the approach to be taken for the expansion of regional airports, the Government states that they "*are aware that a number of airports have plans to invest further, allowing them to accommodate passenger growth over the next decade using their existing runways, which may need to be accompanied by applications to increase existing caps. The government agrees with the Airport Commission's recommendation that there is a requirement for more intensive use of existing airport capacity and is minded to be supportive of all airports who wish to make best use of their existing runways*".
- 5.4.10 The Government undertook consultation in autumn 2017 and has now considered the responses received; it has set out how it will address these in the next stages of the strategy's development. The Government's commitment to the growth of regional airports was recently reaffirmed in the Secretary of State for Transport's June 2018 statement concerning the proposed expansion of Heathrow¹⁶; recognising that a new operational runway at Heathrow is still a number of years away, and consistent with the Airports Commission's recommendations, he states that "*the government is supportive of airports beyond Heathrow making best use of their existing runways*".
- 5.4.11 The overarching aim of the strategy is to achieve a safe, secure and sustainable aviation sector that "*meets the needs of consumers and of a global, outward-looking Britain*". This aim is underpinned by the following objectives:
- Help the aviation industry work for its customers;
 - Ensure a safe and secure way to travel;
 - Build a global and connected Britain;
 - Encourage competitive markets;
 - Support growth while tackling environmental impacts; and
 - Develop innovation, technology and skills.

Airports National Policy Statement

- 5.4.12 The *Airports National Policy Statement*¹⁷ (NPS) was published in June 2018. This followed approval from the House, after which it was designated as a national policy statement under the provisions of Section 5 (1) of the *Planning Act 2008*¹⁸ subject to any legal challenge.

¹⁶ Secretary of State for Transport (2018). Statement by the Secretary of State for Transport about the proposed expansion of Heathrow airport, [online]. Available at: <https://www.gov.uk/government/speeches/proposed-heathrow-expansion> [Checked 01/08/2018].

¹⁷ Department for Transport (2018). Airports national policy statement: new runway capacity and infrastructure at airports in the south-east of England, [online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714106/airports-nps-new-runway-capacity-and-infrastructure-at-airports-in-the-south-east-of-england-web-version.pdf [Checked 27/07/2018].

¹⁸ The Planning Act 2008, [online]. Available at: http://www.legislation.gov.uk/ukpga/2008/29/pdfs/ukpga_20080029_en.pdf [Checked 01/08/2018].

- 5.4.13 The NPS provides the primary basis for decision making on development consent order (DCO) applications for nationally significant aviation-related development and, specifically, a north-west runway at Heathrow Airport. Whilst the Proposed Development is not of a scale considered to be nationally significant and does not relate to additional capacity in the South East of England, it is important to consider the proposals in the context of this national policy on aviation.
- 5.4.14 Specifically, in paragraph 1.39, the Government confirms that it is supportive of airports beyond Heathrow making best use of their existing runways albeit that they recognise that the development of airports can have positive and negative impacts, including on noise levels. Consistent with paragraph 1.29 of *Beyond the horizon: the future of UK aviation*, “Making best use of existing runways”, the Government states that any proposals should be judged on their individual merits by the relevant planning authority, taking careful account of all relevant considerations, particularly economic and environmental impacts.
- 5.4.15 As indicated in paragraph 1.39, paragraph 1.42 states that airports wishing to make more intensive use of existing runways will still need to submit an application for planning permission or development consent to the relevant authority, which should be judged on the application’s individual merits. However, in light of the Airports Commission’s findings on the need for more intensive use of existing infrastructure as described at paragraph 1.6 of the Airports NPS¹⁷, the Government accepts that it may well be possible for existing airports to demonstrate sufficient need for their proposals, additional to (or different from) the need which is met by the provision of a north-west runway at Heathrow Airport. The justification of the need for the Proposed Development is discussed in the Planning Statement and **Chapter 3: Scheme need and alternatives**. The Government’s policy on this issue will continue to be considered in the context of developing a new Aviation Strategy.

Airports Commission Discussion Paper 06: Utilisation of the UK’s Existing Airport Capacity

- 5.4.16 The Airports Commission during its investigation looked at the potential to redistribute demand away from airports in London and the South East of England. The study¹⁹ suggested that there is relatively little scope for redistribution, however, it did recognise that regional airports and those serving London and the South East of England, other than Gatwick and Heathrow, play a crucial national role. This is especially so at a time when the major London airports are already operating very close to capacity.

5.5 Planning policy context

West of England Joint Spatial Plan

- 5.5.1 The unitary authorities of Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire are currently preparing the West of England Joint Spatial Plan (JSP). The JSP will, once adopted, form part of the Development Plan, providing the strategic overarching development framework for the West of England to 2036 and guiding the review and future preparation of local plans in the sub-region.
- 5.5.2 The November 2017 *JSP Publication Document*²⁰ identifies Bristol Airport as a key strategic infrastructure employment location (Policy 4). It recognises the employment growth potential of

¹⁹ Airports Commission (2014). Discussion Paper 06: utilisation of the UK’s existing airport capacity, [online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/318211/utilisation-existing-capacity.pdf [Checked 27/07/2018].

²⁰ West of England Partnership (2017). West of England Joint Spatial Plan Publication Document, [online]. Available at: <https://www.jointplanningwofe.org.uk/consult.ti/JSPPublication/consultationHome> [Checked 01/08/2018].

Bristol Airport and in this regard, the supporting text to Policy 4 states: “Growth at Bristol Airport has the potential to create a range of new employment opportunities”.

- 5.5.3 Consultation on the Publication Document closed in January 2018 and responses will be considered by the appointed inspector as part of the forthcoming Examination in Public and prior to adoption of the JSP.

West of England Joint Local Transport Plan 3 2011-2026

- 5.5.4 The *Joint Local Transport Plan*²¹ (JLTP) covers a 15 year period between 2011 and 2026 and sets out the transport strategy for the sub-region. The plan aims to deliver an affordable, low carbon, accessible, integrated, efficient and reliable transport network to achieve a more competitive economy and better connected, more active and healthy communities.
- 5.5.5 The JLTP recognises the significant positive impact that Bristol Airport has on the region’s economy as one of the fastest growing regional airports in the UK and aims to support its growth. In this context, the JLTP seeks to achieve improved access to Bristol Airport by public transport and through the delivery of the South Bristol Link (completed in January 2017).

West of England Joint Transport Study

- 5.5.6 A *West of England Joint Transport Study* (JTS)²² has been prepared by the four West of England authorities. The JTS is intended to provide a clear direction for the long-term development of the transport system in the sub-region to 2036 and beyond and will form the basis for the next JLTP and transport investment programme.
- 5.5.7 The JTS sets out that there is a strong case to significantly improve surface connectivity to Bristol Airport, both by public transport and road, and identifies two major investment proposals. The first is for a new mass transit route between Bristol Airport and Bristol, to form part of a mass transit network for the urban area. The second proposal is for major improvements to the A38 between Bristol and Weston-super-Mare including a new M5 Junction 21A at Weston-super-Mare, a new highway link connecting from the M5 to the A38 at Langford and improvements on the A38 between Langford and Bristol Airport. The JTS highlights that this investment in local transport schemes will significantly improve connectivity and capacity to south Bristol and will unlock capacity for growth and new development in the area as part of the emerging Spatial Strategy.

Strategic Economic Plan 2015 – 2030

- 5.5.8 The West of England Local Enterprise Partnership’s *Strategic Economic Plan*²³ (SEP) contains a vision for economic growth which is managed sustainably to ensure all those within the sub-region benefit and that the environment is protected and enhanced.
- 5.5.9 The SEP²³ identifies the future aspirations to expand Bristol Airport and the potential for that growth to play a major role in the economic prosperity of the region. The document also includes a vision for easier local, national and international travel with improved strategic connections by 2030, supported by Bristol Airport.

²¹ West of England Partnership (2011). West of England Joint Local Transport Plan 3 2011 – 2026, [online]. Available at: <https://s3-eu-west-1.amazonaws.com/travelwest/wp-content/uploads/2015/05/joint-local-transport-plan.pdf>. [Checked 01/08/2018].

²² West of England Partnership (2017). West of England Joint Transport Study: Final Report, [online]. Available at: <https://www.jointplanningwofe.org.uk/consult/ti/JTSTransportVision> [Checked 01/08/2018].

²³ West of England Local Enterprise Partnership (no date). West of England Strategic Economic Plan 2015-2030, [online]. Available at: <http://westofenglandlep.co.uk/about-us/strategicplan> [Checked 01/08/2018].

The Development Plan²⁴

- 5.5.10 Section 70(2) of the *Town and Country Planning Act 1990*⁸ requires local planning authorities in determining planning applications to have regard to the development plan, so far as material to the applications, and to any other material considerations. Section 38(6) of the *Planning and Compulsory Purchase Act 2004 (as amended)*²⁵ requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.5.11 The adopted Development Plan²⁶ for the Proposed Development currently comprises:
- *North Somerset Core Strategy* (adopted 2017)²⁷;
 - *Sites and Policies Plan Part 1: Development Management Policies* (adopted July 2016)²⁸; and
 - *Sites and Policies Development Plan Part 2: Site Allocations Plan* (adopted April 2018)²⁹.
- 5.5.12 The principal Development Plan policies relating to Bristol Airport are outlined below. It should be noted that there are a number of other detailed, topic-specific Development Plan policies potentially relevant to the Proposed Development concerning (inter alia) design, transport, cultural heritage, landscape and biodiversity. Where appropriate, these policies are referred to in the environmental topic chapters of this ES (**Chapters 6-17**) and will also be detailed within the planning statement submitted alongside the planning application.

North Somerset Core Strategy

- 5.5.13 The *North Somerset Core Strategy*²⁷ was adopted in January 2017 and sets out the long-term vision, objectives and strategic planning policies for North Somerset up to 2026. The Core Strategy contains a suite of spatial visions that are intended to provide a clear, strategic planning context underpinned by a set of priority objectives. With specific regard to Bristol Airport, the overarching vision for North Somerset (Vision 1) sets out that:
- "The future planning of...Bristol Airport will be guided by the need to balance the advantages of economic growth with the need to control the impacts on those who live nearby and on the natural environment."*
- 5.5.14 Priority Objective 3, meanwhile, supports and promotes major employers in North Somerset including Bristol Airport to ensure continued employment security and economic prosperity.
- 5.5.15 Policy CS23 is the principal Core Strategy policy relating to development proposals at Bristol Airport and aims to support the delivery of Priority Objective 3. It states:

²⁴ As detailed in Section 5.4, the Joint Spatial Plan will, once adopted, form part of the Development Plan and will provide the sub-regional framework for the new North Somerset Local Plan. As the JSP has not yet been adopted, it does not currently form part of the Development Plan for the Proposed Development.

²⁵ Planning and Compulsory Purchase Act 2004, [online]. Available at: <https://www.legislation.gov.uk/ukpga/2004/5/contents> [Checked 01/08/2018].

²⁶ As detailed in Section 3.2, the JSP will, once adopted, form part of the Development Plan and will provide the sub-regional framework for the new North Somerset Local Plan. As the JSP has not yet been adopted, it does not currently form part of the Development Plan for the Proposed Development.

²⁷ North Somerset Council (2017). *North Somerset Core Strategy*, [online]. Available at: <http://www.n-somerset.gov.uk/my-services/planning-building-control/planningpolicy/core-strategy/corestrategy/> [Checked 01/08/2018].

²⁸ North Somerset Council (2016). *Sites and Policies Plan, Part 1: Development Management Policies*, [online]. Available at: <http://www.n-somerset.gov.uk/my-services/planning-building-control/planningpolicy/sites-policies-development-plan-document/sitesandpolicies/> [Checked 01/08/2018].

²⁹ North Somerset Council (2018). *Sites and Policies Plan Part 2: Site Allocations Plan*, [online]. Available at: <http://www.n-somerset.gov.uk/wp-content/uploads/2015/11/Site-Allocations-Plan.pdf> [Checked 01/08/2018].

"Proposals for the development of Bristol Airport will be required to demonstrate the satisfactory resolution of environmental issues, including the impact of growth on surrounding communities and surface access infrastructure."

- 5.5.16 The Development Plan proposals map defines an inset that excludes the northern side of Bristol Airport's operational area from the Green Belt. Core Strategy Policy CS6 sets out that amendments to the Green Belt boundary at Bristol Airport will only be considered once long-term development needs have been identified and exceptional circumstances demonstrated.
- 5.5.17 *Sites and Policies Plan Part 1: Development Management Policies*²⁸ brings forward the detailed development management policies which complement the strategic context set out in the Core Strategy²⁷.
- 5.5.18 Policy DM50 refers specifically to proposals for development within the Green Belt inset at Bristol Airport and aims to ensure that, if further development of Bristol Airport is required, proposals demonstrate the satisfactory resolution of environmental issues, including the impact of growth on surrounding communities and surface access infrastructure. It states:

"Development within the Green Belt inset at Lulsgate as shown on the Proposals Map will be permitted provided that:

- *it is required in connection with the movement or maintenance of aircraft, or with the embarking, disembarking, loading, discharge or transport of passengers, livestock or goods;*
- *environmental impacts such as emissions are minimised, and there is no unacceptable noise impact;*
- *it is suitably sited, designed and landscaped so as not to harm the surrounding landscape; and*
- *appropriate provision is made for surface access to the airport, including highway improvements and/or traffic management schemes to mitigate the adverse impact of airport traffic on local communities, together with improvements to public transport services."*

Sites and Policies Plan Part 2: Site Allocations Plan

- 5.5.19 The *Sites and Policies Plan Part 2: Site Allocations Plan*²⁹ was adopted by NSC in April 2018. The Plan identifies the detailed allocations required to deliver the *North Somerset Core Strategy*²⁷ covering, for example, residential and employment uses, as well as designations to safeguard or protect particular areas such as Local Green Space or Strategic Gaps. It should be noted that the Site Allocations Plan does not include a specific allocation in respect of Bristol Airport or in respect of the area of the Proposed Development.

New North Somerset Local Plan 2036

- 5.5.20 NSC has commenced work on a new Local Plan³⁰. The new Local Plan will review and roll-forward policies and allocations in existing development plan documents and plan for the housing, jobs and infrastructure set out in the JSP to 2036. Initial consultation to generate ideas and discussion with regard to strategic developments proposed in Banwell, Churchill, Nailsea and Backwell took place in November 2017³⁰.

³⁰ North Somerset Council (2018). About the new Local Plan for 2036, [online]. Available at: <http://www.n-somerset.gov.uk/my-services/planning-building-control/planningpolicy/local-plan/new-local-plan-2036/about-the-new-local-plan-for-2036/> [Checked 30/07/2018].

- 5.5.21 NSC have recently published a paper for consultation entitled, *Local Plan 2036 Issues and Options Document*³¹. It states the importance of Bristol Airport as a major employment location and for national and international connectivity, and sets out that the Bristol Airport policy needs to be reviewed in light of the growth ambitions for the airport.
- 5.5.22 The document identifies that an improved transport system will be key to unlocking the growth of Bristol Airport as an international and regional gateway which is closely linked with the economic growth of the region. Four potential options are put forward for a new policy for Bristol Airport and include retaining the existing policy and Green Belt inset or removing the airport area (2011 permission plus additional land sought for expansion to 12 mppa) from the Green Belt; with two options to either allocate or safeguard additional Green Belt land for future expansion. The document sets out the advantages and disadvantages of each option and requests feedback on the proposed alternatives by 10 December 2018.
- 5.5.23 It should be noted that the new Local Plan is unlikely to be at an advanced stage at the time the planning application for the Proposed Development is determined and therefore will not form part of the Development Plan.

5.6 Other relevant policies

Supplementary Planning Documents

- 5.6.1 NSC has adopted a number of Supplementary Planning Documents (SPD) of potential relevance to the Proposed Development. These SPDs include:
- Biodiversity and Trees (December 2005);
 - North Somerset Landscape Character Assessment (December 2005);
 - Travel Plans (November 2010);
 - Creating Sustainable Buildings and Places in North Somerset (March 2015); and
 - North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development (January 2018).
- 5.6.2 Where relevant, the guidance contained in the SPDs above has been drawn upon in the detailed environmental topic chapters of this ES (**Chapters 6-17**).

North Somerset's Economic Plan 2017-2036

- 5.6.3 *North Somerset's Economic Plan*³² recognises the important role of Bristol Airport to the economy and connectivity of North Somerset. It highlights that the airport provides an opportunity to support the retention and expansion of the area's most cutting edge and innovative companies as a driver of productivity growth, as well as to attract inward investment. The Plan states that a key challenge is to ensure that the airport is developed to provide the necessary space for growing businesses.
- 5.6.4 In this context, the Economic Plan includes a number of actions related to Bristol Airport, including to:

³¹ North Somerset Council (2018). Local Plan 2036 Issues and Options Document, [online]. Available at: <https://www.n-somerset.gov.uk/wp-content/uploads/2018/09/Local-Plan-2036-Issues-and-Options-Documents-1.pdf> [Checked 06/09/2018].

³² North Somerset Council (2017). North Somerset's Economic Plan 2017-2036, [online]. Available at: <http://innorthsomerset.co.uk/about-us/economic-plan> [Checked 30/07/2018].

- Work with partners to maximise the role of the airport as a strategic employment location;
- Work with BAL to develop a campaign to encourage exporters/importers to use the airport's facilities;
- Attract high value inward investment, capitalising on identified niche clusters, supply chains and strategic transport connectivity; and
- Build on the role of Bristol Airport as a gateway to the North Somerset region, developing targeted support packages for international investors.

Bristol Airport Master Plan³³

- 5.6.5 British International Airport (now Bristol Airport or BAL) published its first *Master Plan*³³ in 2006. The Master Plan covered the period up to 2030 and in 2011, BAL subsequently obtained planning permission³⁴ from NSC for the major expansion of Bristol Airport to accommodate 10 mppa.
- 5.6.6 The 2013 APF¹² recommends that airport master plans are updated every five years to "*provide a clear statement of intent on the part of an airport operator to enable future development of the airport to be given due consideration in local planning processes*". In this context, BAL is currently preparing a new Master Plan for Bristol Airport, with the early stages having been subject to very extensive public consultation.
- 5.6.7 As set out in **Chapter 2: Description of the Proposed Development**, the new Master Plan will provide a strategy for the long-term growth of Bristol Airport to meet the forecast level of passenger demand by the mid-2040s, which is expected to be circa 20 mppa. BAL's broad approach to long-term growth was set out in an initial discussion document, *Your Airport, Your Views*³⁵, which was subject to public consultation between November 2017 and January 2018.
- 5.6.8 The second stage of non-statutory consultation on the emerging Master Plan commenced in May 2018 and closed in July 2018. Following best practice this included, and sought views upon, BAL's proposals for development at Bristol Airport to accommodate 12 mppa, as a first phase of planned growth in passenger capacity. BAL is committed to an open and transparent consultation process, allowing key stakeholders and the community an opportunity to comment and shape BAL's long-term plans.

5.7 Required authorisations

Principal permissions required

- 5.7.1 The principal legislation under which permission is required to enable the Proposed Development to proceed is the *Town and Country Planning Act 1990*⁸, for which NSC is the determining authority for determining applications under this act.

Other authorisations

- 5.7.2 To enable the Proposed Development at Bristol Airport, additional consents, permits and licences may be required. These will be identified, where relevant, during the course of the EIA process and are documented in the technical chapters of the ES and the Construction Environmental

³³ Bristol International Airport (2006). Bristol International Airport Master plan 2006 to 2030.

³⁴ 09/P/1020/OT2. All application documentation is available online: <https://planning.n-somerset.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=ZZZXJLLPJV108> [Checked 01/08/2018].

³⁵ Bristol Airport (no date). Your Airport: Your Views, Towards 2050, [online]. Available at: <https://consultation.bristolairport.co.uk/bristol-airport/your-airport-your-views-towards-2050/> [Checked 01/08/2018].

Management Plan (**Appendix 2B**). Appropriate consultation will take place with relevant organisations, such as NSC, Natural England (NE) and the Environment Agency (EA) to determine the scope of such requirements, if they are deemed necessary.

Habitats Regulations Assessment

- 5.7.3 Two internationally designated sites are located within 10km of the Proposed Development:
- North Somerset and Mendip Bats Special Area of Conservation (SAC): and
 - Chew Valley Lake Special Protection Area (SPA).
- 5.7.4 In addition to the assessment of potential environmental effects under the EIA Regulations, there is a requirement under *The Conservation of Habitats and Species Regulations 2017* (SI 2017 No. 1012)³⁶ (the 'Habitats Regulations') to undertake a screening exercise to determine whether these (or any other) European sites are likely to be significantly affected by the Proposed Development, either alone or in combination with other projects and, if so, whether these effects will result in any adverse effects on the European site's integrity. If significant effects are likely, there will be a need for an Appropriate Assessment to be carried out. The screening, and any subsequent Appropriate Assessment form part of what is known as the Habitats Regulations Assessment (HRA) process.
- 5.7.5 Screening and any subsequent Appropriate Assessment will be undertaken by NSC (as the 'competent authority' for HRA), drawing upon information about the likely effects of the Proposed Development on European sites that will be provided by BAL. In undertaking its assessment, NSC is required to consult with NE and to facilitate the HRA process, BAL will also liaise with NE, and other interested parties as appropriate.
- 5.7.6 There is a requirement under Regulation 27 of the EIA Regulations to ensure that EIA and HRA are co-ordinated. The outcome of the two assessments will be interlinked and information to inform the HRA can be drawn from the EIA.

³⁶ The Conservation of Habitats and Species Regulations 2017, [online]. Available at: <http://www.legislation.gov.uk/uksi/2017/1012/contents/made> [Checked 01/08/2018].