

<b>Application No:</b>	18/P/3206/AIN	<b>Target date:</b>	06.06.2018
<b>Case officer:</b>	Mike Cole	<b>Extended date:</b>	
<b>Proposal:</b>	Consultation request under the provisions of Part 8 (Class F) of The Town And Country Planning (General Permitted Development) (Amendment) (England) Order 2015 for a proposed new administration building and associated facilities. THIS IS NOT A PLANNING APPLICATION		
<b>Site address:</b>	Bristol Airport, North Side Road, Felton, Wrington		

## SUMMARY OF MAIN ISSUES AND RECOMMENDATION

### The Site

The site is located within the Silver Zone car park on the southern side of the Airport adjoining the roundabout entrance from the A38.

### Proposal

Bristol Airport (BA) propose a new administration building and associated facilities. It comprises the following elements:

- A three-storey building with a gross floor area of approximately 1,504 square metres;
- A visitor car park (0.09 ha) with 26 spaces;
- A cycle store;
- A 6,000 litre (L) water tank and store;
- Ancillary infrastructure and landscaping

BA says: *“The proposed development will replace the existing airport administration building located in the Old Terminal Building to the north east of the airport site; this existing building is to be demolished to facilitate an extension of the eastern apron. Consent for a replacement administration building to the north west of the airport terminal was granted as part of the 2011 planning permission for the major expansion of Bristol Airport to accommodate 10 million passengers per annum. However, work recently undertaken by Bristol Airport Limited (BAL) in support of the emerging Bristol Airport Master Plan has confirmed that this site is likely to be required for alternative development to facilitate future growth. As a result, BAL is proposing to bring forward the new administration building in a new location to the south of the airport site.”*

## **Procedure**

The Town and Country Planning (General Permitted Development) (England) Order 2015 deals with 'Transport Related Development' in Part 8 - Class F 'Development at an Airport'. This says: 'Permitted development' at an airport is:

*"The carrying out on operational land by a relevant airport operator or its agent of development (including the erection or alteration of an operational building) in connection with the provision of services and facilities at a relevant airport."*

Paragraph F1 however says that development is not permitted by Class F if it would consist of or include:

- (a) the construction or extension of a runway;*
- (b) the construction of a passenger terminal the floor space of which would exceed 500 square metres;*
- (c) the extension or alteration of a passenger terminal, where the floor space of the building as existing at 5th December 1988 or, if built after that date, of the building as built, would be exceeded by more than 15%;*
- (d) the erection of a building other than an operational building; or*
- (e) the alteration or reconstruction of a building other than an operational building, where its design or external appearance would be materially affected.*

Paragraph F.2 says: *"Development is permitted by Class F subject to the condition that the relevant airport operator consults the local planning authority before carrying out any development, unless that development falls within the description in paragraph F.4"*.

Paragraph F4 says: *"Development falls within this paragraph if*

- (a) it is urgently required for the efficient running of the airport, and*
- (b) it consists of the carrying out of works, or the erection or construction of a structure or of an ancillary building, or the placing on land of equipment, and the works, structure, building, or equipment do not exceed 4 metres in height or 200 cubic metres in capacity.*

The proposal is not a type of development covered in Paragraph F4. The proposal is therefore subject to Paragraph F2 – hence this consultation. The Council must determine whether the proposal is 'permitted development'.

## **Consultation**

Proposals of this type are registered and therefore appear on the public planning file. There is however no statutory requirement for the Council to undertake consultation. A response has however been received from the Wrington parish Council and the Parish Councils Airport Association (PCAA) which are summarised below:

Wrington Parish Council:

The Parish Council disagrees with the Airport's conclusions that the proposal is not EIA development as it is unlikely to have significant effects on the environment. It considers that the impacts are potentially significant and have not been fully explored. Recommend that a full EIA be required of the Airport before this development can be considered and that the GPDO application be considered unsound. In particular, they raise concerns in respect of the height of the proposed building, its impact on the wider landscape, the potential impact on the historic environment and on bats. They also raise concerns in respect of inadequate parking, air quality, the potential for the development to cause an increase on off-site flooding. They conclude by stating that they consider the EIA screening submission does not demonstrate that there will not be significant effects on the environment and that the associated airport consultation be rejected in favour of a full planning application.

### PCAA

The PCAA consider that a full planning application is required for this development because a new three storey administration building was agreed under planning permission 09/P/1020/OT2 to be located to the North West of the extended passenger terminal. The building is higher than the authorised building adjoining the terminal. The site is too small to accommodate the new building. Development would be visible from the Mendip Hills AONB and would compromise the openness of the green belt. The proposal is based on the assumption that the airport is expanding beyond the 10 million passengers per annum limit agreed under the 2009 application. This is premature.

### Assessment

The only matter for consideration is whether or not the proposal is 'permitted development'.

For new buildings at an airport to be 'permitted development' they must be (1) an 'Operational Building'; (2) be carried out by a relevant airport operator and on operational land; (3) be for the provision of services and facilities at an airport, and (4) not be a type of development listed within Paragraph F.4 of Part 8, Class F. It must also not be a type of development exceeding the thresholds listed in Paragraph F.4(b).

These points are considered below.

#### (1) Is the Proposal an 'Operational Building'?

From the list of development types in Paragraphs F1, the proposal does not fall in to the description of sub-clauses a, b, c or e respectively. Sub-clause (d) would only apply if proposed building is not an 'operational building'. Paragraph 'O' of Part 8 defines an "operational building" as: *"a building, other than a hotel, required in connection with the movement or maintenance of aircraft, or with the embarking, disembarking, loading, discharge or transport of passengers, livestock or goods at a relevant airport"*.

BA considers the proposed building is an operational building because it will be used to accommodate Bristol Airport Ltd staff who are currently based in the Old Terminal Building. The majority of these staff undertake an administrative role required to maintain the operation of the Airport. The works are being carried out with the Airport's Operational

Area and are being undertaken by Bristol Airport as the relevant airport operator. They are directly connected to the provision of services at the Airport.

It is therefore concluded that the new offices would be considered to be an operational building.

(2) Is the development to be carried out by a 'relevant airport operator' and on 'operational land'?

The extent of 'operational land' at Bristol Airport was first identified in the 1990's following the grant of planning permission for the new (current) passenger terminal. This was consolidated in Drawing BIA-P-42 which was approved as part of the 2011 planning permission (Reference Number 09/P/1020/OT2). The proposed works are within the operational land.

The proposed development will be carried out by Bristol Airport or its agents (appointed contractors) and Bristol Airport is a 'relevant airport operator' as described in paragraph O of Part 8, Class F of the GPDO 2015.

(3) Is the proposal in connection with the provision of services and facilities at a relevant airport?

The proposed development is considered to be a facility required in connection with the provision of services and facilities at the airport. The provision of this replacement office space is considered to be an essential service that enables the smooth running of the airport. This test is therefore considered to be complied with.

(4) Is the proposal for a type of development listed within Paragraph F.1 of Part 8, Class F?

Development is not "permitted" (and would therefore require planning permission) if it falls in the following categories found in Paragraph F.1 of Part 8, Class F: These are set out below with the officer's comments in italics:

- (a) The construction or extension of a runway;

*The proposal does not involve the construction or extension of a runway.*

- (b) The construction of a passenger terminal the floor space of which would exceed 500 square metres;

*The proposal does not involve the construction of a passenger terminal.*

- (c) The extension or alteration of a passenger terminal, where the floor space of the building as existing at 5th December 1988, or, if built after that date, of the building as built, would be exceeded by more than 15%;

*The proposal does not include such works*

- (d) The erection of a building other than an operational building;

*The office building is within the definition of 'operational buildings'*

(e) The alteration or reconstruction of a building other than an operational building, where its design or external appearance would be materially affected.

*The building is within the definition of ‘operational buildings’.*

Based on the above, the proposal including the other elements of work described at the start of the report is considered ‘permitted development’ as a matter of fact and by consulting the Council of the proposal, the applicants have fulfilled the requirements of Paragraph F.2 of Part 8, Class F.

(5) Is the Development listed in paragraph F.4?

**Paragraph F.4** of Part 8, Class F says development falls within this paragraph if—

- a) it is urgently required for the efficient running of the airport, **and**
- b) it consists of the carrying out of works, or the erection or construction of a structure or of an ancillary building, or the placing on land of equipment, and the works, structure, building, or equipment do not exceed 4 metres in height or 200 cubic metres in capacity.

“Urgently required” has been held to mean to development that is essential in the interests of air traffic safety or public safety at an airport. There is no suggestion the works in this proposal are “urgently required for the efficient running of the airport”. Paragraph F.4 (a) does not therefore apply to this proposal. Consequently Subsection b) only applies if (a) is triggered (hence the emphasis above to the word “and”) which it is not.

### **Other matters**

The proposal has been the subject of a separate submission for screening under the EIA Regulations (see Ref: 18/P/3204/EA1). In view of the conclusion reached (that this is not EIA development), the matter remains as a ‘consultation’ to be considered under Part 8 - Class F ‘Development at an Airport’.

### **Visual Appearance and Impact on the Green Belt**

The development would be very prominent when viewed from the A38 and we are concerned over a three-storey building being sited so close to this major road link and the effect of this on green belt openness. It is recognised however that there are other, large hanger buildings in the vicinity, set back from the road, which this building would be seen against.

The development would not have an adverse effect on the Mendip Hills AONB given the distance it is located from this designation.

The submitted drawings indicate that the building would be clad in an aluminium curtain wall cladding system with the use of contrasting colours over a grey/blue brick plinth. Elements of the glazing will be finished with enamel backing and a perforated aluminium mesh enclosure system will be used to clad the external fire escapes. This is considered a purposeful design which is appropriate to its location on a major airport.

The development should be the subject of a construction environment management plan (as indicated in the supporting documentation) that addresses concerns over air and ground pollution, drainage, night time lighting and ecological impacts. Additional

information should also be requested in respect of renewable energy, materials and landscaping.

### Parking

Additional information has been submitted by the Airport in respect of car parking. The current Admin building is served by two existing car parks:

1. A 682 space car park to the east of the existing building of which 80 spaces are used for taxis and car rental.
2. 400 spaces currently provided in the Silver Zone.

Once the current proposal is complete it is intended to set aside 1000 spaces in the Silver Zone for use by occupiers of the new building. These would all be within walking distance of the new facility. The spaces shown within the site of the development would all be for visitors to the building only.

### Parish Council & PCAA Comments

The comments by the Parish Council and the PCAA are noted and have been carefully considered. However, following the conclusion that this is not EIA development, all of the matters raised are not of direct relevance to the assessment of whether this proposal is permitted development. As such they cannot be accorded any weight.

### **Recommendations**

1. That the proposal is permitted development.
2. That the Airport be advised that the Local Planning Authority has concern over the prominence of this three-storey building being located so close to the A38.
3. The development should be the subject of a construction environment management plan (as indicated in the supporting documentation) that addresses concerns over air and ground pollution, drainage, night time lighting and ecological impacts. Additional information is also requested in respect of renewable energy, materials and landscaping. The LPA requests that this be submitted to the Authority for information.

Signed: Mike Cole