

Expansion of Bristol Airport to 12mppa – Planning Appeal

PINS Ref. APP/DO121/W/20/3259234

Planning Application Ref.: 18/P/5118/OUT

LANDSCAPE (Mendip Hills AONB and setting) PROOF of
EVIDENCE
for XR Elders

Christine Tudor

BA Hons, Dip LP, M Phil LA, CMLI, FRGS

XR/W5/1

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This document is accompanied by a separate Annex.

Christine Tudor will say:

I am a Landscape Architect and a Chartered Member of the Landscape Institute (CMLI). I hold: the M Phil Degree in Landscape Architecture from Edinburgh University; the Postgraduate Diploma in Local Planning from Lanchester Polytechnic, Coventry, and; a B A Hons Degree in Geography with Geology from the University of London. I am a Fellow of the Royal Geographical Society.

For most of my professional career, of approx. 35 years, I have worked within the public sector. After a period of almost 20 years, I retired from Natural England 2 years ago. I worked at a national level as a Senior Officer and, not least, was the national lead for Landscape Character Assessment and associated methodologies. I also advised colleagues on Landscape and Seascape Impact Assessment and Visual Impact Assessment within the context of EIA. I was also responsible for drafting some government guidance. Before working for Natural England, I worked at a Principal Officer level for South Gloucestershire Council and before that at a Principal Officer level for Bristol City Council. For a number of years, I have been a member of the Technical Committee of the Landscape Institute.

1. SCOPE of this LANDSCAPE PROOF of EVIDENCE and SUMMARY

1.1 My evidence specifically focuses on landscape impacts and visual impacts on the Mendip Hills Area of Outstanding Natural Beauty (AONB) and its rural setting, arising from proposals associated with Outline Application No. 18/P/5118/OUT. Others - most notably North Somerset District Council, the Parish Council's Airport Association, and BANES - are focusing on other reasons for refusal.

1.2 The AONB boundary, at its' closest, is at Butcombe just under 3km to the south of the airport. The landscape impacts and effects and visual impacts and effects that are likely to harm the AONB and its setting, will arise from¹ –

- *'an increase of 10,420 flights per year'* – aircraft noise, visual impact
- *'an additional 2 million passengers per year growth'* – harm caused by associated road traffic, such as noise, movement, light pollution, air pollution, erosion of the fabric of the landscape (road verges, stone walls), effects on the Conservation Areas and communities along rural roads and lanes, (as traffic cuts through the Chew Valley and the Mendip Hills, for example, from the A 37 and A 39 to reach the A38 via the A 368, B 3134, B 3114, and the B 3130).

¹ ES Non-Technical Summary para. 2.3

- additional built development with associated lighting – light pollution.

I focus most especially on: the Mendip Plateau and the northern parts of the AONB, that are located to the south of the airport, and; the adjacent rural landscapes to the north of the AONB that comprise its setting.

- 1.3 The Baseline - With reference to Landscape Character Assessments, the characteristics / elements and, in the case of the AONB, the special qualities, that will be most affected by the proposals in the characteristically rural environment are ascertained predominantly as: tranquillity; dark skies; views / long views; rural lanes and rural roads; remoteness; naturalness. From the character descriptions it is clear that Bristol Airport, is already adversely affecting character and the visual resource within the AONB and its rural setting.

- 1.4 The Mendip Hills AONB Management Plan is a material consideration and I conclude that the proposals adversely affect the Mendip Hills AONB Landscape Quality Objectives that relate to the AONB and its setting: L3; H1; R1; R2; D1, and; D2.

- 1.5 I discuss relevant Government Legislation and related Government guidance, then go on to outline the Planning Policy Context. The proposals fail to satisfy National and Local Policies. Concerning the National Planning Policy Framework, the proposals fail to deliver against policies 170, 172. And 180. Concerning the North Somerset Council Core Strategy, the proposals conflict with CS 1, CS 3, CS 5, CS 6, CS 10, CS 23, and CS 26. With reference to North Somerset Sites and Policies Plan Part 1 – Development Management Policies, the proposals conflict with policies DM 10, DM 11, DM 12, DM 24, and DM 50.
- 1.6 The sections of the Environmental Statement (ES) that I have focused on, inform my findings that those parts of the ES are poor. They fail to be objective and serve to underestimate the significance of adverse effects associated with the proposed development on various interests of acknowledged importance, notably concerning the Mendip Hills AONB and its setting.
- 1.7 In my Summing Up I conclude that impacts and effects arising from the outline proposals, will have a significant adverse impact upon the essential character and setting of the AONB and fail to ensure the AONB and its setting are conserved and enhanced, thus natural beauty will be harmed. The outline proposals will have a significant adverse impact on the purposes for which the area has been

designated. The proposals thus fail to satisfy national and local policies.

1.8 I then respectfully request that the Outline Application is rejected and the Appeal dismissed.

2. LANDSCAPE CHARACTER & VISUAL CONTEXT – the Baseline

2.1 The following documents are relevant to understanding the Landscape Character and visual qualities of the Mendip Hills AONB and its rural setting:

- Natural England's National Character Area (NCA) Profile: 141. Mendip Hills (NE416) – March 2013²
- Natural England's NCA Profile: 118. Bristol, Avon Valleys and Ridges (NE400) – Jan. 2013³
- North Somerset Council Landscape Character Assessment. Supplementary Planning Guidance (Sept. 2018)⁴ (Useful Maps within this doc. are Fig. A:

² <http://publications.naturalengland.org.uk/publication/5370593?category=587130>

³ <http://publications.naturalengland.org.uk/publication/4646942?category=587130>

⁴ <https://www.n-somerset.gov.uk/sites/default/files/2020-03/Landscape%20character%20assessment%20September%202018.pdf>

Location and Context, and Fig. B: Landscape Character Areas)

- Rural Landscapes of Bath and North East Somerset - A Landscape Character Assessment. Supplementary Planning Guidance, BANES (2003)⁵ (Useful maps within this doc. are Map 1: Statutory and Other Designations, and Map 4: Landscape Character Areas)
- Landscape Assessment of Mendip District (May 1997)⁶ (Figure 6 shows the Central Mendip Hills LCAs incl. The Plateau)
- Mendip Hills AONB Management Plan 2019-2024 (Jan. 2019)⁷ (Useful maps within the doc. are Administrative Boundaries, page 3, and Landscape Assessment – Landscape Character Areas (1998), page 12).

2.2 Of relevance to the Outline Planning Application are the characteristics and, in the case of the AONB, the special qualities, that will be most affected by the proposals in the characteristically rural environment. These are predominantly:

- Tranquillity
- Dark skies

⁵ <https://www.bathnes.gov.uk/services/environment/landscape/landscape-character-assessment>

⁶ https://www.mendip.gov.uk/media/1899/Chapter-7-The-Central-Mendip-Hills/pdf/Chapter_7_-_The_Central_Mendip_Hills.pdf?m=635005960182530000

⁷ <https://www.mendiphillsaonb.org.uk/wp-content/uploads/2019/01/FINAL-Mendip-Hills-AONB-Management-Plan-Review-2019-v1.pdf>

- Views / long views
- Rural lanes and rural roads
- Remoteness
- Naturalness

For some of the NCAs Statements of Opportunity are listed. For some of the Landscape Character Areas Forces for Change and Landscape Guidelines are included.

2.3 **NCA 141: Mendip Hills –**

The national importance of the Mendip Hills AONB cannot be overstated, *'The area is renowned for its tranquility and inspirational qualities ..'* (page 3). Significantly, text on page 3 emphasises that, *'Light pollution from development threatens the extent of the recognized dark skies and out-of-character development is a continuing risk to the essential nature of the area'.*

This statement is relevant to inappropriate development in the Green Belt that will be within the setting of the AONB. Statement of Environmental Opportunity (SEO) 1 is also key:

'SEO 1: Conserve the distinctive combination of historic field boundaries, field and settlement patterns and land uses that have shaped the landscape of the Mendip Hills. Safeguard inward and outward views of and to the distinctive hill line and conserve and enhance the special qualities, tranquillity, sense of remoteness and naturalness of the area.'

On page 59 it is stated that,

'Proposed plans to expand Bristol Airport will affect the tranquility of the surrounding area including the Mendips through increased traffic, noise, and light pollution and will affect the outward views.'

2.4 **NCA 118: Bristol, Avon Valleys and Ridges**

A statement on Page 7 acknowledges that part of this NCA provides part of the 'landscape setting' for the Mendip Hills AONB. The following extract from page 65 is relevant too:

'Tranquillity has declined fairly significantly in the past fifty years, with 'undisturbed' areas falling from 53 per cent in the 1960s to 21 per cent by 2007.¹ Disturbance is most significant around Bristol and along the main arterial routes out of the City (M4, M5, A38, A37, A4), with the only real 'undisturbed' areas remaining in the Yeo and Chew Valleys in the south and the rural landscapes to the north of Yate.

Bristol airport significantly impacts the tranquillity south of Bristol, and beyond the boundaries of the NCA.'

Both NCA Profiles make it clear that airport expansion will continue to erode tranquility within the AONB and its setting.

2.5 North Somerset Council Landscape Character Assessment. Supplementary Planning Guidance.

LCA J2 River Yeo Rolling Valley Farmland includes part of the AONB and part of its setting. Significantly, *'Increased visibility of regular aircraft movements and associated noise, affecting tranquility in the east of the area.'*, is noted.

LCA J3 Chew Rolling Valley Farmland is within the setting of the AONB. Included in the forces for change is the statement *'increase in noise associated with transport corridors (the B3130 in particular) impacting on the peaceful secluded character.'* But under 'Character' it is noted, *'The peaceful rural landscape of the Chew Rolling Valley Farmlands is strong..'* Under 'Landscape Guidelines' it states, *'Conserve the remote and rural nature of the pastoral landscape.'* The village of Winford and its surroundings are impacted upon by low flying aircraft on the final approach to the airport. It is located within this LCA and yet no mention is made of effects on landscape character, such as noise and visual intrusion etc.

LCA H1 Dundry Hill – the south facing slopes are within the setting of the AONB. This area is adjacent to **LCAs 2 and 5** (BANES). A key characteristic of this highly elevated area is 'long

views'. It is surprising that the assessment fails to mention the frequent occurrence of low flying aircraft on route to Bristol Airport, and associated noise and visual intrusion.

LCA E6 Cleeve Ridges and Combes - part of this area is within the setting of the AONB. As with the other areas there is emphasis on the rural lanes / roads, but mention of aircraft taking off from the airport is missing from the description of the area. The eastern end of this Character Area is immediately adjacent to Bristol Airport in LCA G1. Under the heading Forces for Change the following is stated:

- *'Small scale incremental changes e.g. proliferation of clutter, signage associated with development, and recreational uses or increase in noise associated with transport corridors impacting on the peaceful secluded character.'*
- *'Increased presence of intermittent over-flying aircraft, impacting on peacefulness'*

Under Landscape Guidelines the need to *'Conserve the peaceful and secluded nature of the wooded landscape'* is stated.

LCA G1 Broadfield Down Settled Limestone Plateau - the southern half (approx.) of this LCA is within the setting of the AONB and within the Settled Limestone Plateau landscape type which is level, gently undulating or shelving high ground (at around

120m to 180m AOD. Bristol Airport is located on this high ground. A key characteristic of this LCA is, *'Bristol International Airport (which has undertaken considerable expansion in recent years) with the associated modern terminal buildings and infrastructure, particularly prominent along the A38, dominates the central section of the area.'* Light pollution is also mentioned, *'Increased lighting at the airport impacts on rural character and night skies.'* Surprisingly, the Airport is not identified as a force for change!

LCA E1 Mendip Ridges and Combes – this area is within the AONB - see also the Mendip Hills AONB Management Plan. These northern slopes rise up to the main plateau rising from 50m to 230m AOD. Forces for Change include: Small scale incremental changes e.g. proliferation of clutter, signage associated with development and recreational uses or increase in noise associated with transport corridors impacting on the peaceful character of the area and the ambience feel of the woods ; Increased visibility of regular aircraft movements and associated noise, affecting tranquility in the east of the area; significant traffic increase on rural lanes impacting upon tranquillity, causing verge damage, pollution and visual impacts; pressure for development and associated infrastructure may impact upon the relatively Dark Skies of the AONB and its setting.

LCA J1 Lox Yeo Rolling Valley Farmland - Most of this area is within the AONB .. see also the Mendip Hills AONB Management Plan. As for other LCAs the following is noted under Forces for Change, 'Small scale incremental changes e.g. proliferation of clutter, signage associated with development, and recreational uses or increase in noise associated with transport corridors impacting on the peaceful secluded character.' In addition, significantly, under Forces for Change, it is stated that 'Pressure for development and associated infrastructure may impact upon the relatively Dark Skies of the AONB and its setting.'

2.6 **Rural Landscapes of Bath and North East Somerset - A Landscape Character Assessment. Supplementary Planning Guidance.**

LCA 1 Thrubwell Farm Plateau – This small LCA is within the setting of the AONB and is almost adjacent to Bristol Airport. It is part of the 'high plateau' above 150m on which the airport is located to the west. It is characterised by 'small roads'.

LCA 2 Chew Valley – A proportion of this low lying and undulating valley of the River Chew is within the AONB and a significant amount of this LCA is within the setting of the AONB.

Extensive views across Chew and Yeo Valleys are a characteristic of this area. Tranquility is also a characteristic, as stated in para.

7.2.25, 'The landscape is generally very tranquil with the silence broken only by occasional tractors, other vehicles, aircraft and farm animals. There are however less tranquil areas dictated by proximity to main routes and to local activities and land-uses.'

LCA 3 Upper Chew and Yeo Valleys – This LCA is within the AONB (it is a continuation of LCA J2 in N Somerset). Characteristics include 'fine views to the surrounding hills', openness, and tranquility /peaceful atmosphere. Para. 7.3.11 states, *'The lack of excessive traffic noise and other urban intrusions create a peaceful atmosphere only broken by occasional aircraft and traffic on the A368. This is further enhanced by very noticeable bird song and the noise from tractors and other farm equipment.'*

LCA 4 Mendip Slopes – This LCA is within the AONB (it is a continuation of LCA E1 in N Somerset). Characteristics include extensive and spectacular views across the Chew Valley and apart from noise along the A368 corridor is *'otherwise generally quiet and peaceful'*. Para. 7.4.14 states, *'The A368 and adjoining uses such as garages generate a significant amount of noise. This contrasts with the generally peaceful atmosphere outside the road corridor.'*

LCA 5 Dundry Plateau – This is an ‘open windswept’ landscape at the edge of the landscapes that comprise the setting of the AONB. The plateau rises beyond the area boundary to Dundry Hill, at 202m. Oddly there is no mention of overflying aircraft on route to Bristol Airport, and associated visual and noise intrusion. However, regarding the not quite adjacent **LCA 10 Hicks Gate - to the NE** - the ‘*frequent aircraft using Bristol Airport*’ (para. 7.10.13) is reported as being ‘*visible*’.

LCA 6 Hinton Blewett and Newton St. Loe Plateau Lands – the southern tip of the Area is within the setting of the AONB. The open undulating nature of the landscape gives rise to many extensive views.

2.7 **Landscape Assessment of Mendip District (but also refer to the Mendip Hills AONB Management Plan 2019-2024 and the following Section)**

LCA A1 Blackdown and the Northern Slopes – Within the AONB this LCA has a distinctly upland moorland character, and spectacular views are a notable characteristic.

LCA A2 Harptree Chewton Edge - winding lanes are a characteristic of this LCA in the AONB.

LCA A3 The Mendip Plateau – within the AONB this area’s important characteristics include long views, long straight roads, openness and remoteness, and upland character.

- 2.8 From the above character descriptions it is clear that Bristol Airport, is already adversely affecting character and the visual resource within the AONB and its rural setting.

3.0 The Mendip Hills Area of Outstanding Natural Beauty Management Plan 2019-1924 (Jan. 2019)

- 3.1 The AONB Management Plan is a material consideration relevant to this Outline Application. Guidance on the weight to be attached to AONB management plans is provided within the government’s **Planning Practice Guidance on the Natural Environment**⁸ Planning policies and decisions need to take account of AONB management plans, they

⁸ Ministry of Housing, Communities and Local Government’s Planning Practice Guidance on the Natural Environment <https://www.gov.uk/guidance/natural-environment#landscape>

'do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.'

(Paragraph: 040 Reference ID: 8-040-20190721 Revision date: 21 07 2019)

- 3.2 Sections 1.3 and 1.4 of the management plan outline what constitutes **natural beauty** and refers to the special qualities that together contribute to the natural beauty of the Mendip Hills AONB and its sense of place and identity. **These special qualities include:** *'The dark skies, tranquillity, sense of remoteness, and naturalness of the area', and; 'Views towards the Mendip Hills and the distinctive hill line. The views out, and panoramas, including across the Severn Estuary to Wales ..'.* They will be most affected by the airport proposals. However other elements of the special qualities will also be adversely impacted upon and harmed. The Plan also refers to Ecosystem Services provided by the AONB (Table 1) and most relevant here are the Cultural Services it provides, *'The*

AONB's landscapes and tranquillity provide spiritual inspiration and enrichment from nature for many people', further underlining their importance.

3.3 The Mendip Hills AONB Partnership has the formal status of a Joint Advisory Committee to the five local authorities - Somerset County Council, North Somerset Council, Bath and North East Somerset Council, Mendip District Council, Sedgemoor District Council. Letters from the Mendip Hills AONB Partnership to N. Somerset Council are very relevant here (re. West of England Joint Spatial Plan – Consultation 8/1/2018, Airport Outline Planning Application – Scoping 23/7/18, Joint Spatial Plan (JSP) – Additional Evidence Consultation 7/1/19, Airport Outline Planning Application 29/1/19, Airport Outline Planning Application 13/5/19) - enclosed in the Annex to this Proof. Concerns about Bristol Airport's proposed expansion are clear from three of the letters. The two letters concerning the Joint Spatial Plan mention proposed development and significant residential development which could, with increased road traffic associated with the airport proposals, have significant adverse cumulative impacts.

3.4 The Countryside and Rights of Way (CROW) Act 2000 confirmed the significance of AONBs. Section 85 places a statutory (legal) duty on all relevant authorities to have regard to the purpose of conserving

and enhancing natural beauty when discharging any function in relation to or affecting land within an Area of Outstanding Natural Beauty (1.3.4).

3.5 **The proposals adversely affect the Mendip Hills AONB**

Landscape Quality Objectives that relate to the AONB and its setting (paragraph numbers relate to the Management Plan):

L3 – increased road traffic and air traffic will adversely affect the purposes of designation and the special qualities of the AONB (3.2.5 *'There are many factors changing and bringing pressure on the Mendip Hills AONB landscape.these include development pressures ... increase in road traffic loss of dark sky, and the loss of landscape detail and field boundaries. These need to be managed within and near the AONB boundary, to ensure that the essential character and its setting is conserved and enhanced.'*

H1 – road traffic will erode the historic environment and adversely impact upon sense of place, (in addition 3.4.11 states that *'Climate change poses particular threats to the historic environment. Intense rainfall causes erosion of archaeological sites, and increased extremes of soaking and drying heighten risk of ground subsidence and accelerate the decay of stone work.*

Changes in vegetation patterns may cover and damage archaeological remains. An area experiencing many of these issues is Burrington Commons.)

R1 – greater levels of road traffic and air traffic will compromise the objective to improve quiet recreational activities (3.5.2 wild and tranquil areas provide opportunity for quiet enjoyment)

R2 – the proposals will not conserve or enhance the landscape

D1 – The proposals within the setting of the AONB compromise the special qualities of the Mendip Hills AONB. The landscape character of land within and adjoining the designated area is complementary⁹.

D 2 – The proposals fail to respect the special qualities of the AONB, they need to be fully respected in the planning, design, provision and management of all types of transport and associated infrastructure. (3.8.8 *'Traffic continues to detract from people's enjoyment of the environment and raises safety issues for vulnerable road users. ... Traffic including Heavy Goods Vehicles impact on the AONB in variety of ways, including tranquillity, visual impact and damage to buildings.'* and also refer to 3.8.9, and 3.8.13 *'Noise and activity arising*

⁹ Ministry of Housing, Communities and Local Government's Planning Practice Guidance on the Natural Environment https://www.gov.uk/guidance/natural-environment#landscape_makes_comment_on_setting

from developments together with lighting, can have an adverse impact on the area's tranquillity, dark skies and protected species like bats. Mapping of light pollution has shown that the area of dark skies in the Mendips is shrinking.

- 3.6 The proposed development will have a **significant adverse impact** upon interests of acknowledged importance associated with the nationally designated Mendip Hills AONB and its setting. Most notably there will be impacts upon **special qualities** key to the nationally designated landscape's **natural beauty**.

4. RELEVANT LEGISLATION and related GOVERNMENT GUIDANCE etc.

- 4.1 Government guidance, **Areas of outstanding natural beauty (AONBs): designation and management**¹⁰, indicates that under the CROW Act,

¹⁰ **Areas of outstanding natural beauty (AONBs): designation and management**

<https://www.gov.uk/guidance/areas-of-outstanding-natural-beauty-aonbs-designation-and-management> An area of outstanding natural beauty (AONB) is land protected by the Countryside

and Rights of Way Act 2000 (CROW Act). It protects the land to conserve and enhance its natural

'the relevant local authority, must make sure that all decisions have regard for the purpose of conserving and enhancing the natural beauty of the AONB. Your decisions and activities must consider the potential effect it will have within the AONB and land outside its boundary.'

4.2 The government's **Planning Practice Guidance on the Natural Environment**¹¹ states the statutory duties of local planning authorities in relation to AONBs in:

'Section 11A(2) of the National Parks and Access to the Countryside Act 1949, section 17A of the Norfolk and Suffolk Broads Act 1988 and section 85 of the Countryside and Rights of Way Act 2000 require that 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant

beauty. The CROW Act sets out the roles and responsibilities that different organisations must follow to manage AONBs.

¹¹ Ministry of Housing, Communities and Local Government's Planning Practice Guidance on the Natural Environment <https://www.gov.uk/guidance/natural-environment#landscape>

authorities 'shall have regard' to their purposes for which these areas are designated.....

*This duty is particularly important to the delivery of the statutory purposes of protected areas. It applies to all local planning authorities, not just National Park authorities, **and is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection.*** [my bold]

Paragraph: 039 Reference ID: 8-039-20190721 Revision
date: 21 07 2019

- 4.3 With specific reference to the **setting** of the nationally designated landscapes, such as the Mendip Hills AONB, **Planning Practice Guidance on the Natural Environment** states,

'Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore

need sensitive handling that takes these potential impacts into account.'

4.4 **25 Year Environment Plan - A Green Future: Our 25 Year Plan to Improve the Environment** DEFRA (January 2018).¹² Within this document relevant targets relate to '*Enhancing beauty, heritage and engagement with the natural environment*' and '*Mitigating and adapting to climate change*'¹³

4.5 **Landscapes Review – Final Report** (September 2019)¹⁴. Also known as the Glover Review. The level of importance Government places on our nationally designated landscapes is reflected in the Glover Review.

5.0 **PLANNING POLICY CONTEXT**

5.1 The proposals associated with the Outline Application fail to satisfy National and Local Policies.

¹² <https://www.gov.uk/government/publications/25-year-environment-plan>

¹³ <https://www.gov.uk/government/publications/25-year-environment-plan/25-year-environment-plan-our-targets-at-a-glance>

¹⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833726/landscapes-review-final-report.pdf

5.2 **National Planning Policy Framework** (July 2018)

The application fails to deliver against policies 170, 172, and 180.

170 – the proposals associated with the Outline Application do not contribute to or enhance the natural and local environment (note 170 a) and b).

172 – the proposals fail to respect the weight that should be given to ‘conserving and enhancing landscape and scenic beauty’ in the AONB, ‘which has the highest status of protection’. There are no exceptional circumstances to suggest that planning permission should be approved and it will ‘*have a significant adverse impact on the purposes for which the area has been designated*’. Although the airport is within the setting of the AONB the impacts of the development will be experienced within the AONB and its setting.

180 – the expansion proposals are inappropriate for their location taking into account the likely effects ‘*of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development*’.

5.3 **The Outline Application conflicts with the following policies in the two N. Somerset Development Plan documents**

It is important to acknowledge that areas experiencing significant adverse impacts will not be limited to the N. Somerset Council area, impacts will be experienced in BANES, Mendip, and Sedgemoor Districts for example. Therefore, consideration needs to be given to similar policies to those below in other Development Plans.

5.3.1 North Somerset Council – Core Strategy (Jan. 2017)

Living within Environmental Limits

CS 1 Addressing Climate Change – others are providing evidence on the failure of the Outline Application to meet objectives concerning the reduction of carbon emissions and tackling climate change, the Mendip Hills are already suffering from climate change.

CS 3 Environmental Impacts and flood risk assessment - the proposed development will result in air pollution (aviation and road traffic), noise pollution and light pollution and cause harm to amenity, health and safety in the Mendip Hills AONB and its setting.

CS 5 Landscape and the Historic Environment - the development proposals will not conserve and enhance the natural beauty of the Mendip Hills AONB and they fail to respect its character, and will adversely impact upon the social well-being of the area. There will be significant adverse impacts on the setting of the AONB too. Concerning the material consideration of setting refer to **Planning Practice**

Guidance on the Natural Environment Paragraph: 042

Reference ID: 8-042-20190721 Revision date: 21 07 2019.

Associated road traffic will also adversely impact upon Conservation Areas.

CS 6 North Somerset's Green Belt – a significant extent of the Bristol Bath Green Belt provides the setting to the AONB (notably part of the Bristol Bath Green Belt is within the AONB and the setting of the AONB). Inappropriate development in the Green Belt, in the setting of the AONB, will adversely impact on the AONB.

CS 10 Transportation and Movement – the proposals are over reliant on private road transport. A wide choice of modes of transport for journeys to and from the airport are not available. Not least the proposals will not reduce the adverse environmental impacts of transport and contribute towards carbon reduction, the proposed development will do the opposite – with resultant impacts on the AONB and its setting.

Delivering a Prosperous Economy

CS 23 Bristol Airport - Proposals for the development of Bristol Airport do not demonstrate the satisfactory resolution of environmental issues, including the impact of growth on surrounding communities and surface access infrastructure – for example concerning the AONB and its setting.

Ensuring Safe and Healthy Communities –

CS 26 Ensuring safe and healthy communities – Residents within the AONB and its setting, who live adjacent to the roads and lanes used by vehicles accessing the airport are being adversely affected by road traffic. Cyclists and walkers are adversely affected too. Residents under the flight paths of aircraft suffer from noise pollution i.e. impacts associated with aircraft noise – refer to CS 3 above.

5.3.2 North Somerset Sites and Policies Plan Part 1 – Development

Management Policies (Feb. 2015)

DM 10 Landscape - The proposals fail to *'Protect and enhance the diversity, quality and distinctive qualities of the landscape of North Somerset identified in the North Somerset Landscape Character Assessment'*. Also, they fail to, *'Protect dark skies from light pollution and areas of greatest tranquillity from development'*. Most notably landscapes associated with the Mendip Hills AONB and its setting will experience significant adverse impacts.

DM 11 Mendip Hills AONB – the proposed development will harm the natural beauty of the AONB. *'Development which would have an unacceptable adverse impact on the landscape, setting and scenic beauty of the Mendip Hills AONB, including views into and out of the AONB, will not be permitted ...'*

DM 12 Development within the Green Belt – note CS 6 above
– others are dealing with Green Belt considerations in detail.

DM 24 Safety, Traffic etc. – One justification for this policy is relevant, *'In addition to the immediate impact, the effect of additional traffic on the surrounding road system needs to be considered. For example, developments that would introduce traffic of excessive volume, size or weight into a network of country lanes, or into a residential area, may have such a detrimental impact that a refusal of planning permission is warranted because no acceptable countermeasures are possible.'*

DM 50 Bristol Airport – the proposals fail to *'demonstrate the satisfactory resolution of environmental issues, including the impact of growth on surrounding communities and surface access infrastructure'*. Text within the Justification section states, *'Outside the inset, Green Belt policy applies and it would be for the developer to demonstrate very special circumstances that outweigh the harm to the Green Belt and any other harm'*. There are no very special circumstances that justify the harm likely to be caused by the development proposals.

6. The Environmental Statement - Landscape and Visual chapter (Dec. 2018), and its Conclusions of significance evaluation, and the Appendix 9A LVIA Methodology and 9B – 9G (Dec. 2018).

- 6.1 The conclusion of the 'significance evaluation' regarding the 'Landscape and Visual' aspects of the Volume 1: Environmental Statement (Dec. 2018) states (9.20.1), *'The principal conclusion of the landscape and visual impact assessment (LVIA) is that none of the 12 landscape receptors or only one of the 47 individual or groups of visual receptors sustain significant effects due to the Proposed Development. The only significant visual effect will be sustained by residents in Melody Cottage in the community on Downside Road, east of Cook's Bridle Path in Operation Phase Year 1.'* This unconvincing conclusion arises because of unsatisfactory aspects of the approach taken to deliver the LVIA.
- 6.2 The process of LVIA as set down in GLVIA 3 is largely followed BUT associated guidance, within GLVIA 3, is not. For example, regarding identification of likely landscape and visual impacts and effects arising from different aspects of the Outline Application, identification of receptors, and magnitude of change. There is a lack of objectivity and some key considerations are omitted (e.g. the setting of the AONB). The following examples serve to downplay the impacts and effects AND assessment of significance:

(As outlined at the beginning of my statement I focus on the AONB and it's setting but my comments here on unsatisfactory aspects of the LVIA will apply more widely too.)

1. **Legislative and Policy Review** - Confusingly the ES uses 2 different versions of the National Planning Policy Framework (NPPF). In Section 5., 'Legislative and policy overview', the July 2018 version of the NPPF is used. However, in Section 9. 'Landscape and Visual', the March 2012 version of the NPPF is wrongly used, given the July 2018 version was available and the ES is dated December 2018 – footnote no. 4 in the ES 9-2 mentions '(Checked 12/03/18)' so the Section should have been updated!

Section 5 in the ES, 'Legislation and Policy Review', is weak and selective. It mentions paras. 11 and 104 of the NPPF (July 2018 version) but significantly fails to mention 'Conserving and enhancing the natural environment' paras. 170, 172, and 180 (July 2018 version), for example. It is stated that other policies are referred to in the topic chapters of the ES (ES 5-2, para. 5.3.5). But Section 9 'Landscape and Visual' also fails to reflect the relevant policies in Section 15, 'Conserving and enhancing the natural environment' of the July 2018 NPPF. Concerning

Areas of Outstanding Natural Beauty para. 172 within the NPPF (July 2018 version) and also the related Planning Practice Guidance, for example re. setting, should be recognised and influence the ES.

The Ministry of Housing, Communities and Local Government's Planning Practice Guidance is mentioned in para. 5.3.6 in the ES but significant information concerning the Natural Environment does not appear to be mentioned – e.g. how development within the setting of an AONB should be dealt with.

2. **The area of study** is too small given the proposed development will result in '*an increase of 10,420 flights per year*' over a wide area with resultant harm due to aircraft noise and '*an additional 2 million passengers per year growth*' with resultant harm caused by associated road traffic over a wide, mostly rural, area. (Para. 9.4.2 in the Vol.1 ES refers to study area.) If not already available a separate study area should have been established to coincide with overflying aircraft at height profiles up to 7,000 feet (for example) to address effects on landscape tranquillity and visual receptors. (See also my point 4 below re. the ZTV.)

3. **The Baseline** - there appears to be no reference to areas adjacent to the AONB boundary being within the **setting** of the AONB, and thus an important material consideration is ignored.

4. **Baseline and the ZTV** – The statement under the last bullet under para. 9.4.10 in the ES is a subjective assumption, given it's made at the outset of the EIA, *'Modelling aircraft in the air would result in the entire study area being included in the ZTV, which would not aid the assessment. It is also not considered likely that the additional numbers of overflying aircraft as a result of the Proposed development could give rise to significant visual effects due to the intermittent, transitory and small scale nature of the changes that would arise in views.'* ? The LVIA should determine significance. (See also my point 2. above re. the area of study.)

5. **'Landscape receptors'** should not be landscape character areas as such. Landscape receptors will include *'the constituent elements of the landscape, its specific aesthetic or perceptual qualities and the character of the landscape in different areas'* (GLVIA 3, 3.21). These may be also referred to as characteristics / key characteristics, or as is

the case regarding the AONB, special qualities. Refer also to GLVIA 3 para. 5.34. The ES at 9.7.8 indicates that '*LCAs have been taken forward as landscape receptors*' and uses para. 5.14 GLVIA 3 to justify this. BUT the latter para. refers to the scale of character assessment information NOT to a landscape character area functioning as a 'receptor! This approach within the ES serves to mar the assessment. Landscape receptors will include tranquillity and dark skies etc.

6. **Value** – landscape designations should of course influence assignment of value BUT if there are no 'local landscape designations' (ES. 9-27 para. 9.7.8) this may be because local authorities are following a character based approach with criteria based policies – 'in recent years relevant national planning policy and advice has on the whole discouraged local designations ..' (GLVIA page 83, para. 5.26). Importantly too, for example, other designations need to inform values ascribed to the receptors (see GLVIA 3 pages 80 – 85) such as: Conservation Areas, Listed Buildings, other cultural heritage designations (e.g. relating to archaeological sites etc.), Sites of Special Scientific Interest etc. (The appreciation of these receptors may be adversely affected by increased air and road traffic.) In

addition, art and literature and material on landscapes of local or community interest will inform values. Receptors within the setting of the AONB will of course be very highly valued because of their association with the AONB.

7. **Road Traffic** - para. 6.3.1 of the ES (6-5) states, '*.. While the Proposed Development will generate traffic across a very wide geographic area, likely significant effects will be more localised, as development traffic flows are highest at the site access and dissipate as they are distributed across the surrounding networks.*' This dissipation of traffic 'across the surrounding networks' is of great concern to many and will cause significant adverse effects, not least, because of the character of the rural transport infrastructure and the related settlements.

8. **Predicting and describing effects** ... the likely effects associated with all aspects of the proposed development (e.g. increased number of flights, increased number of car journeys, light pollution etc.) do not appear to have been systematically identified and described (refer to GLVIA 3, Table 3.1 and paras. 3.18 – 3.22). The subsection 'Likely Significant effects' (ES page 9-28) does not appear to set down effects, such as those arising specifically from

additional air traffic and road traffic beyond the airport for example, that may impact upon areas / matters of acknowledged importance – such as erosion of tranquillity, additional light pollution, erosion of sense of place etc. GLVIA 3 paras. 5.34, 5.36 and 5.37 are relevant. If likely landscape effects and visual effects are not identified correctly at the outset then this can adversely affect the sensitivity assessment and the assessment of the magnitude of change both of which feed into the assessment of significance.

Appendix 9B Landscape character area sensitivity

assessments – Table 9B.1 – 9B.11, these do not appear to indicate what aspects of the proposed development are being focused upon (e.g. road traffic, air traffic, light pollution etc.) and are likely to affect the overall sensitivity of the Key characteristics / landscape character area (LCA). Alongside 'Indirect landscape effects' only 'Development of Bristol Airport' is stated (but what is it about the development that is likely to impact / effect the baseline).

Appendix 9F Landscape Assessment Tables – Table 9F.1 – Assessment of landscape effects on the special qualities of the Mendip Hills Area of

Outstanding Natural Beauty (AONB) – As above only 'the Proposed Development' appears to be being looked at rather than the **key aspects / characteristics** of the development (those aspects arising from the development that are likely to have effects need to be ascertained)! For example, has there been consideration of potential airborne noise and visual impacts that may occur as a result of increased flight numbers and changes in the volume of flights along defined flight paths? A line in this Table indicates 'Magnitude of Change' 'Negligible' which serves to pull down the significance ranking to 'Not significant'. The summary at the top of the page containing 9F.2 [there are no page numbers in this document} is relevant but should be disputed.

Table 9F.2 – 9F.12 Assessment of Landscape effects

.. on LCAs – the magnitude of change recorded against the LCAs listed appears to be either low / negligible which as above pulls down the significance ranking to 'Not significant'. A similar pattern arises concerning visual effects (Appendix 9G).

Table 9A.2 Assessing Landscape Sensitivity to the Proposed Development – the susceptibility criteria need

to reflect those aspects / characteristics of the proposed development that are likely to have significant effects e.g. air traffic and associated noise, and road traffic and associated issues etc. At the moment the criteria do not reflect the key characteristics of the development. (Refer to GLVIA para. 3.26.)

Table 9A.4 Magnitude of landscape change – This sets out criteria to help ascertain the magnitude of landscape change. But the criteria may introduce bias towards a low score! The '*key determining criteria*' regarding Magnitude of landscape change does not appear to allow for a large to medium change that can further erode key landscape elements / characteristics. (Refer to GLVIA para. 3.26.)

The 3 bands (High, Medium, Low) associated with the assessment of sensitivity and magnitude provide an oversimplification of the situation, many practitioners use 5 bands.

If the landscape and visual effects had been more precisely and clearly identified then attention could have focused on those areas / topics of acknowledged importance that are likely to suffer significant adverse impacts. A great deal of

information surplus to requirements could have been avoided, to benefit transparency and ease of understanding the documents.

9. **Year 15** (approx. 2035) - The commentary and the assessment (in all cases 'not significant' is stated) should be considered in the light of the airport's aspiration to expand to deal with 20 million passengers per annum by 2040.
10. **Cumulative effects** – there will be cumulative effects associated with traffic generated by the airport and traffic associated with new development in the vicinity – see Mendip AONB Partnership correspondence in the Annex to this Proof (referred to above in 3.3).
11. This proposal is for an expansion of Bristol Airport to allow for an initial phase of growth to 12 million passengers per annum (mppa) in the context of a wider Masterplan for development to enable growth to 20 mppa. This should be of concern because an incremental approach to submitting planning applications could serve to underplay assessment of effects and systematically erode, not least, the landscape resource and the visual resource.

12. The sections of the Environmental Statement (ES) that I have focused on are a good example of obfuscation. Information is provided that is not relevant / necessary and there is duplication of information. This means that it is very difficult to find information that may be very relevant and deserving of appropriate scrutiny. Transparency is lacking. There are no page numbers in the Appendix 9A – 9G. The Institute of Environmental Management and Assessment (IEMA) Environmental Statement Review Criteria indicates that an ES should be clear and logical in its layout and presentation and be capable of being understood by the non-specialist. It goes on to state that the inclusion of information not directly relevant to the nature of the proposal and its associated impacts should be avoided.

6.3 The sections of the Environmental Statement (ES) that I have focused on, inform my findings that those parts of the ES are poor. They fail to be objective and serve to underestimate the significance of adverse effects associated with the proposed development on various interests of acknowledged importance, notably concerning the Mendip Hills AONB and its setting. An ES should be a balanced

document, and provide an unbiased systematic account of the environmental effects of the proposals.

7. **SUMMING UP and request that the Appeal is dismissed**

7.1 Impacts and effects arising from the outline proposals, will have a significant adverse impact upon the essential character and setting of the AONB and fail to ensure the AONB and its setting are conserved and enhanced, thus natural beauty will be harmed. The outline proposals will have a significant adverse impact on the purposes for which the area has been designated.

7.2 The proposals thus fail to satisfy national and local policies.

7.3 I respectfully request that the Outline Application is rejected and the appeal dismissed.

END 14/6/21.

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