

RULE 6 PARTY CLOSING STATEMENT

INTO THE REFUSAL BY

NORTH SOMERSET COUNCIL

FOR THE EXPANSION OF BRISTOL AIRPORT

Reference ; APP/D0121/W/20/3259234

**SUTHERLAND PROPERTY
& LEGAL SERVICES LTD**



PLANNING & ARCHITECTURAL CONSULTANCY SERVICE

1. BAL have submitted an application for a major expansion of operations including further encroachment into the Green Belt to provide surface parking. The application process was significant and considerable data and evidence was submitted to support the proposal. However, there are key documents that were not available and are still not available to the inspectors without which we say the proposal cannot be properly considered in terms of its impact – both on the Green Belt and on the wider environment. I am aware the LPA will address the detail of their concerns in their closing so I confine mine purely to the core case I have presented; that allowing green belt encroachment to deliver parking is contrary to all national and local policy, is inconsistent with all other inspectorate decisions and there are no Very Special Circumstances to justify doing so.

2. Whilst understandable, BAL have consistently relied upon the fact that officers recommended approval after review of the submission with the implication members were wrong to refuse. Members were rightly acting on the significant concerns raised by their communities and did not agree with the officers. The fact that significant additional documentation has been submitted ever since the determination and the whole new concept of Monitor and Manage has come forward demonstrates that members were absolutely right to question the validity of the officers opinion. BAL have had to significantly reconsider and update the evidence base on most matters. Notable, by its absence is the ASAS upon which the whole schemes environmental benefits rely.

3. In particular, the appellant has failed to ;

- Maintain or provide an up to date Airport Surface Access Strategy (“ASAS”)
- Maintain or provide an airport Masterplan
- Assess 20% of their parking provision currently delivered off site
- Account for the Off site parking operator contribution towards PTMS in any of the assessments submitted on PTMS targets

4. In addition, the appellant has failed to consider the asserted parking need against the parameters of annual delivery insisting that only an alternative that can deliver all of the parking demand to 2030 can be considered a suitable alternative. In doing so they discount the variety of opportunities available to them to increase Public Transport Mode Share put forward by Rule 6 parties. Disaggregation of need to ensure sustainability of delivery is an acceptable approach that BAL have failed to address. I gave an example to Mr Melling in this respect – that of submitting an application to meet a need to 2040 instead and declaring a need for 40,000 spaces - not all the spaces are needed now but it is probably possible to justify them over such an extended timeframe. That should not preclude limiting the application to the current identified need as opposed to a potential need that may arise in the future and which is disputed by all parties other than BAL. Specifically addressing current need can be adequately done in the GBI to cover at least the next four years on BALs own figures. Any future need in the GB should

be assessed when it arises as VSC cannot be demonstrated until need is demonstrated.

5. Further, it is unrealistic to fail to assess alternatives on the basis Mr Melling asserts; that no single option would, on its own, meet the whole need. BALPA suggest repositioning staff parking, PCAA and the LPA insist MSCP and PTI should be delivered first, XR Elders suggest decked parking, SPLS suggest Park and Ride. The reality is that the airport do not wish to consider these alternatives – they are a profit driven business. Indeed, the BAL case of reliance on a need for “low cost parking” is clearly mythical – BAL need more parking regardless of type as accepted by Mr Melling in x-examination and demonstrated by Mr Renshaw in his evidence. For this application the appellants focus on low cost parking because they consider that assists in justifying the need for green belt encroachment, not because it is unviable or undeliverable to utilize GBI first – simply financially preferable. It goes without saying that BAL will never support off site Park and Ride unless required to do so by the LPA as their profit base for parking is a third of their annual income.

6. The commitment from the appellant to review and be aware of Park and Ride schemes is undermined by the fact that BAL failed to identify either of the two proposed sites in their GB sequential testing exercise (and sought to blame the LPA for the list of identified sites). Once made aware of them, BAL objected to both of them in detail. The JTLP says more must be done to facilitate the improvements necessary to airport surface access and specifically mentions Park and Ride options alongside a mass transit potential. BAL asserted that this was “a long way off” in evidence and this aim of the JTLP will not be met. Although a Park and Ride may be a long way off in the appellants view, the LPA, through the JTLP, aspire to it now. My client aspires to it now. Two applications have been submitted. I am unconvinced that Mr Mellings opinion on this is realistic or objective. Consenting this scheme without any consideration of Park and Ride as an option outside the green belt will effectively prevent consideration until at least 2030, representing a continuous lack of compliance with the JTLP. If the inspectors do consider consent then I would suggest a parking forum that represents all lawful parking operators would be a less biased approach to the SASG suggested by BAL to inform any future review and ensure all options are explored.

7. There are many local landowners who use their Permitted Development Rights to lawfully provide car-parking to serve airport customers as well as those with incidental parking operations alongside hotels and bed and breakfast operations. These are all local businesses creating local employment lawfully in this rural area and who are understandably angry at being lumped into a pot with nuisance parkers in the villages. BAL accepted they have no evidence of how many off site spaces are provided lawfully and have not commented on the figures I submitted in this respect. Nor have they entered into discussion with either alternative scheme promotor for lawful Park and Ride applications.

8. Part of the BAL proposal is the creation of additional ground level car parking on Green Belt land, expanding the periphery of the site further into the Green Belt alongside the permanent retention of the “seasonal” car park. In putting forward the appeal proposal BAL carried out a locational sequential assessment of alternative available sites and concluded there were no other sites available. BAL were fully aware of the proposed alternative site but failed to assess or consider it on the basis they initially considered there was insufficient information about it. During the inquiry a refusal came in for Heathfield Park which was based on the principle under DM30 of providing airport parking off site and the potential for conflict with the ASAS. BAL take the view that as it is refused it is not a suitable alternative. That is to ignore the fact that the BAL scheme has also been refused and that the key reason for refusal at Heathfield is an out of date policy subject to review that is non-compliant with the more recently adopted JLTP. DM30 provides a stricter constraint to airport parking outside the Green Belt than DM50 does to the airport operating in the Green Belt despite the higher protections afforded to green belt land established in national policy.

9. Unless BAL make provision within the ASAS for the potential for Park and Ride then any such scheme will be considered unable to meet the ASAS. This puts alternatives in the unenviable position of having no input to the ASAS and having planning decisions based on a document produced by a private business with an interest in preventing competitors. It is essential that an ASAS or AAP is in place to inform wider decision-making on any expansion scheme involving increased parking requirements. The LPA enshrined in Policy the need for an AAP to engage local communities and consider more comprehensively how the airport growth need can be planned rather than reacted to. BAL say only that the LPA have no AAP, whereas without their input the LPA are unable to create one. Such a policy needs to be delivered in a cooperative partnership and BAL made it clear they did not intend to engage in such a process.

10. The BAL proposal for the additional element of car parking is accepted as inappropriate development in the Green Belt by BAL yet the proposal concludes very special circumstances exist due to the absence of any alternative provision. The evidence demonstrates that this aspect of the BAL proposal is unjustified and inappropriate and does not benefit from any very special circumstances that would allow the Inspectors to conclude acceptability in the Green Belt. The VSC pleaded are that there is need and the airport is a major operator. These are insufficient given the matters discussed in detail in evidence.

11. One of the biggest issues arising from the proposal is the impact on local people living on the A roads and in villages surrounding the airport and the number of vehicle movements generated everyday by the airport, with attendant effects on air quality, noise and the impacts on climate change arising from the proposal. It is unsustainable to continue to allow BAL to expand and encroach into the Green Belt when other more

suitable off-site provision can be delivered without impact on the services the airport provides and without further development in the Green Belt.

12. Bristol Airport and passenger numbers have grown by over 40%, from 5.8 mppa in 2011 to 8.2 mppa in 2017. Application 18/P/5118/OUT proposed a further 50% growth to 12 mppa, with an overall ambition to have 20 mppa. BAL states that the current airport car parking capacity is running at 95%. This is with passenger numbers at 8.2mppa and demonstrates that in such a scenario there is insufficient parking for the already consented 10mppa, let alone the 12mppa applied for. It is clear that to increase passenger numbers, further airport car parking spaces will be required.

13. Even though application 18/P/5118/OUT was refused Bristol Airport can still expand by an additional 1.8 million passengers a year under the existing consent. Insufficient parking has been delivered to meet this need despite it being consented already. It is considered that BAL have vastly understated their parking needs throughout their planning history and that there will be more to come.

14. Finally, no assessment of the current off site airport parking operations has been included in the calculations provided by the airport. In the absence of an assessment of the other airport parking in the area being provided, BAL cannot with any certainty provide a realistic assessment of the parking arising from their operation of the airport, nor accurate information on PTMS.

15. For these reasons, we respectfully request the appeal is dismissed and BAL are asked to consider resubmission only once they have addressed the key documents necessary for both the main parties to properly consider a planned need for expansion for the future.