

Full Statement of Case

Section 78 Town and Country Planning Act 1990 Appeal against the refusal of application 18/P/5118/OUT for the development of Bristol Airport to accommodate 12 million passengers per annum

September 2020



1. Introduction

Overview

- 1.1 This Full Statement of Case (Statement of Case) is submitted by Bristol Airport Limited ('BAL') as the appellant in support of an appeal, made pursuant to Section 78 of the Town and Country Planning Act 1990, against the decision of North Somerset Council ('NSC') on 19 March 2020 to refuse planning application reference 18/P/5118/OUT. The description of the proposed development (hereafter referred to as the 'appeal proposal') is as follows:

"Outline planning application (with reserved matters details for some elements included and some elements reserved for subsequent approval) for the development of Bristol Airport to enable a throughput of 12 million terminal passengers in any 12 month calendar period, comprising: 2no. extensions to the terminal building and canopies over the forecourt of the main terminal building; erection of new east walkway and pier with vertical circulation cores and pre-board zones; 5m high acoustic timber fence; construction of a new service yard directly north of the western walkway; erection of a multi-storey car park north west of the terminal building with five levels providing approximately 2,150 spaces; enhancement to the internal road system including gyratory road with internal surface car parking and layout changes; enhancements to airside infrastructure including construction of new eastern taxiway link and taxiway widening (and fillets) to the southern edge of Taxiway GOLF; the year-round use of the existing Silver Zone car park extension (Phase 1) with associated permanent (fixed) lighting and CCTV; extension to the Silver Zone car park to provide approximately 2,700 spaces (Phase 2); the provision of on-site renewable energy generation; improvements to the A38; operating within a rolling annualised cap of 4,000 night flights between the hours of 23:30 and 06:00 with no seasonal restrictions; revision to the operation of Stands 38 and 39; and landscaping and associated works."

- 1.2 The decision of NSC's Planning and Regulatory Committee to refuse the application was contrary to a clear and unequivocal officer recommendation to grant planning permission. All matters raised in NSC's reasons for refusal were previously agreed by officers to have been adequately addressed by BAL and in refusing planning permission, NSC has not provided any proper justification for reaching a different conclusion and departing from the balanced and well-reasoned advice of its own officers. In all the circumstances, NSC's decision was unreasonable.
- 1.3 BAL's case is that the appeal proposal will ensure that Bristol Airport can grow in alignment with regional passenger demand. This will, in-turn, deliver substantial social and economic benefits and enable BAL to make best use of its existing runway which, as officers of NSC accepted, can be achieved whilst ensuring that adverse impacts on the environment and local communities are appropriately addressed. The appeal proposal is, therefore, in accordance with the Development Plan for North Somerset¹, the National Planning Policy Framework² (NPPF) and the Government's policy for aviation (a summary of policies referred to in this Statement of Case is presented in **Appendix A**).
- 1.4 Increasing the capacity of Bristol Airport fully supports the Government's aviation policy objectives to make the UK one of the best-connected countries in the world and for the aviation sector to make a significant contribution to the economic growth of the UK. It will ensure that Bristol Airport continues and enhances its role as the principal international gateway for the South West region. Critically, the appeal proposal will help to support the South West's recovery from the COVID-19 pandemic, 'level up' regional growth and deliver enhanced regional airport capacity to help meet the UK's global ambitions for

¹ The adopted Development Plan comprises of the: North Somerset Core Strategy (adopted 2017); Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016); and Sites and Policies Development Plan Part 2: Site Allocations Plan (adopted April 2018).

² Ministry of Housing, Communities & Local Government (2019) *National Planning Policy Framework*. Available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf [Accessed August 2020].

increased international connectivity and trade following the UK's departure from the European Union (EU).

- 1.5 As NSC officers accepted, the factors summarised above strongly outweigh the limited adverse impacts of the appeal proposal and, therefore, planning permission should be granted.

The COVID-19 Pandemic

- 1.6 Due to the COVID-19 pandemic, its impact on the aviation sector and temporarily suppressed passenger demand at Bristol Airport, BAL will update the passenger and traffic forecasts that informed the planning application. BAL will determine whether the revised forecasts results in a change to the assessments submitted as part of the planning application and, where necessary, will provide updates to ensure that the Inspector and all parties to the appeal have the benefit of an up to date assessment of the likely significant effects of the appeal proposal. However, BAL is confident that there remains an acute need for the appeal proposal, and the benefits it brings, despite the short-term impacts of COVID-19 on the aviation sector.

Statement of Common Ground

- 1.7 A draft Statement of Common Ground has been submitted with the appeal, which contains relevant planning policies, draft conditions and heads of terms for a proposed s106 Agreement. BAL will seek to engage with NSC to agree the Statement of Common Ground in accordance with any agreed timescales for the appeal.

Structure of this Statement

- 1.8 This Statement has been prepared in accordance with 'The Procedural Guide: Planning Appeals England' published by The Planning Inspectorate³. It sets out:
- The context for the appeal proposal including a description of the application site and surroundings, relevant planning history and overview of the appeal proposal itself (**Section 2**);
 - A summary of the Environmental Statement (ES) submitted with the planning application and implications of the COVID-19 pandemic for the associated environmental assessments (**Section 3**);
 - The need for the appeal proposal and its benefits (**Section 4**);
 - BAL's case for the appeal in response to the principal matters cited in NSC's reasons for refusal (**Sections 5 to 9**);
 - A summary of other matters that are not raised in NSC's reasons for refusal (**Section 10**);
 - An overview of the draft conditions and Section 106 Agreement (s106) Heads of Terms agreed with NSC officers (**Section 11**);
 - The evidence to be presented by BAL and the witnesses BAL intends to call (**Section 12**);
 - The overall planning balance and compliance of the appeal proposal with the Development Plan when read as a whole (**Section 13**).

³ The Planning Inspectorate (2020) *Procedural Guide: Planning Appeals England July 2020*. Available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/897145/Procedural_Guide_Planning_appeals_version_10.pdf [Accessed September 2020].

2. Context, Appeal Proposal and Decision

Application Site and Surroundings

- 2.1 Bristol Airport is located approximately 11km south-west of Bristol city centre, within the local authority administrative area of NSC. The A370 Bristol to Weston-super-Mare road is 4km to the north and the M5 motorway 11km to the west of the site. The A38 carriageway is directly adjacent to the airport, on its eastern extent.
- 2.2 Two roundabout junctions provide access to the airport site from the A38. The northern roundabout provides access to the main terminal building, passenger pick up and drop off areas, hotel and operational facilities, and both short and long-stay parking areas. This is also the main access for public transport services to Bristol Airport. The southern roundabout, meanwhile, provides access to (inter alia) the airport administration building, Silver Zone long-stay car parking, staff car parking and transport hub, aircraft maintenance areas, fire station, Bristol and Wessex Aeroplane Club, Bristol Flying Centre and the Western Power Distribution Helicopter Unit. In addition to its existing site, BAL owns some 16 hectares (ha) of land immediately to the south of the airport. This land is currently used for agriculture, dominated by improved grassland used for grazing and a small area of woodland.
- 2.3 The Development Plan defines an inset that excludes land on the northern side of the airfield from the Green Belt; land to the south of the existing terminal building, including (inter alia) the runway and the existing Silver Zone long stay car parking area, as well as the A38, is within the Green Belt.
- 2.4 The area surrounding the airport is predominately open, undulating countryside with extensive woodland areas to the west and open farmland and settlements to the north, east and south. Relative to many other UK airports, there are few residential dwellings or settlements in the immediate vicinity of the airport. Immediately to the north of the airport are a number of properties on the A38 and Downside Road with those along the southern side falling within the parish of Wrington and those along the north being within the parish of Backwell. To the north-west is the village of Felton whilst to the south is the small settlement of Redhill, beyond which is Wrington.

Planning History

- 2.5 A summary of the planning history for the Bristol Airport site that is particularly relevant to the appeal proposal is presented in **Table 2.1**.

Table 2.1 Relevant Planning History Summary

Planning Reference	Description	Date Approved
09/P/1020/OT2	Major development of Bristol Airport to accommodate 10mppa.	16/02/2011
16/P/1455/F	Development of a five-storey multi-storey car park (MSCP) providing a total of 1,878 spaces. The development represented a change to the phasing of car parking under permission 09/P/1020/OT2, bringing forward the western extent of the consented MSCP (hereafter referred to as MSCP1) as the first phase.	11/11/2016
16/P/1486/F	Development of car parking providing approximately 3,650 long stay car parking spaces for use in peak months May-October and forming an extension to the existing Silver Zone Car Park (hereafter referred to as the Silver Zone Car Park extension (Phase 1)). The development represented a change to the phasing of car parking under permission 09/P/1020/OT2, bringing forward the extension ahead of the MSCP.	11/11/2016
17/P/1273/F	Proposed use of on-board auxiliary power units between 06:00 and 23:00 hours in Aircraft on stands nos. 34 to 37.	29/08/2017
18/P/400/FUL	Application to vary condition no.3 attached to planning permission 16/P/1486/F to allow the year-round use of the Silver Zone Car Park extension (Phase 1) for a temporary period of one year.	25/10/2018

2.6 In 2006, BAL (formerly known as Bristol International Airport) published its first Master Plan setting out how the airport should develop. The Master Plan outlined specific plans to cater for up to 9 mppa by 2015 as well as setting out early ideas for a 12.5 mppa capacity airport by 2030. BAL was subsequently granted outline planning permission by NSC on 16 February 2011 (ref 09/P/1020/OT2) for the major expansion of Bristol Airport to handle 10 mppa. The expansion proposals included: a terminal extension; new walkways, piers and aprons; a new office building; a replacement fuel storage depot; and landscape and nature conservation enhancement measures. Under this consent, annual capacity is limited to 10 mppa by planning condition. BAL continues to implement the existing 10 mppa planning permission through reserved matters applications. There have also been some associated non-material amendments (NMA) to the 10 mppa consent and additional planning permissions have been issued for related development, including the re-phasing of additional car parking as outlined in **Table 2.1**.

Appeal Proposal

2.7 Planning permission will enable Bristol Airport to grow beyond its current 10 mppa capacity to 12 mppa, making best use of its current runway in line with Government policy. To support this increase in capacity, BAL's planning application includes the following:

- extensions to the terminal building on its west and southern sides and canopies over the forecourt of the main terminal building;
- erection of a new east walkway and pier with vertical circulation cores, pre-board zones and a 5m high acoustic timber fence;
- construction of a new service yard directly north of the western walkway;
- car parking including erection of a multi-storey car park (MSCP) providing approximately 2,150 spaces (referred to as 'MSCP3'), year-round use of the existing Silver Zone car park extension (Phase 1) and a further extension to the Silver Zone car park to provide approximately 2,700 spaces (Phase 2);
- surface access improvements including enhancements to the A38 extending northwards from the main airport access roundabout to circa 130m beyond West Lane (including sections of Downside Road and West Lane) and an improved internal road system with gyratory and internal surface car parking;
- enhancements to airside infrastructure including construction of a new eastern taxiway link and taxiway widening (and fillets) to the southern edge of Taxiway GOLF; and
- operational changes including a cap of 4,000 night flights between the hours of 23:30 and 06:00 over two consecutive seasons (a 12 month period) (merging the current night movement limit of 3,000 in summer and 1,000 in winter) and revisions to the use of aircraft stand numbers 38 and 39.

2.8 A detailed description of the appeal proposal is contained in Section 3.3 of the Planning Statement.

Decision

2.9 The planning application for the appeal proposal was submitted to NSC in December 2018.

2.10 NSC appointed specialist consultants to review all technical aspects of the submission. Their review informed NSC officers' full and careful consideration of the proposals, which resulted in two requests for further information made by NSC under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). BAL provided considered and detailed responses to the requests for further information in April and October respectively. BAL also reached full agreement with officers on acceptable planning conditions and proposed Heads of Terms for a s106 Agreement prior to determination of the application.

- 2.11 The Officer’s Report thoroughly examined all of the planning issues for the appeal proposal and recommended approval of the planning application. Contrary to their officers’ recommendation, on 10 February 2020 NSC Members resolved that the planning application should be refused and this decision was ratified on 18 March 2020.
- 2.12 The Decision Notice (see **Appendix B** to this Statement of Case) issued on 19 March 2020 cites five reasons for refusal, as set out below:

1. The airport has planning permission to expand to a throughput of 10 million passengers per annum (mppa) which allows for further expansion in passenger growth of approximately 1 mppa above the current passenger level. The further expansion beyond 10mppa now proposed would generate additional noise, traffic and off airport car parking resulting in adverse environmental impacts on communities surrounding Bristol Airport and which would have an adverse impact on an inadequate surface access infrastructure. The claimed economic benefits arising from the proposal would not outweigh the environmental harm caused by the development contrary to policy CS23 of the North Somerset Core Strategy 2017.

2. The noise and impact on air quality generated by the increase in aircraft movements and in particular the proposed lifting of seasonal restrictions on night flights would have a significant adverse impact on the health and well-being of residents in local communities and the proposed development would not contribute to improving the health and well-being of the local population contrary to policies CS3, CS23 and CS26 of the North Somerset Core Strategy 2017.

3. The scale of greenhouse gas emissions generated by the proposed increase in passenger numbers would not reduce carbon emissions and would not contribute to the transition to a low carbon future and would exacerbate climate change contrary to the National Planning Policy Framework, policy CS1 of the North Somerset Core Strategy 2017 and the duty in the Climate Change Act 2008 (as amended) to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.

4. The proposed extension to the Silver Zone car park and the year round use of the seasonal car park constitute inappropriate development in the Green Belt which is by definition harmful to the Green Belt. There are no very special circumstances which outweigh the harm to the Green Belt caused by reason of inappropriateness and any other harm including the encroachment of development on the countryside and loss of openness contrary to the National Planning Policy Framework and policy DM12 of the Development Management Policies Sites and Policies Plan Part 1 2016.

5. The proposed public transport provision is inadequate and will not sufficiently reduce the reliance on the car to access the airport resulting in an unsustainable development contrary to the National Planning Policy Framework and policies CS1 and CS10 of the North Somerset Core Strategy 2017.

- 2.13 **Table 2.2** identifies where in this document BAL’s case in response to the reasons for refusal is set out. Third party comments in respect of these reasons for refusal have also been considered by BAL in preparing this Statement of Case.

Table 2.2 BAL’s Response to the Reasons for Refusal

Reason for Refusal	Section of this Statement of Case
Reason 1	<ul style="list-style-type: none"> • Section 4: Need for the Appeal Proposal and Benefits • Section 5: Surface Access • Section 8: Noise • Section 13: Planning Balance and Conclusion
Reason 2	<ul style="list-style-type: none"> • Section 6: Air Quality • Section 8: Noise

Reason for Refusal	Section of this Statement of Case
Reason 3	<ul style="list-style-type: none">• Section 7: Climate Change
Reason 4	<ul style="list-style-type: none">• Section 4: Need for the Appeal Proposal and Benefits• Section 9: Green Belt• Section 13: Planning Balance and Conclusion
Reason 5	<ul style="list-style-type: none">• Section 5: Surface Access

3. Environmental Statement

- 3.1 The planning application was accompanied by associated plans and a comprehensive suite of supporting documentation including: Planning Statement; Design and Access Statement; Consultation Feedback Report; Transport Assessment (TA); Parking Demand Study; Parking Strategy; Draft Workplace Travel Plan; Economic Impact Assessment; Flood Risk Assessment; BREEAM Pre-Assessment; Foul and Surface Water Drainage Strategy; and Lighting Impact Assessment.
- 3.2 The planning application was also subject to an Environmental Impact Assessment (EIA). The scope of the assessment was agreed with NSC through the formal submission of a Scoping Report in June 2018 and receipt of a Scoping Opinion on 6 August 2018. In accordance with the agreed scope of the EIA, the Environmental Statement (ES) included an assessment of the likely significant effects of the appeal proposal in respect of: traffic and transport; noise and vibration; air quality; landscape and visual; land quality; biodiversity; surface water and flood risk; groundwater; historic environment; socio-economics; human health; carbon and other greenhouse gas emissions; and cumulative effects. **Table 3.1** presents a summary of the conclusions of the ES. As noted in **Section 2**, two requests for further information were subsequently made by NSC under Regulation 25 of the EIA Regulations; however, the additional information provided by BAL in response to these requests did not result in any changes to the findings of the ES in terms of the assessment of likely significant effects. As confirmed in the Officer's Report, the conclusions on likely significant effects were accepted by officers.

Table 3.1 Summary of ES Conclusions

Topic	Phase	Residual Effect (following mitigation)
Traffic and Transport	Construction	No significant effect
	Operation	Moderate/major significant beneficial effect
Noise and Vibration	Construction	No significant effect
	Operation	No significant effect
Air Quality	Construction	No significant effect
	Operation	Localised moderate significant adverse effect
Landscape and Visual	Construction	No significant effect
	Operation	Localised moderate significant adverse effect
Land Quality	Construction	No significant effect
	Operation	No significant effect
Biodiversity	Construction	No significant effect
	Operation	No significant effect
Surface Water and Flood Risk	Construction	No significant effect
	Operation	No significant effect
Groundwater	Construction	No significant effect
	Operation	No significant effect
Historic Environment	Construction	No significant effect
	Operation	No significant effect

Topic	Phase	Residual Effect (following mitigation)
Socio-economics	Construction	No significant effect
	Operation	No significant effect Major significant beneficial effect
Human health	Construction	No significant effect
	Operation	Moderate significant beneficial effect
Carbon and Other Greenhouse Gas Emissions	Construction	No significant effect
	Operation	No significant effect
Cumulative Effects	Construction	No significant effect
	Operation	Localised moderate significant adverse effect in respect of visual and air quality impacts.

- 3.3 For all but two topics (visual and air quality impacts), the ES concluded that there would be no significant adverse effects as a result of the appeal proposal. Adverse visual effects of moderate significance were only identified for a single receptor in the short term whilst mitigation planting develops. In terms of air quality, meanwhile, impacts at seven residential properties were assessed as being of moderate significance but concentrations would remain below national Air Quality Objectives (AQO). Significant cumulative impacts arose on the same basis and were assessed as being no worse than the alone assessment. Significant beneficial effects were identified in respect of socio-economics and human health, related to the economic and travel benefits of increasing the capacity of Bristol Airport to accommodate 12 mppa, and traffic and transport, associated with the proposed improvements to the A38.
- 3.4 The conclusions of the ES were subject to rigorous review by NSC’s officers and the Council’s advisors and were accepted. On this basis, the Officer’s Report stated that *“The expected environmental outcomes from the proposed development including those related to surface access; highway works; parking delivery and enforcement; air and ground noise; air quality; community and employment are also considered to [be] acceptable subject to mitigation proposed through the recommended conditions and S106 agreement”*.

The COVID-19 Pandemic and ES Addendum

- 3.5 The global COVID-19 pandemic has particularly affected the aviation sector and, like other UK airports, passenger throughput at Bristol Airport has fallen. As a result, BAL intends to update the passenger and traffic forecasts that informed the planning application in order to reflect the impacts of the pandemic and address the uncertainties associated with the rate at which demand will return.
- 3.6 BAL also recognises that there is a need to produce an addendum to the ES submitted with the planning application in order to ensure that the relevant assessments contained therein themselves fully reflect the revised forecasts. The forecasts and ES Addendum will be submitted to the Planning Inspectorate in accordance with any agreed timetable for the appeal.
- 3.7 BAL is confident that the impact of COVID-19 will be temporary and that demand will return as travel restrictions are lifted, passenger confidence returns and the UK’s economy recovers from the pandemic. In consequence, there remains an acute need for the appeal proposal despite the short-term impacts of COVID-19 on the aviation sector.

4. Need for the Appeal Proposal and Benefits

4.1 There is a compelling need for the appeal proposal:

- there is strong national aviation policy support for the growth of regional airports and making the best use of existing runways;
- it is essential that additional capacity is provided at Bristol Airport in order to accommodate forecast regional passenger demand, despite the impact of the COVID-19 pandemic on the aviation sector;
- additional capacity at Bristol Airport has the potential to clawback passengers from the South West region that current travel to London's airports;
- the expansion of Bristol Airport to 12 mppa will deliver substantial social and economic benefits including 5,150 employment opportunities and £390 million Gross Value Added (GVA) in a sustainable way, minimising environmental effects and delivering benefits for local communities.

4.2 These factors outweigh the limited adverse impacts of the appeal proposal, as was clearly accepted by officers in recommending approval of the planning application. NSC has not provided any proper justification to explain why it was reasonable or rational to depart from the reasoned decision of officers.

Aviation Policy

4.3 BAL's appeal proposal directly responds to the Government's aviation policy by making better use of the existing airport runway, increasing the South West region's connectivity and by delivering significant economic benefits that in-turn will help 'level-up' regional growth.

4.4 The Government's policy objective for aviation, as set out in the Aviation Policy Framework (APF)⁴, is to make the UK one of the best-connected countries in the world and for the aviation sector to make a significant contribution to economic growth of the UK, an objective which is now even more essential following the UK's departure from the EU and the economic down-turn caused by the COVID-19 pandemic. To achieve this objective, the Government's aviation policy is that airports should, subject to environmental issues being addressed, make the best use of their existing capacity and runways.

4.5 The APF recognises that regional airports help to "*accommodate wider forecast growth in demand for aviation in the UK which could help take some pressure off London's main airports*"⁵, that they "*play a very important role in UK connectivity*"⁶ and 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*"⁷. This objective clearly aligns with the Government's recent levelling-up agenda. The APF also states that the "*Government wants to see the best use of existing airport capacity*"⁸ which was further endorsed by Government in *Beyond the Horizon – The Future of UK Aviation: Making Best Use of Existing Runways* (June 2018)⁹.

⁴ HM Government (2013) *Aviation Policy Framework*. Available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/153776/aviation-policy-framework.pdf [Accessed August 2020].

⁵ APF, para 1.23.

⁶ APF, para 1.44.

⁷ APF, para 1.20.

⁸ APF, para 1.24.

⁹ HM Government (2018) *Beyond the Horizon – The Future of UK Aviation: Making Best Use of Existing Runways*. Available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714069/making-best-use-of-existing-runways.pdf [Accessed August 2020].

- 4.6 Emerging national aviation policy contained in the Green Paper Aviation Strategy 2050: The Future of UK Aviation¹⁰ (Aviation 2050) also supports the growth of regional airports as a catalyst for regional economic development and connectivity and reaffirms the Government’s making best use policy. At paragraph 4.4, Aviation 2050 states:

"Airports have a crucial role to play in their regions. They are hubs for growth within and beyond the region in which they are situated. Local airports, such as Newquay, Norwich and Prestwick serve their immediate catchment area, offering domestic and short-haul destinations. Regional airports, such as Bristol, Belfast International, Newcastle and Glasgow, serve larger catchments and offer extensive short-haul network and some key long-haul routes, providing their regions with access to global markets."

- 4.7 In a number of recent statements to Parliament, the Government has reiterated the importance of airports to the economy, to the connectivity of the UK and regions and to delivering the levelling up agenda. For example, the Secretary of State for Transport’s Ministerial Statement dated 27 February 2020 stated that *“Our airports are national assets and their expansion is a core part of boosting our global connectivity. This in turn will drive economic growth for all parts of this country, connecting our nations and regions to international markets, levelling up our economy and supporting a truly Global Britain.”*
- 4.8 The Secretary of State’s recent decision¹¹ in respect of the reopening and development of Manston Airport has confirmed that substantial weight can be afforded to developments which support and implement these important Government policy objectives for aviation.

Meeting Passenger Demand

- 4.9 In 2019, Bristol Airport handled 8.96 mppa¹², making it the fourth largest regional airport in the UK. Demand is expected to be strong over the next decade. The Forecasts prepared by BAL and independently verified by Mott MacDonald¹³ indicated that demand would reach the existing 10 mppa passenger cap by 2021, increasing to 12 mppa by 2026.
- 4.10 The onset of the global COVID-19 pandemic has significantly impacted the aviation sector and passenger throughput at Bristol Airport has temporarily fallen. However, the indications are that demand will return as travel restrictions are lifted, passenger confidence returns and the economy recovers from the pandemic. Global passenger forecasts prepared by the International Air Transport Association (IATA)¹⁴ show that, internationally, traffic will return to pre-pandemic levels by 2024 with recovery in the short haul market likely to be faster and Airports Council International (ACI) has made a similar projection¹⁵. Whilst demand is temporarily suppressed, BAL is therefore confident that traffic at Bristol Airport will still reach 12 mppa albeit over a longer time period than previously projected; in short, the pandemic will not fundamentally change the reasons why people want to fly. The existing passenger cap of 10 mppa was forecast to be reached by 2021 and in this context, the temporary suppression of growth will provide BAL with an enhanced opportunity to ensure that the infrastructure needed to support 12 mppa can be put in place sufficiently in advance to smoothly transition above 10 mppa.
- 4.11 Expansion will give Bristol Airport the best possible opportunity to contribute to the South West’s economic recovery and create jobs in the region, helping to replace those lost during the pandemic. Further, as the UK completes its departure from the EU, the country’s aviation industry will play a vital role in enhancing the UK’s relationship with the rest of the world. In recent years, the South West has not

¹⁰ HM Government (2018) *Aviation Strategy 2050: The Future of UK Aviation*. Available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/769695/aviation-2050-web.pdf [Accessed August 2020].

¹¹ Dated 9th July 2020 (see paragraph 21 in particular).

¹² Civil Aviation Authority (2020) *Size of Reporting Airports*. Available from https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Data_and_analysis/Datasets/Airport_stats/Airport_data_2019_annual/Table_01_Size_of_UK_Airports.pdf [Accessed September 2020].

¹³ Mott MacDonald (2018) *Bristol Airport – Forecast Validation*.

¹⁴ IATA (2020) <https://www.iata.org/en/pressroom/2020-09-01-01/> [Accessed August 2020].

¹⁵ ACI (2020) <https://store.aci.aero/wp-content/uploads/2020/08/COVID19-4th-Economic-Impact-Advisory-Bulletin.pdf> [Accessed September 2020].

been at the forefront of national infrastructure plans. Expansion will help to address this inequality and the improved connectivity will help the South West contribute to the UK's global ambitions. In consequence, the need for the appeal proposal remains acute despite the impact of the COVID-19 pandemic on the aviation sector.

- 4.12 Whilst the Department for Transport's (DfT) UK Aviation Forecasts¹⁶ identify airports other than Heathrow in terms of their consented capacity, the DfT also states that *"the forecasts should not be considered a cap on the development of individual airports"*¹⁷. In fact, the DfT forecasts demand in the South West region to increase by some 76% to 2050, with overall market share rising from 4% to 5%. This growth represents an increase in passengers originating in the South West of England from 14.3 mppa in 2016 to 25.1 mppa in 2050. At the same time, the 2018 Civil Aviation Authority (CAA) Passenger Survey¹⁸ indicates that leakage of passengers from the South West region to other UK airports is substantial at over 7 million passengers.
- 4.13 In terms of catering for aviation demand in the South West and South Wales, Bristol Airport provides by far the highest proportion of flights. This is not only because of its current capacity but also because of its catchment area. Bristol Airport's existing role as the international gateway for the South West, the projected increase in passenger demand and the potential to clawback leakage of passengers from London airports (lessening pressure on these airports) all demonstrate a need for the appeal proposal. This is consistent with the forecasts underpinning the Making Best Use policy¹⁹ which showed overall market growth with airports able to make best use of their runways and, importantly the scope for regional airports to claw back local demand from the London airports. Given the total additional demand in the South West, Bristol Airport's catchment and the wider range of services offered by the airport, the appeal proposal will not result in significant displacement of passengers from other airports in the region or South Wales.

Benefits

Economic

- 4.14 The economic benefits delivered as a result of the appeal proposal will boost the South West's economic recovery from the COVID-19 pandemic whilst the connectivity afforded by increasing the capacity of Bristol Airport will support the Government's policy objective to 'level-up' regional growth by improving air connectivity and enabling more passengers to use an airport locally, giving rise to consumer benefits. Notwithstanding BAL's intentions to update its forecasts, the conclusion that the economic benefits of the appeal proposal are substantial is robust.
- 4.15 Bristol Airport is the principal airport and main international gateway for the South West of England and South Wales. In 2018, around 3,960 people worked on-site at the airport, which equates to approximately 3,480 full-time equivalents (FTEs); including indirect and induced jobs, this increases to an estimated 8,200 FTEs across the South West region. In total, it is estimated that Bristol Airport generates £1.7 billion of GVA in the South West economy (as at 2018). Delivering additional capacity at the airport will mean that the significant economic benefits Bristol Airport already provides are maintained and further increased.

¹⁶ DfT (2017) *UK Aviation Forecasts: Moving Britain Ahead*. Available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/878705/uk-aviation-forecasts-2017.pdf [Accessed August 2020].

¹⁷ To illustrate this point, the DfT forecasts indicate that the passenger throughput at Bristol Airport will reach 8.7mppa in 2026. In 2019, Bristol Airport's passenger throughput was already greater than that forecast by the DfT at almost 9.0 mppa. There are a number of other airports in the UK that are already close to, or ahead of, the DfT's aviation forecasts for 2030: Gatwick – 2030 DfT 45 mppa, Current 46.6 mppa; Luton – 2030 DfT 18 mppa, Current 18.2 mppa; Birmingham 2030 DfT 15 mppa, Current 12.6 mppa; Manchester 2030 DfT 29 mppa, Current 29.4 mppa; Stansted – 2030 DfT 22 mppa, Current 28.1 mppa.

¹⁸ Civil Aviation Authority (2019) *2018 Passenger Survey Report*. Available from <https://www.caa.co.uk/Data-and-analysis/UK-aviation-market/Consumer-research/Departing-passenger-survey/2018-Passenger-survey-report/> [Accessed August 2020].

¹⁹ Beyond the Horizon – The Future of UK Aviation: Making Best Use of Existing Runways (June 2018), Table 1.

- 4.16 The Economic Impact Assessment submitted with the planning application evidences the substantial economic benefits which will be generated by the appeal proposal. It predicts that growth to 12 mppa would:
- create an additional 800 direct jobs and an additional 5,150 opportunities in the wider economy;
 - deliver benefits associated with enhanced productivity including improved access to international markets and supply chains;
 - generate £390 GVA million, taking the airport’s total economic impact to £2.4 billion; and
 - increase the inbound tourism impact in the South West and South Wales from £260m GVA (supporting 4,050 FTEs) to £380m GVA (5,400 FTEs).
- 4.17 As a result, the assessment concluded that the economic benefits of the appeal proposal would be significant. The same conclusion was reached by NSC officers following independent advice from their specialist consultant advisors. In sharp contrast, constraining Bristol Airport’s capacity at 10 mppa would see economic activity displaced from the South West, act as a barrier to overseas investment and result in a reduction in regional connectivity which would be contrary to the Government’s policy objective to ‘level-up’ growth.
- 4.18 It is incorrect to assert, as some objectors have done, that inbound tourism benefits should be offset by the loss of expenditure from the economy resulting from outbound tourism. The APF clearly states (at paragraph 1.16) that *“the evidence available to us does not show that a decrease in the number of UK residents flying abroad for their holidays would have an overall benefit for the UK economy.”* Quite simply, the inbound benefits should not be offset against outbound tourism because:
- the loss of consumer expenditure in the domestic economy from outbound travellers may occur with or without Bristol Airport;
 - outbound travel provides societal benefits, directly supporting economic activity in the UK economy; and
 - outbound expenditure would not necessarily be retained within the region.

Social

- 4.19 The employment benefits associated with expanding Bristol Airport will deliver increased prosperity and associated health benefits. This is especially important in light of the economic impact of the COVID-19 pandemic.
- 4.20 Bristol Airport is in close proximity to two of the South West’s most deprived areas, Weston-super-Mare and South Bristol, which are amongst the 10% most deprived areas in the UK. These areas are significant providers of labour for the airport; as at 2019, Weston-super-Mare was estimated to account for around 13% of current on-site employment and South Bristol around 11%. The appeal proposal will support the regeneration of these deprived communities through BAL's commitment to bring forward a Skills and Employment Plan (secured through the s106 Agreement). As agreed with NSC officers, this Plan will be specifically aimed at delivering employment opportunities for the people of North Somerset (with a focus on Weston-super-Mare) and South Bristol and will be supported by a financial contribution up to a maximum of £300,000.
- 4.21 Without growth beyond 10 mppa, there is a real risk that over time jobs at Bristol Airport will be eroded, partly as a consequence of underlying productivity gains and also as airlines re-locate growth to other, more distant airports.

- 4.22 The appeal proposal will deliver important social benefits in terms of the increase in the destinations and frequency of connections an expanded airport will provide. This, in-turn, will facilitate people's desire to travel which, for many, is an important contributor to their wellbeing and quality of life.

5. Surface Access

- 5.1 The proposed A38 improvements would deliver significant local capacity benefits and enhance safety; the additional traffic generated by the appeal proposal would not prejudice highway safety or result in severe cumulative impacts on traffic congestion. As agreed by NSC officers, appropriate provision has been made to mitigate impacts on the highway network and directly address concerns expressed by local communities. In addition, to achieve a stretching 17.5% public transport mode share target and reduce further the impacts on the highway network associated with an additional 2 mppa, a substantial public transport investment package is proposed. This includes (inter alia):
- more than £600,000 to fund public transport services;
 - up to £500,000 to integrate the airport into the Metrobus network;
 - an enhanced Weston Flyer service;
 - a further £200,000 to support strategic coach services; and
 - new demand-responsive services.
- 5.2 The appeal proposal is therefore in accordance with Policies CS1, CS10 and CS23 of the North Somerset Core Strategy, as well as Policy DM54 of the Sites and Policies Plan Part 1 and the NPPF.

Highway and Traffic Impacts

- 5.3 In response to RfR 1 (insofar as it relates to transport), BAL's case is that the additional traffic generated by the appeal proposal would not prejudice highway safety or result in severe cumulative impacts on traffic congestion. As accepted by NSC officers, the proposed highway improvements to the A38 and Downside Road, alongside other measures to be secured by condition or planning obligation, will fully mitigate any adverse impacts of airport traffic on local communities.
- 5.4 The appeal proposal includes a significant improvement to the A38 between the main airport access road and West Lane to accommodate any additional traffic generated by an extra 2 mppa. The main carriageway over this length will be increased in width and dedicated lanes will be provided for traffic turning into Downside Road and West Lane. Downside Road will also be widened and a new access provided into the Airport Tavern car park to replace the current access from the A38 which does not meet highway standards. Despite measures proposed by BAL to facilitate public transport use (outlined below), there will remain a requirement for these works.
- 5.5 The Transport Assessment (TA) submitted with the planning application, as supplemented by a suite of additional information provided by BAL to NSC in response to a thorough examination of the assessment by the Council's advisors, shows that with the implementation of the proposed highway works, there is sufficient capacity in the highway network to accommodate an additional 2 mppa. Reflecting these findings, the ES (Chapter 6) concludes that there will be no significant effects in relation to severance, pedestrian and cyclist delay, amenity, fear and intimidation, and accidents and road safety as a result of the appeal proposal. Importantly, these conclusions were fully accepted by NSC officers, Highways England and other neighbouring local planning authorities and no justification has been given by NSC to substantiate a different conclusion.
- 5.6 Notwithstanding the conclusions of the TA and ES, to mitigate further the impacts of the appeal proposal, address the residual concerns of officers and other stakeholders, and deliver additional enhancements where possible, the s106 Heads of Terms and planning conditions contain additional highways commitments. These include, for example, a Highways Improvement Fund to address minor highway improvements works as part of the 'monitor and manage' approach.

- 5.7 The TA represents a robust, worst-case assessment of highways impact. The assessment is based on a public transport mode share outcome of 15% for passenger growth beyond the baseline of 2017 and no allowance is made for 'banked trips' by vehicles already on the local road network which would be travelling to other UK airports regardless. Achievement of a stretch public transport mode share target of 17.5% for all passengers plus 30% of employees travelling by modes other than Single Vehicle Occupancy (as agreed with NSC officers in the s106 Heads of Terms), and taking into account 'banked trips', will further reduce potential impacts on the network. Therefore, and notwithstanding anticipated revisions to the forecasts, the conclusions of the TA on highway and traffic impacts are robust and can be fully relied upon.
- 5.8 In short, the highways impact of the appeal proposal will be fully mitigated through the s106 Heads of Terms and conditions agreed with officers and Highways England. BAL has additionally proposed measures to address the impacts associated with vehicles parking offsite on local communities including a financial contribution to local parking enforcement and is already proactively seeking to manage these impacts through its Parking Summit project.

Sustainable Transport

- 5.9 Through the s106 Heads of Terms, BAL has committed to an ambitious and realistic public transport mode share target for passengers alongside an equally ambitious travel target for staff. These targets were agreed with NSC officers and will ensure that the appeal proposal is sustainable, contrary to RfR 5, and in full accordance with the core test of Policies CS1 and CS10 of the North Somerset Core Strategy.
- 5.10 Under the current Airport Surface Access Strategy (ASAS), BAL has invested well over £10 million in public transport services and infrastructure enhancements which has supported an increase in public transport patronage to 13.8% (as at 2019) against a 10 mppa target of 15%. Importantly, the 13.8% public transport mode share achieved in 2019 is based on BAL's independent reporting which only includes arrival and departure journeys on the main bus service (it does not take account of rail journeys into nearby stations followed by a taxi for the final leg of the journey). Based on CAA passenger survey²⁰ data, which is utilised by other UK airports to monitor mode share, the mode share in 2015 was actually 17%. This is comparable to similar regional airports and higher than other airports in the South West region and South Wales, including Cardiff Airport.
- 5.11 BAL proposes a stretching public transport mode share target of 17.5% (based on a continuation of the current method of recording mode share which differs from that used by the CAA). BAL is confident that the stretch public transport mode share target of 17.5%, linked to a significant package of public transport and highway improvement measures representing a further investment in excess of £10 million, will deliver improvements in public transport accessibility and connectivity resulting in a considerable increase to the proportion of public transport trips to the airport. Separately, BAL will bring forward a new, high quality Public Transport Interchange (PTI) facility to further encourage public transport use and improve passenger experience, helping to ensure that the public transport mode share target of 17.5% is achieved.
- 5.12 NSC officers have recommended that future monitoring of mode share should be consistent with the CAA's methodology. BAL accepts this recommendation meaning that the public transport mode share target ultimately presented in the new ASAS, when re-baselined, is anticipated to be higher than 17.5%. This will further demonstrate that BAL's public transport proposals are ambitious and comparable with other UK airports.

²⁰ Civil Aviation Authority (2019) *2015 Passenger Survey Report*. Available from https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Data_and_analysis/Datasets/Passenger_survey/CAA%20Passenger%20survey%20report%202015.pdf [Accessed August 2020].

6. Air Quality

- 6.1 Emissions from aircraft at Bristol Airport are highly localised and barely encroach the boundary of the airport. The ES concludes that the air quality impacts as a result of the appeal proposal would be modest and that all concentrations of pollutants will remain comfortably within the AQO limits. This conclusion was accepted by officers. Further, substantial mitigation measures will be implemented to mitigate the air quality impacts associated with an additional 2 mppa in the form of commitments to prepare a Construction Environment Management Plan (CEMP), Ultra Low Emissions Strategy and Air Quality Action Plan, undertake additional monitoring and deliver an ambitious, stretch public transport mode share target of 17.5%.
- 6.2 RfR 2 (insofar as it relates to air quality) is contrary to the conclusions of the ES and Officer's Report and NSC has not provided any detailed reasons to justify why it considers that the increase in emissions associated with aircraft movements warrants refusal of the planning application.
- 6.3 The air quality assessment (contained in Chapter 8 of the ES) used dispersion modelling to predict the concentration of air pollutants (nitrogen dioxide (NO₂), oxides of nitrogen (NO_x) and particulate matter (PM₁₀ and PM_{2.5})) at receptors around Bristol Airport based on an industry standard methodology agreed with NSC officers and supported by Public Health England and a 15% public transport mode share outcome. The assessment confirmed that all concentrations of pollutants would remain comfortably within the AQO limits established in the Air Quality Standards Regulations 2010²¹. Further, the Health Impact Assessment (HIA) submitted alongside the planning application (Chapter 16 of the ES) concluded that air quality impacts would not be significant, although minor adverse impacts are predicted on the general population and on vulnerable groups. These conclusions were accepted by NSC officers and no reasons have been presented by NSC to substantiate a different conclusion.
- 6.4 The air quality assessment indicated that the highest annual mean NO₂ concentrations would be experienced along the A38 between West Lane and the airport roundabout. Whilst the assessment identified that adverse impacts at seven receptors in this location would be at most of moderate significance, NO₂ concentrations would remain within the AQO of 40 µg m⁻³ and at all other receptors, impacts were assessed as negligible. The assessment also found that annual mean concentrations of PM₁₀ and PM_{2.5} would continue to be well within the AQOs of 40 µg m⁻³ and 25 µg m⁻³ respectively. Concentrations of PM_{2.5} would also be below the World Health Organization (WHO) guideline²² level of 10 µg m⁻³ at all relevant locations except at four receptors close to the A38 (which already exceed the WHO guideline level). The number of receptors over 10 µg m⁻³ would decrease from nine in 2017 to four which is consistent with the target in the Government's Clean Air Strategy²³ to halve the number of properties where PM_{2.5} is greater than 10 µg m⁻³ (between 2016 and 2025).
- 6.5 Notwithstanding the anticipated revision of the forecasts, the conclusions on significance as reported in Chapter 8 of the ES are robust. In fact, the measures contained within the draft conditions and s106 Heads of Terms agreed with NSC officers, and particularly the preparation of an Air Quality Action Plan and an Ultra-Low Emission Strategy, combined with associated monitoring and the delivery of a stretch public transport mode share target of 17.5%, will result in a further reduction of air quality impacts.

²¹ *Air Quality Standards Regulations 2010*. Available from <http://www.legislation.gov.uk/uksi/2010/1001/contents/made> [Accessed August 2020].

²² WHO Regional Office for Europe (2005) *Air Quality Guidelines: Global Update*. Available from <https://www.who.int/airpollution/publications/agg2005/en/#:~:text=Guideline%20levels%20for%20each%20pollutant%20%28%C2%B5g%2Fm3%20%29%3A%20%20%2050%20%205%20more%20rows%20> [Accessed August 2020].

²³ Defra (2019) *Clean Air Strategy 2019*. Available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770715/clean-air-strategy-2019.pdf [Accessed August 2020].

7. Climate Change

7.1 The statement in RfR 3 that “*the proposed increase in passenger numbers would not reduce carbon emissions*” is not a valid reason for refusal and has no policy basis. BAL's case is that increasing the capacity of Bristol Airport will not materially affect the ability of the Government to meet its ‘net zero’ carbon target for 2050. This target does not require ‘absolute’ emissions to be reduced for any particular airport, as is suggested by RfR 3. Further, aligned with its Carbon Roadmap²⁴ to become a ‘net zero’ airport by 2050, BAL will submit a Carbon and Climate Change Action Plan (CCCAP) that will demonstrate the approaches by which it will minimise greenhouse gas emissions in its efforts to become an exemplar airport for sustainable aviation growth across the industry. This includes a commitment to offset greenhouse gas emissions from all surface access journeys to and from the airport, effective from 2020 onwards. BAL believes it is the first airport in Europe to implement such a scheme. The appeal proposal is therefore in accordance with the NPPF and Policy CS1 of the North Somerset Core Strategy in relation to climate change. NSC has not presented reasons to justify why it disagrees with this conclusion.

Aviation Emissions

- 7.2 The current UK-wide 2050 ‘carbon target’ set by s.1(1) of the Climate Change Act 2008²⁵ (‘CCA 2008’) is to reduce the net UK carbon account by at least 100% compared to 1990; this is sometimes referred to as ‘net zero’. It is important to note that this is a UK-wide ‘net’ target; in other words, the target is not ‘absolute zero’ and allows for offsetting. The previous target of at least 80% reduction was amended to 100% by the Climate Change Act 2008 (2050 Target Amendment) Order 2019²⁶. It is also important to note, however, that the ‘net zero’ target in the CCA 2008 (as amended) does not apply to international aviation. Since the Kyoto Protocol in 2005, the international community has made clear that the climate effects of international aviation are to be dealt with on an international basis through the International Civil Aviation Organisation (‘ICAO’), which manages the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA)²⁷.
- 7.3 The CCA 2008 does require, however, that in setting five-yearly ‘carbon budgets’ the Government should ‘take account’ of international aviation. This is done by reference to what is called the ‘planning assumption’ (also known as the ‘aviation target’ or ‘headroom’), which is currently set at 37.5Mt CO₂ in 2050.
- 7.4 The Government’s emerging aviation policy set out in the Green Paper Aviation 2050 states that planning applications should demonstrate “*that their project will not have a material impact on the government’s ability to meet its carbon reduction targets*”. The assessment presented in Chapter 17 of the ES established, based on a methodology agreed with NSC officers, that aviation emissions associated with the addition of 2 mppa would represent only 0.28% of the 37.5 MtCO₂/annum ‘planning assumption’ adopted by Government, which was not considered to materially affect the UK’s carbon budgets. Accordingly, in line with the approach in Aviation 2050, aviation emissions from Bristol Airport would not therefore amount to a significant effect. This is the correct approach to assessing the significance of additional carbon emissions and this was accepted by NSC officers in recommending approval of the planning application.
- 7.5 In addition, the assessment of climate change as reported in the ES contained an over-estimation of the carbon emissions from aviation. Based on the current passenger and traffic forecasts, the scale of emissions would be 0.18% of the 37.5 MtCO₂ headroom recommendation, a reduction of approximately

²⁴ Bristol Airport Limited (2019) *Becoming a Net Zero Airport: Our Roadmap to Reduce Carbon Emissions*. Available from <https://www.bristolairport.co.uk/about-us/news-and-media/news-and-media-centre/2019/7/bristol-airport-carbon-roadmap> [Accessed August 2020].

²⁵ *Climate Change Act 2008*. Available from https://www.legislation.gov.uk/ukpga/2008/27/pdfs/ukpga_20080027_en.pdf [Accessed August 2020].

²⁶ *Climate Change Act 2008 (2050 Target Amendment) Order 2019 SI 2009 No.1056*. Available from <https://www.legislation.gov.uk/uksi/2019/1056/contents/made> [Accessed August 2020].

²⁷ See <https://www.icao.int/environmental-protection/CORSIA/Pages/default.aspx> [Accessed August 2020].

one third from that originally reported. Therefore, notwithstanding the need to update the forecasts, conclusions on significance contextualised by reference to materiality are robust.

- 7.6 BAL is committed to minimising greenhouse gas emissions and has already published a Carbon Roadmap to become a net zero airport by 2050. The CCCAP will identify opportunities to achieve emissions reductions from aviation by, for example, accelerating the adoption of newer, more fuel-efficient lower carbon aircraft.
- 7.7 In late 2019, the CCC recommended²⁸ that, as part of what it called its ‘further ambition’ scenario, the ‘planning assumption’ should be reduced to 30MtCO₂/annum and that growth in order to achieve net-zero emissions demand should be limited to, at most, 25% above 2018 by 2050. Whilst that recommendation has not been adopted by Government, even if it were, the increase in aviation emissions associated with the appeal proposal would remain small when measured against this recommendation (0.22% based on current forecasts) and would still not materially affect the Government's ability to reach its carbon reduction targets. Furthermore, the ‘further ambition’ scenario still assumed a 25% increase in air passenger growth consistent with the achievement of ‘net zero’.

Non-Aviation Emissions

- 7.8 BAL has committed to offset all passenger surface access journeys from 2020, be carbon neutral by 2025 for emissions within BAL's control and to generate 25% of its energy consumption from onsite renewables over the same period. The CCCAP will provide a detailed action plan for the minimisation of non-aviation emissions whilst the transport measures to be contained in the ASAS to encourage public transport use will reduce surface access emissions specifically.
- 7.9 Notwithstanding the commitments in the forthcoming CCCAP, the ES showed that emissions from surface access emissions (the largest non-aviation source) would be minor and within the scale of total UK road transport emissions (equivalent to 0.04%). As such, it cannot be considered to have a substantial influence on the reductions necessary in the transport sector to meet the UK Carbon Budgets, particularly given that all surface access emissions are being offset from 2020. In addition, an increase in the capacity of Bristol Airport will reduce the displacement of passengers to airports outside of the South West region, principally to the London airports, generating an emissions benefit.
- 7.10 Non-aviation emissions associated with the appeal proposal will not be significant. The appeal proposal is therefore in accordance with Development Plan policy.

²⁸ Committee on Climate Change (2019) *Letter from Lord Deben to Rt Hon Grant Shapps MP dated 24 September 2019: International Aviation and Shipping and Net Zero*. Available from <https://www.theccc.org.uk/wp-content/uploads/2019/09/Letter-from-Lord-Deben-to-Grant-Shapps-IAS.pdf> [Accessed August 2020].

8. Noise

- 8.1 The ES has established that the air and ground noise impacts arising from the increase in aircraft movements will not be significant and that there will be no serious adverse effects on the health and well-being of residents in local communities. BAL has proposed a substantial package of measures to mitigate aircraft noise including an industry-leading enhanced noise insulation scheme providing nearly £2m in grants to local residents, a reduction in the number of aircraft operating in the shoulder periods, the banning of noisier aircraft at night, a reduction in the daytime 57dB L_{Aeq} summer noise contour limit and changes to the Quota Count (QC) regime to ensure that newer, quieter aircraft are operated at night. Taken together, this package of measures goes beyond many other UK airports. On this basis, the Officer's Report confirmed that *"the combination of the revised operational restrictions, enhanced acoustic mitigation grant scheme and air noise control scheme would provide an acceptable form of mitigation for air noise having regard to current policy."*
- 8.2 No reasons have been presented by NSC to justify why, in RfR2 (insofar as it relates to noise), it has reached a different conclusion to both the ES and the Officer's Report. BAL maintains, therefore, that the appeal proposal is in accordance with Policies CS3, CS23 and CS26 of the North Somerset Core Strategy.

Air Noise

- 8.3 Chapter 7 of the ES assessed noise generated by aircraft flights (air noise) and aircraft activities on the ground (ground noise) based on modelling of the 2017 baseline, at 10 mppa (without the proposed development) and at 12 mppa (with the proposed development)²⁹ in accordance with the Noise Policy Statement for England³⁰ and using established methodologies accepted by NSC officers.
- 8.4 The ES concludes that the air noise impacts of the appeal proposal would not result in significant effects on the health of local communities, a conclusion supported by NSC officers and Public Health England. BAL agreed a range of measures with NSC officers that will effectively mitigate the noise impacts associated with increased aircraft movements. Supported by a revised Noise Control Scheme and building on existing controls³¹, these measures (detailed in the conditions presented in the Officer's Report) include:
- a reduction in the 57 dB $L_{Aeq,16h}$ air noise contour area limit from its current value of 12.4 km² to 11.5 km² that will require a higher proportion of flights to be from quieter aircraft;
 - an enhanced noise insulation scheme including an increase in the value of grants available to residents and the inclusion of properties within the 55 dB $L_{Aeq,8h}$ air noise contour area which exceeds the minimum policy requirement set out in the APF;
 - a reduction in the number of night flights allowed during the 'shoulder periods' (23.00 to 23.30 and 06.00 to 07.00 hours) from 10,500 flights to 9,500 flights; and

²⁹ BAL is aware that the WHO guidance recommends reducing noise levels produced by aircraft during night-time below 45 dB L_{den} and 40 dB L_{night} . However, compliance with these limits is not practically feasible at all UK airports, even without any development. Further, these guidelines have not been adopted as Government policy and Aviation 2050 states that the Government *"wants policy to be underpinned by the most robust evidence on these effects, including the total cost of any action and recent UK specific evidence, which the WHO report did not assess"*. On this basis, the Officer's Report considered that *"the weight to be given to the WHO's 'Environmental Noise Guidelines' is 'low' at this time"*.

³⁰ In accordance with the Noise Policy Statement for England, NOEL (No Observed Adverse Effect Level), LOAEL (Lowest Observed Adverse Effect Level) and SOAEL (Significant Observed Adverse Effect Level), in addition to UAEL (Unacceptable Adverse Effect Level), are used in the noise assessment. Households exposed to levels above 63dB $L_{eq,16hr}$ (day) and 55dB $L_{eq,8hr}$ (night) are within SOAEL; while for LOAEL the thresholds, in line with Government policy, are 51dB $L_{eq,16hr}$ (daytime) and 45dB $L_{eq,8hr}$ (night). The L_{night} index is also used to rate night noise, which equates broadly to the $L_{Aeq,8h}$ index, being an annual metric rather than a summer metric and commonly used to rate health effects from night noise.

³¹ For example, encouraging airlines to adopt continuous descent approach, improve noise and track keeping by having dedicated Noise Preferential Routings for departures, and continuous monitoring at three permanent locations surrounding the airport.

- to mitigate the impacts of night flights specifically, alignment of the current night noise QC scheme³² with that currently in place at the designated airports and the banning of QC 2 or above rated aircraft to incentivise the introduction of quieter aircraft at the airport.
- 8.5 The air noise assessment identified that changes in noise levels as a result of the appeal proposal would be offset by the predicted modernisation of the aircraft fleet. A very small number of dwellings (around 10) would be exposed to the SOAEL of 63 dB LA_{eq,16h} during the day under both the with and without development scenarios which is a reduction on the number of dwellings compared to the 2017 baseline. Further, the change in noise for receptors within the SOAEL would be negligible.
- 8.6 Whilst the appeal proposal will result in an increase of around 100 dwellings exposed to the night noise SOAEL of 55 dB LA_{eq,8h} or more, the change in noise experienced by receptors is predicted to be negligible. In addition, the ES demonstrates that the number of dwellings experiencing individual noise events of significance, at least once per night, would be lower than the 2017 baseline and the same as the 10 mppa 'without development' scenario.
- 8.7 Notwithstanding the revised forecasts, the conclusion of the air noise assessment is robust and can be fully relied upon. The appeal proposal is therefore in accordance with Development Plan policy.

Ground Noise

- 8.8 New structures associated with the appeal proposal (which include a 5m high faceted acoustic barrier along the far eastern apron) would provide enhanced levels of noise screening serving to mitigate, and in some cases reduce, ground noise levels associated with aircraft.
- 8.9 The ground noise assessment presented in Chapter 7 of the ES estimated that a total of 30 dwellings would experience a moderate decrease in ground noise level (defined as being between 3 to 6 dB) whilst four dwellings would experience a high decrease in noise level (6 to 9 dB). Whilst the two dwellings currently exposed to SOAEL would increase to three, these dwellings would experience only a negligible increase in noise levels which was assessed in the ES as being barely perceptible. In practice, these three dwellings are all eligible, and have benefited from, BAL's current sound insulation scheme and will also be eligible for the proposed enhanced sound insulation scheme. Further, the s106 Heads of Terms agreed with NSC officers require BAL to prepare and implement a Ground Noise Management Strategy that will identify measures to further minimise the levels and impacts of ground noise at the airport.
- 8.10 Notwithstanding the updated forecasts, there will be no change to conclusions on significance in Chapter 7 of the ES. The appeal proposal is therefore in accordance with Development Plan policy.

³² The QC scheme assigns each aircraft operation a QC score and allocates a QC budget or quota. Condition 36 of the extant 10mppa consent (which relates to 23:30 to 06:00 Hours), limits the British Summer Time to 1260 QC points with 900 points in the British Winter Time. It allows unlimited unused points to be carried over or borrowed from adjoining seasons, subject to penalties if the borrow or carry over is more than 10%. No change is sought to the number of points allocated for the summer or winter seasons as part of the 12 mppa application. Instead, BAL is seeking to align the QC scheme but with a transitional arrangement to reduce and eventually remove the borrow or carry over of unused quota points between season alongside removal of the noisiest aircraft from the scheme.

9. Green Belt

- 9.1 In response to RfR 4, BAL's case is that the proposed year-round use of the existing Silver Zone Car Park (Phase 1) extension and the further extension to the Silver Zone Car Park (Phase 2) will result in only limited harm to the openness of the Green Belt and that 'very special circumstances' clearly outweigh this harm. These very special circumstances are:
- the need for additional low-cost parking to meet demand associated with an additional 2 mppa and address the impacts of unauthorised car parking in the Green Belt, as part of a holistic approach to sustainable travel;
 - the lack of alternative, available and suitable sites for parking outside the Green Belt, as accepted by NSC officers; and
 - the need for, and benefits of, the growth of Bristol Airport.
- 9.2 Similar very special circumstances were accepted by NSC officers in recommending approval of the planning application and are consistent with previous decisions taken by NSC relating to airport car parking in the Green Belt that have subsequently been upheld in the Courts³³.

Limited Harm to the Openness of the Green Belt

- 9.3 The year-round use of the existing Silver Zone Car Park (Phase 1) extension and the further extension to the Silver Zone Car Park (Phase 2) would not cause substantial harm to the openness of the Green Belt.
- 9.4 The seasonal Silver Zone Car Park (Phase 1) is an existing car parking facility and the principle of car parking in this exact location has already been established and accepted. Whilst it is proposed that the area of parking be used year-round, associated development (lighting and CCTV columns) would be minimal and, consistent with the current operation of the car park, cars will be valet parked to minimise landtake and activity levels. Further, the existing landscape bund to the south of the site has successfully screened close range views of the car park and longer-range views are seen in the context of existing development at the airport. In consequence, this element of the appeal proposal will not materially affect the openness of the Green Belt.
- 9.5 The proposed further extension to the Silver Zone Car Park (Phase 2) is situated adjacent to the existing Silver Zone Car Park and the development would consist of similar elements to those already present in the existing (Phase 1) car parking area. Parking bays will be grassed and the proposed landscape perimeter bund will screen close range views whilst adoption of a lighting strategy will prevent any upward lighting and minimise any light spillage in the same way as has been successfully implemented for Phase 1. In short, the proposed additional car parking will have, at worst, only a very limited and localised impact on the openness of the Green Belt.
- 9.6 The conclusion that the car parking proposals will only cause limited harm to the Green Belt is consistent with the conclusions of the Inspector in his report³⁴ concerning the examination of the Core Strategy, which stated (at paragraph 64) that car parking "*has relatively little effect on the essential openness or visual amenity of the surrounding rural Green Belt*".
- 9.7 It is submitted that the very special circumstances described below outweigh any harm to the openness of the Green Belt.

³³ Parking Operators Against Monopolies Limited versus North Somerset Council: Ref CO/6483/2016.

³⁴ The Planning Inspectorate (2012) *The Planning Inspectorate (2012) Report to North Somerset Council by Brian J Sims: Report on the Examination of the North Somerset Core Strategy Development Plan Document*. Available from <https://www.n-somerset.gov.uk/wp-content/uploads/2016/03/CC03-Core-Strategy-Inspectors-report.pdf> [Accessed August 2020].

Very Special Circumstance 1 - The Need for Additional, Low-Cost Car Parking in the Green Belt

- 9.8 BAL's parking solution forms part of a holistic approach to sustainable travel that seeks to promote public transport, whilst ensuring there is sufficient on-site parking capacity to meet demand and therefore minimise the impacts of unauthorised car parks in the Green Belt.
- 9.9 The Parking Demand Study submitted with the planning application identifies that a total of 3,900 (net) additional car parking spaces will be required at 12 mppa³⁵. In order to achieve a net increase of 3,900 spaces, the construction of all car parking elements of the 12 mppa scheme are required. Whilst BAL has committed to increase public transport mode share from 15% to 17.5%, it maintains that there is a need for 3,900 spaces to meet passenger demand associated with an additional 2mppa, accommodate demand that is currently met by existing unauthorised car parks in the Green Belt and to facilitate BAL's commitment to reduce drop-off/pick-up as a less sustainable alternative. BAL had additionally agreed with NSC officers to a range of measures (detailed in the s106 Heads of Terms) to ensure that parking provision does not undermine public transport use. These measures include a review mechanism under which the construction of MSCP3 is conditional on achieving an interim public transport mode target of 16% and a penalty scheme should BAL not achieve the agreed stretch mode share target of 17.5%, as well as a multi-modal pricing review.
- 9.10 Critically, the extension to the Silver Zone Car Park (Phase 2) and the year-round use of the existing Silver Zone Car Park (Phase 1) will respond directly to the increased need for low-cost parking. This need is a result of a number of factors including:
- a historic preference and underlying demand for low-cost parking;
 - an increasing propensity for leisure passengers to use low-cost parking due to (inter alia) their length of stay and willingness to pay;
 - growth in passengers from catchments that are more distant from the airport and more likely to choose low-cost parking; and
 - growth in based aircraft (based aircraft are parked at the airport overnight) with passengers on the first wave-based aircrafts leaving early in the morning being more likely to drive and park than at other points during the day.
- 9.11 Multi-storey car parking does not meet this need because of the level of charging required to make such investments commercially acceptable and, therefore, low-cost car parking provision to the south of the airport is an essential first step to provide additional parking capacity. This was understood and accepted by NSC officers (and was also accepted by NSC in granting previous permissions³⁶), who therefore agreed a phased approach to the delivery of the proposed car parking, linking investment in public transport with the removal of the seasonal restrictions on the existing Silver Zone Car Park and the development of the extension to the Silver Zone Car Park as an initial phase.
- 9.12 Importantly, the provision of further low-cost car parking on-site as part of the appeal proposal will ensure that the airport is better positioned to offer an attractive, alternative, low-cost product to unauthorised offsite providers. Unauthorised car parking within the Green Belt (and on local streets) is a serious issue which is currently being managed by NSC and other neighbouring authorities, and for which the Council has recently secured funding from the Ministry of Housing, Communities & Local Government to support targeted enforcement action³⁷. Alongside other measures contained in the s106 Heads of Terms (including a contribution to support resources for planning enforcement and a multi-modal pricing review), the additional parking capacity will mitigate the adverse impacts on the Green Belt, environment

³⁵ Whilst the appeal proposal provides a total of circa 4,850 spaces against a requirement for 3,900 spaces, the net increase is 3,900 spaces as extensive surface parking is lost to construct MSCP3 and the nearby gyratory road in the current north side car parks.

³⁶ Planning application references 16/P/1486/F and 16/P/1455/F.

³⁷ See <https://www.gov.uk/government/news/cash-boost-to-crackdown-on-illegal-building-on-nation-s-green-belt> [Accessed August 2020].

and local communities associated with the operation of unauthorised offsite providers. Whilst increased enforcement is expected to reduce unauthorised off-site car parking, sufficient authorised, low-cost car parking must also be provided on-site to balance need and ensure off-site enforcement remains effective and is not undermined.

- 9.13 The alternative of not providing additional, low-cost parking would be increased demand for unauthorised parking in the Green Belt with associated adverse impacts on the Green Belt, local communities and the environment. Further unauthorised car parking will also affect BAL's surface access ambitions in its ASAS, as without the ability to properly manage car parking operations, the unique position of BAL to promote sustainable surface access would be undermined. This view is consistent with an appeal decision³⁸ in relation to off-site car parking within the administrative area of Bristol City Council.
- 9.14 Drop-off/pick-up doubles the number of trips to/from the airport compared to parking onsite, generating more traffic movements and associated emissions. BAL has already increased charging at its drop-off car park in order to reduce demand for this product and has committed through the s106 Heads of Terms to review charges further to ensure options higher up the modal hierarchy are supported. Success in this area will result in a growth in demand for parking spaces onsite; conversely, not providing sufficient parking spaces onsite is likely to result in increased drop-off/pick-up.
- 9.15 Objectors to the planning application have argued that MSCP2, including an associated PTI, should be brought forward ahead of the provision of further car parking in the Green Belt inset and that this should be secured by condition. MSCP2 forms part of the extant 10 mppa consent and BAL has not yet brought forward the car park as there is currently insufficient demand for a further premium multi-storey car park product at the airport. Similar commercial considerations were previously accepted by NSC as being a material consideration of significant weight and representing a 'very special circumstance' to justify bringing forward the existing Silver Zone Car Park (Phase 1) extension ahead of MSCP1 (also originally consented as part of the 10 mppa permission). In that case, the Planning Officer's report stated that it would be "*unrealistic... to suppose that any business would front load expensive infrastructure much larger and much sooner than is reasonably needed*". This view was upheld in the refusal³⁹ of an application for Judicial Review challenging the Council's grant of consent in which the claimant contested that the decision had inappropriately taken into account BAL's pricing strategy. In refusing permission to proceed, Mr Justice Hickinbottom (as he then was) stated: "*In concluding that there were very special circumstances in 2016, the Council was entitled to take into account the different economic trends and requirements then shown.*" BAL has subsequently completed MSCP1 and in the same way, will bring forward MSCP2 when there is the demand to justify it.
- 9.16 BAL recognises, however, the importance of delivering the PTI component of the MSCP2 facility to encourage sustainable surface access. BAL therefore agreed with NSC officers to a condition to bring forward a PTI and will submit its proposals to NSC for a PTI facility in an alternative location.

Very Special Circumstance 2 - No Further Suitable and Available Sites for Car Parking Outside of the Green Belt

- 9.17 No suitable, alternative sites for car parking outside the Green Belt have been identified. The Parking Strategy assessed car parking options identified in agreement with NSC to accommodate the additional net 3,900 spaces necessary for 12 mppa, following a sequential approach that considered opportunities outside the Green Belt (both on and offsite), as follows:

³⁸ Appeal reference APP/Z0116/C/12/2183376. In relation to off-site car parking within the administrative area of Bristol City Council, the appointed Inspector upheld the Council's enforcement notice stating: "*The aim at Bristol Airport is to increase the public transport proportion of passenger journeys to 15%. Part of this strategy is to control parking, with a key factor being the use of on-airport car parks in preference to off-airport car parks, where price can be controlled to influence modal transport choice. The provision of off-site third party car parks where price is not controlled will inevitably impact on the ability of the Airport to influence mode of transport choice, if the price control mechanism can be avoided. Off site operators are likely to be more competitive by having lower prices than at the airport, as is the case in relation to this appeal. This will clearly and directly undermine the aims of the Surface Access Strategy and cause considerable harm in terms of sustainability, conflicting with the general aims of the core strategy and The Framework to achieve sustainable development.*"

³⁹ Parking Operators Against Monopolies Limited versus North Somerset Council: Ref CO/6483/2016.

- Maximise the amount of car parking on the northern side of the airport, within the Green Belt inset, whilst taking into account other environmental impacts;
- Explore the provision of car parking spaces at locations remote from the airport;
- Maximise the level of car parking within the existing airport site; and
- Explore the provision of car parking spaces in Green Belt locations contiguous to the airport.

- 9.18 In accordance with the hierarchy set out above, the appeal proposal maximises car parking provision within the Green Belt inset through MSCP 3, providing circa 2,150 spaces. The capacity of this facility takes into account existing and consented multi-storey car parking provision at the airport site and a careful analysis of the demand for premium⁴⁰ long stay car parking. However, the proposed car park would not meet the total car parking requirement.
- 9.19 Objectors to the planning application stated that BAL should look to bring forward further car parking to the north of the airport to meet the residual requirement, further intensifying development in the Green Belt inset. However, there is currently insufficient space to the north of the airport site to accommodate additional surface level car parking. This is because BAL has already sought to maximise development in the inset and for safety and security reasons, parking cannot be located 'airside'⁴¹. Additional multi-storey car parking (beyond that already developed, consented and proposed), meanwhile, would not meet the forecast increased demand for low-cost car parking and would result in an overprovision of premium spaces. This was accepted by NSC officers and is consistent with previous decisions where similar commercial considerations have been afforded significant weight (as outlined above). Further multi-storey car parking would also have significant visual impacts on residential receptors along Downside Road, particularly taking into account the topography of this area and the requirement for a gyratory to improve traffic flows within the airport site which significantly limits siting options. On this basis, the Officer's Report concludes that *"BAL has demonstrated that the additional surface car parking (2,700 spaces) and year-round use of the current seasonal car park (3,650 spaces) cannot be delivered in the GBI"*.
- 9.20 Suitable alternative sites to meet the residual requirement for spaces were also not identified at strategic locations remote to Bristol Airport following an assessment of potential sites as part of the Parking Strategy. Objectors to the planning application considered that alternative car parking solutions outwith the Green Belt had not been adequately considered by BAL or NSC. However, an offsite facility would not automatically provide the benefits assumed by objectors as this would be entirely dependent on the location of any such facility, the baseline environmental and transport characteristics and distance from the airport. In any case, having engaged with other local planning authorities, NSC officers were also unable to identify any alternative sites, verifying the findings of the Parking Strategy.
- 9.21 In addition to sites outside the Green Belt, options within the current airport site but also within the Green Belt were considered. Two options were identified; decked car parking southside and year-round use of the existing seasonal Silver Zone Car Park (Phase 1) extension. The option of decked car parking was rejected as its potential landscape impact and harm to the openness of the Green Belt would be greater than additional surface level car parking and would not meet the demand for low-cost parking. The year-round use of the existing seasonal Silver Zone Car Park (Phase 1) extension was included in the application scope as this will cater for the increased year-round demand for low-cost parking associated with an additional 2 mppa, make best use of the existing car park facility and will not have a material impact on the openness of the Green Belt. However, as this car park already caters for peak car parking demand during the summer months, it would not meet the residual requirement for spaces and no other suitable options within the airport site were identified.

⁴⁰ Premier parking is located within walking distance of the terminal building and is aimed at business passengers for short to medium stay lengths.

⁴¹ Airside is areas of the airport, terminal and other buildings where access is restricted to processed passengers and authorised personnel. Landside comprises of those areas of the airport open to the public - in more general terms, the access roads, car parks and terminal building areas open to both passengers and non-passengers.

9.22 As no further suitable and available alternatives sites were identified, an extension to the Silver Zone Car Park (alongside the year-round use of the existing Phase 1 extension) was proposed in order to meet the residual requirement for spaces and the demand for low-cost parking. The Parking Strategy highlights that the Phase 2 site:

- is well-located from an operational perspective, allowing car parking to the south of the airport site to be consolidated in one location;
- benefits from existing services and facilities associated with the Silver Zone Car Park including the Silver Zone Car Park reception building and associated shuttle bus services that transfer passengers to/from the terminal;
- is well-suited to block parking, where public access is not required and car parking spaces can be maximised thereby making the best use of the land without the need for significant additional built development and minimising the need for lighting;
- has good access to the A38 and terminal via the existing southern access road;
- can be readily integrated with wider surface access proposals and improvements associated with development of the airport to 12 mppa; and
- is not within/adjacent to national or local designated sites.

9.23 BAL maintains that this is the most appropriate option for accommodating demand not met by further car parking in the Green Belt inset.

Very Special Circumstance 3 – Need for, and Benefits of, the Growth of Bristol Airport

9.24 The provision of additional, low-cost parking in the Green Belt is integral to the proposals for an expanded Bristol Airport and forms part of a strategy that makes best use of the existing airport site, in accordance with national aviation policy. In this context, BAL considers that the need for, and benefits of, the appeal proposal amount to a very special circumstance that outweighs any harm to the openness of the Green Belt.

9.25 The need for, and benefits of, the appeal proposal are established in **Section 4** and are therefore not restated in detail here. In summary, they include:

- Strong national aviation policy support for the growth of regional airports and making the best use of existing runways: BAL's appeal proposal directly responds to the Government's aviation policy by making better use of the existing airport runway. The appeal proposal will increase the South West region's connectivity and, more widely, will help to meet the UK's global ambition for increased international connectivity and trade post-BREXIT.
- The need to accommodate forecast regional passenger demand: In 2019, Bristol Airport handled nearly 9 million passengers and forecasts prepared at the time of the planning application indicated that the permitted passenger cap of 10 mppa would be reached in 2021 with throughput growing further to 12 mppa by 2026. Despite the temporary impacts of COVID-19 on the aviation sector, BAL still expects that passenger demand will exceed 10 mppa in the short term and that throughput will reach 12 mppa, albeit over a longer time period than previously projected. The appeal proposal caters for this demand, in-turn enhancing the connectivity of the South West region.
- The potential for the appeal proposal to clawback the leakage of passengers from the South West region to London's airports: Meeting regional passenger demand will help to reduce the need for passengers to travel long distances to fly, minimising associated emissions.

- The delivery of substantial social and economic benefits: The Economic Impact Assessment concludes that the appeal proposal would deliver around 6,000 employment opportunities and £390 million GVA alongside substantial benefits for the tourism sector. This in-turn will boost the South West region’s economic recovery from the COVID-19 pandemic and help level-up regional growth. The economic benefits delivered as a result of the appeal will also support regeneration, including in two of the South West’s most deprived areas – Weston-super-Mare and South Bristol.
- 9.26 The limited on-site car parking in the Green Belt is an important part of a comprehensive package of development proposals that are intended to deliver the benefits outlined above.
- 9.27 Paragraph 80 of the NPPF establishes that “*Significant weight should be placed on the need to support economic growth and local business needs*”. An additional 2mppa will generate demand for further low-cost car parking and the Parking Strategy confirms that an extension to the Silver Zone car park extension (alongside the year-round use of the existing Phase 1 extension) is the most appropriate option for accommodating this demand, a view also held by NSC officers. Consistent with the NPPF, the need to meet this demand as part of the wider growth of Bristol Airport should be afforded significant weight.

10. Other Impacts

- 10.1 This section summarises the other matters considered in the ES and by NSC in determining the planning application. These matters are not identified as reasons for refusal in the Decision Notice and NSC officers were satisfied that the impacts are acceptable and, where relevant, appropriately mitigated.
- 10.2 As set out in **Section 2**, third party comments in respect of the reasons for refusal have been considered by BAL in preparing this Statement of Case. A number of comments pertaining to other matters were also submitted to NSC and these were fully and properly considered by officers. The other matters raised by third parties are summarised and comprehensively dealt with in the Officer's Report which affords them limited weight. In determining the reasons for refusal, Members of NSC did not consider that these matters properly amounted to reasons to refuse the planning application and did not specify them as such when issuing the Decision Notice. BAL reserves the right to provide further evidence should any matters beyond the reasons for refusal be raised by third parties during the appeal.

Road Traffic and Construction Noise

- 10.3 Chapter 7 of the ES identifies that there would be no change in the number of receptors affected by road traffic noise. Further, the receptors exposed to road traffic levels at the SOAEL and LOAEL are highly likely to be the same as those eligible for air noise mitigation. On this basis, officers had no objection in terms of traffic noise.
- 10.4 Regarding construction noise, the ES concludes, taking into account the measures to be contained in a CEMP, that there will be a negligible adverse effect which is not significant. This conclusion was accepted by officers.

Vibration

- 10.5 Chapter 7 of the ES also assessed the effects of vibration from the appeal proposal and concluded that there would be no significant effects arising from construction or air traffic. This conclusion was accepted by NSC officers.

Landscape and Visual

- 10.6 Chapter 9 of the ES considers the effects of the appeal proposal on landscape and visual amenity based on the findings of a Landscape and Visual Impact Assessment (LVIA) undertaken in accordance with a methodology agreed with NSC.
- 10.7 In terms of landscape, the LVIA concluded there will be no significant effects as a result of the appeal. NSC officers agreed that taking into account the mitigation proposed by BAL, there is likely to be a low impact on the landscape character. Negative visual effects of moderate significance were only identified for a single receptor and for a short-term period whilst mitigation planting developed.

Land Quality

- 10.8 Chapter 10 of the ES contains the assessment of the appeal proposal in respect of land quality. It concludes that the risk of contamination affecting sensitive receptors is low and significant effects on land quality are not predicted. Neither Public Health England nor the Officer's Report reached a different conclusion.
- 10.9 The appeal proposal will result in the loss of best and most versatile (BMV) agricultural land in order to accommodate the proposed extension to the Silver Zone Car Park (Phase 2). The Officer's Report recognises that sound planning reasons have been demonstrated for allowing additional parking within and contiguous with the airport. It highlights that the loss of BMV represents only 0.01% of all BMV

agricultural land in North Somerset and states that the loss of this quantum of BMV land is “*not so substantial as to warrant refusal of the application*”.

Ecology

- 10.10 Chapter 11 of the ES presents the assessment of the appeal proposal in respect of biodiversity. It concludes that the construction and operation of the development will result in only negligible and not significant adverse effects on all receptor groups scoped into the assessment.
- 10.11 In accordance with the North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: Supplementary Planning Document (SPD), suitable mitigation has been identified to ensure that there would be no adverse effects on the integrity of the SAC. This mitigation includes habitat creation at the airport site as well as offsite replacement habitat for lesser and greater horseshoe bats that will provide other ecological benefits (e.g. for dormouse, other bat species, birds, amphibians, reptiles, woodland flora, and invertebrates). On this basis, NSC’s Habitats Regulations Assessment (HRA) concludes that, with the proposed mitigation, there would be no adverse effects on the integrity of the SAC. This conclusion has also been accepted by Natural England.
- 10.12 Overall, the Officer’s Report concludes that there will be a net biodiversity gain/ecological enhancement.

Water

- 10.13 The surface water and flood risk assessment contained in Chapter 12 of the ES concludes that, with mitigation, the appeal proposal will not increase flood risk to offsite receptors and will protect water quantity and quality. Taking into account the implementation of measures to be contained within the CEMP as well as other embedded mitigation, the ES also concludes that groundwater effects will be minor/negligible and not significant.
- 10.14 The Officer’s Report confirms that there are no objections from NSC’s Flood Management Team, the Environment Agency, North Somerset Levels Internal Drainage Board, Bristol Water and Wessex Water. Similarly, Public Health England did not raise any objection in respect of this matter.

Historic Environment

- 10.15 Chapter 14 of the ES considers the effects of the appeal proposal on the historic environment. The assessment in the ES highlights that, as much of the construction involved in delivery of the appeal proposal will take place within the existing built footprint of the airport, there is limited potential for direct impacts on heritage assets. The assessment highlights that the development of the Silver Zone Car Park (Phase 2) extension does have the potential to affect the setting of Long barrow 350m southwest of Cornerpool Farm Scheduled Monument. To mitigate any adverse effects on this designated monument, a landscaped bund will be created to provide a natural screen for the Scheduled Monument that will minimise effects on the setting of this feature.
- 10.16 On this basis, the Officer’s Report concludes that the appeal proposal would have no harm on any heritage assets. This is the same conclusion reached by Historic England when consulted on the application.

Human Health

- 10.17 The human health effects of the appeal proposal are assessed as part of the HIA contained in Chapter 16 of the ES. The HIA confirms that adverse effects, including in respect of noise and air quality, are predicted to be negligible or minor and not significant. In addition, a beneficial effect is predicted as a result of job creation and local investment during operation that will in-turn deliver long-term health benefits.

- 10.18 With reference to Public Health England's comments on the planning application, including Chapter 16 of the ES, the Officer's Report confirms that the HIA is realistic and that there are no overriding health or well-being impacts that would warrant refusal of the application.

11. Conditions and Obligations

- 11.1 Draft planning conditions were agreed with NSC officers and are presented in the Officer's Report. The agreed conditions covered a wide range of issues including (inter alia): the passenger cap; reserved matters; noise (air noise, night flying and ground noise); climate change; landscaping; biodiversity; drainage and groundwater quality; sustainable design; the airport's operational boundary; and monitoring. BAL does not propose any changes to the conditions at this stage and will seek to engage with NSC to ensure that the conditions continue to meet the tests set out at paragraph 56 of the NPPF and reflect any updates required as a result of the revised forecasts.
- 11.2 S106 Heads of Terms covering surface access, air and ground noise, air quality, environmental amenity and employment and skills were also agreed with NSC officers and are presented in Appendix 3 of the Officer's Report. No changes to the Heads of Terms are proposed at this stage and a draft s106 Agreement is submitted with the appeal which BAL considers provides a comprehensive and appropriate set of obligations, which are compliant with Regulation 122 of the Community Infrastructure Levy Regulations 2008, to mitigate the impacts of the appeal proposal.
- 11.3 BAL will continue to engage with NSC on the form and content of the draft s106 Agreement and will review the obligations contained therein in light of the updated forecasts and assessments to ensure that they remain appropriate.

12. Evidence and Witnesses for the Appellant

Evidence

- 12.1 BAL will refer to the planning application documents and further information submitted to NSC, together with the other documents relevant to the appeal case, that are set out in the **Appendix C**.
- 12.2 As detailed in **Section 3**, BAL will submit an updated passenger and traffic forecast. In light of this revised forecast, it will be necessary to produce an addendum to the ES to ensure that the Inspector and all parties to the appeal have the benefit of an up to date assessment of the likely significant effects of the appeal proposal. It is anticipated that the following chapters of the ES will be the focus of the addendum:
- Chapter 6: Traffic and Transport;
 - Chapter 7: Noise and Vibration;
 - Chapter 8: Air Quality;
 - Chapter 15: Socio-economics;
 - Chapter 17: Carbon and Other Greenhouse Gas Emissions;
 - Chapter 18: Cumulative Effects Assessment.
- 12.3 The following documents will also be updated, where appropriate, in light of the revised forecasts:
- Transport Assessment;
 - Economic Impact Assessment;
 - Further Parking Demand Study.
- 12.4 Submission of the information listed above will be in accordance with any agreed timetable for the appeal.

Witnesses

- 12.5 As presently advised, BAL intends to call witnesses to address:
- Aviation forecasts and strategic case for growth;
 - Planning including Green Belt;
 - Socio-economics;
 - Noise;
 - Air quality;
 - Climate change; and
 - Surface access and parking.
- 12.6 BAL reserves the right to call further witnesses to deal with any other issues which arise or are raised by NSC and third parties.

13. Planning Balance and Conclusion

- 13.1 The appeal proposal is in accordance with the Development Plan, the NPPF and national aviation policy and there are no other relevant material considerations which weigh significantly against the development. In fact, the appeal proposal would give rise to substantial local and regional benefits which are material considerations that weigh significantly in favour of granting consent. This same conclusion was reached by NSC officers in recommending approval of the planning application.
- 13.2 In summary, it is BAL's case that the appeal proposal will:
- ensure that Bristol Airport can grow to meet regional passenger demand;
 - deliver substantial social and economic benefits;
 - support the South West region's economic recovery from the COVID-19 pandemic;
 - enable BAL to make best use of its existing runway, in accordance with national aviation policy;
 - help meet the UK's global ambitions for increased international connectivity and trade post-BREXIT;
 - support Government policy to level-up regional growth; and
 - ensure adverse impacts on the environment and local communities are minimised.
- 13.3 The appeal proposal will support the Government's policy objectives to make the UK one of the best-connected countries in the world, for the aviation sector to make a significant contribution to the economic growth of the UK and for levelling-up regional growth. Increasing the capacity of Bristol Airport to accommodate an additional 2 mppa is also in full accordance with the Government's aviation policy that airports should make the best use of their existing capacity and runways, subject to environmental issues being addressed. BAL has addressed all environmental issues and the appeal proposal makes best use of existing capacity. In consequence, the Government's aviation policy should be afforded substantial weight.
- 13.4 BAL's proposals for a 12 mppa capacity airport provide a sustainable solution to meeting regional passenger demand. The proposals will ensure that Bristol Airport continues and enhances its role as the principal international gateway for the South West region and a significant economic driver, increasing connectivity, creating circa 6,000 direct and indirect employment opportunities, generating nearly £400 million GVA and tackling deprivation in some of the region's most deprived communities. Expansion of the airport will, critically, help to support the region's recovery from the COVID-19 pandemic, 'level up' regional growth and deliver enhanced regional airport capacity to help meet the UK's global ambitions for increased international connectivity and trade following the UK's departure from the EU. BAL strongly considers that these benefits should also be given substantial weight.
- 13.5 The need for, and substantial benefits of, the appeal proposal must be weighed against the adverse impacts of increasing the capacity of Bristol Airport to accommodate 12 mppa.
- 13.6 The environmental impacts of the appeal proposal have been thoroughly assessed in the ES and a significant package of mitigation and enhancement measures was agreed with NSC officers extending to well over £10m and building on the substantial investment made by BAL to-date. This mitigation package includes measures such as a new and enhanced Environmental and Amenity Improvement Fund, providing over £600,000 for community projects in the area to mitigate impacts associated with the airport's operations, onsite and offsite habitat improvement including biodiversity net gain, a circa £2m enhanced noise insulation scheme and a comprehensive package of surface access measures to increase public transport mode share. Taking the mitigation proposed by BAL into account, all environmental issues including the impact of growth on surrounding communities and surface access infrastructure have been

minimised and, therefore, satisfactorily addressed. This conclusion is fully supported by the NSC planning officers and relevant statutory consultees; the Officer’s Report states: “*The expected environmental outcomes from the proposed development including those related to surface access; highway works; parking delivery and enforcement; air and ground noise; air quality; community and employment are also considered to be acceptable subject to mitigation proposed through the recommended conditions and S106 agreement*”.

Reasons for Refusal

13.7 BAL’s case in respect of how the matters raised in NSC’s reasons for refusal have been addressed, alongside the relevant conclusions of the Officer’s Report, are summarised in **Table 13.1**. The conclusions of the Officer’s Report clearly show that officers had accepted BAL’s case on these issues such that they are not valid reasons for refusal. Overall, when read as a whole, the Officer’s Report demonstrates that the appeal proposal is in accordance with the Development Plan and that there are no other material considerations which weigh against granting permission.

Table 13.1 Summary of BAL’s Response to NSC’s Reasons for Refusal and the Officer’s Report Conclusions

Reason for Refusal	BAL’s Case	Officer’s Report Conclusions
Reason 1	<p>The economic benefits of the appeal proposal including increased connectivity, the creation of circa 6,000 direct and indirect employment opportunities and the generation of nearly £400 million GVA should be afforded substantial weight. These benefits outweigh the limited environmental impacts of the appeal proposal which have been satisfactorily addressed.</p> <p>Overall, the appeal proposal is in accordance with Policy CS23 of the North Somerset Core Strategy as well as Policy DM50 of the North Somerset Development Management Policies Sites and Policies Plan Part 1, the NPPF and national aviation policy.</p>	<p><i>“The projected economic benefits arising from the proposed development is a matter of significant weight in favour of the application... The expected environmental outcomes from the proposed development including those related to surface access; highway works; parking delivery and enforcement; air and ground noise; air quality; community and employment are also considered to acceptable subject to mitigation proposed through the recommended conditions and S106 agreement.”</i></p>
Reason 2	<p>The air and ground noise impacts arising from the increase in aircraft movements associated with the appeal proposal will not be significant and there will be no serious adverse effects on the health and well-being of residents in local communities. BAL has proposed a substantial package of measures to mitigate aircraft noise which goes beyond many other UK airports.</p> <p>Air quality impacts as a result of the appeal proposal would be modest and all concentrations of pollutants will remain comfortably within AQO limits. Measures will be implemented to mitigate the air quality impacts associated with an additional 2 mppa.</p> <p>Overall, the appeal proposal is in accordance with Policies CS3, CS23 and CS26 of the North Somerset Core Strategy, as well as Policy DM50 of the North Somerset Development Management Policies Sites and Policies Plan Part 1, the NPPF and the NPSE.</p>	<p><i>“For air quality, there are no predicted exceedances of the annual mean air quality objectives for PM₁₀ and PM_{2.5}. For nitrogen dioxide (NO₂) all but two receptors locations are expected to incur increased concentrations, but the projected levels remain below the air quality objective. In terms of Local Air Quality Management, all receptors comply with acceptable levels, although some are close to these limits. To ensure this remains the case, ongoing monitoring will be required together with an air quality action plan to improve air quality. This can be secured through a S106 agreement. Subject to this, there is no objection to the proposed development in terms of air quality, which complies with Policy CS3 of the North Somerset Core Strategy, the relevant legislation and other policy including the NPPF and APF.”</i></p> <p><i>“Subject to these conditions and obligations [those agreed between BAL and NSC], there is no objection to the proposed development in terms of noise impacts. This aspect of the proposal therefore complies with EU Regulation 598-2014 and noise policy in the NPPF; ANPS; ‘Making best use of existing runways’; the APF; NSPE and the development plan.”</i></p>

Reason for Refusal	BAL's Case	Officer's Report Conclusions
Reason 3	<p>Increasing the capacity of Bristol Airport will not materially affect the ability of the Government to meet its carbon budget for 2050, which represents a 'net zero' UK.</p> <p>Aligned with its Carbon Roadmap to become a 'net zero' airport by 2050, BAL has sought to minimise greenhouse gas emissions and be an exemplar airport for sustainable aviation growth across the industry. This includes a commitment to offset greenhouse gas emissions from all surface access journeys to and from the airport, effective from 2020 onwards, and to prepare a CCCAP.</p> <p>Overall, the appeal proposal is in accordance with Policy CS1 of the North Somerset Core Strategy as well as Policy CS2 and the NPPF.</p>	<p><i>"The applicant uses up-to-date best practice to quantify the added carbon emissions arising from the proposed development and different sources and then assess their impact against UK carbon budgets. Officers are satisfied that the level of additional carbon emissions resulting from the proposed development is not significant against these budgets and are unlikely therefore to compromise the UK's ability to meet its climate change obligations ... Overall, on the basis of current policy, it is concluded that the impact of the proposal on climate change is not unacceptable and the proposal meets the requirements of policies CS1 and CS2 of the North Somerset Core Strategy and paragraphs 8, 148 and 150 of the NPPF."</i></p>
Reason 4	<p>The year-round use of the existing Silver Zone Car Park (Phase 1) extension and the further extension to the Silver Zone Car Park (Phase 2) would only cause very limited harm to the openness of the Green Belt. The following very special circumstances outweigh this limited harm to the Green Belt:</p> <ul style="list-style-type: none"> • the need for additional low-cost parking to meet demand associated with an additional 2 mppa and address the impacts of unauthorised car parking in the Green Belt, as part of a holistic approach to sustainable travel; • the lack of alternative, available and suitable sites for parking outside the Green Belt, as accepted by NSC officers; and • the need for, and benefits of, the growth of Bristol Airport. <p>The appeal proposal is therefore in accordance with Policy DM12 of the North Somerset Development Management Policies Sites and Policies Plan Part 1 and the NPPF</p>	<p><i>"The applicant has demonstrated that additional car parking is an essential part of the proposed development once public transport use has been maximised. Furthermore, the sequential search has demonstrated that there are no other reasonably available and suitable sites that could accommodate the additional car parking demand outside the Green Belt, save for the limited amount of additional car parking to be provided in the part of the airport outside the Green Belt (the Green Belt Inset – GBI). From the information submitted, it is concluded that 'very special circumstances' do exist for these car parks being in the Green Belt and these clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal."</i></p>
Reason 5	<p>The additional traffic generated by the appeal proposal would not prejudice highway safety or result in severe cumulative impacts on traffic congestion; on the contrary, the proposed A38 improvements would deliver significant local capacity benefits and enhance safety.</p> <p>Appropriate provision has been made to mitigate impacts on the highway network and directly address concerns expressed by local communities. In addition, to achieve a stretching 17.5% public transport mode share target and reduce further the impacts on the highway network associated with an additional 2 mppa, a substantial public transport investment package is proposed.</p> <p>The appeal proposal is therefore in accordance with Policies CS1, CS10 and CS23 of the North Somerset Core Strategy, as well as Policy DM54 of the Sites and Policies Plan Part 1 and the NPPF.</p>	<p><i>"Overall, the projected impacts of the proposed development in terms of optimising use of public transport; impacts on roads and junctions; the extent of road works and parking measures are considered acceptable subject to planning obligations and planning conditions as set out in this report. Subject to this, the proposed development is acceptable having regard to policy CS10, DM24 and paragraphs 103, 108, 109, 110 and 111 of the NPPF."</i></p>

Conclusion

- 13.8 The decision of NSC's Planning and Regulatory Committee to refuse BAL's application to increase the capacity of Bristol Airport was contrary to a clear and unequivocal officer recommendation to grant planning permission. All matters raised in NSC's reasons for refusal were previously agreed by officers to have been satisfactorily addressed by BAL and in refusing planning permission, NSC has not provided any proper justification for reaching a different conclusion and departing from the balanced and well-reasoned advice of its own officers. In all the circumstances, NSC's decision was unreasonable. The appeal proposal is in accordance with the Development Plan and, indeed, national planning policy, and there are no other material considerations that indicate that planning permission should be refused.
- 13.9 Overall, the need for, and significant economic benefits of, the appeal proposal outweigh the limited adverse impacts associated with increasing the capacity of Bristol Airport to serve 12 mppa. It is respectfully submitted, therefore, that the appeal should be allowed.

Appendix A

Schedule of Relevant Policies

Development Plan

The adopted Development Plan for the appeal proposal comprises of the: North Somerset Core Strategy (adopted 2017)⁴²; Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016); and Sites and Policies Development Plan Part 2: Site Allocations Plan (adopted April 2018).

The key Development Plan policies relevant to the appeal proposal are summarised in Tables A.1 and A2 below. It should be noted that the Sites and Policies Plan Part 2 does not include a specific allocation in respect of Bristol Airport and is therefore not referred to further here.

Table A.1: North Somerset Core Strategy Policies Relevant to the Appeal Proposal

North Somerset Core Strategy (2017)
CS1: Addressing climate change and carbon reduction
CS2: Delivering sustainable design and construction
CS3: Environmental impacts and flood risk assessment
CS4: Nature conservation
CS5: Landscape and the historic environment
CS6: North Somerset's Green Belt
CS10: Transport and movement
CS11: Parking
CS12: Achieving high quality design and place making
CS20: Supporting a successful economy
CS23: Bristol Airport
CS34: Infrastructure delivery and Development Contributions

Table A.2: Sites and Policies Plan Part 1 Policies Relevant to the Appeal Proposal

Sites and Policies Plan Part 1: Development Management Policies (2016)
DM1: Flooding and drainage
DM2: Renewable and low carbon energy
DM4: Listed buildings
DM5: Historic parks and gardens
DM6: Archaeology

⁴² The Core Strategy was adopted on 10 April 2012. Following a high court challenge nine policies were remitted for re-examination. In September 2015 one policy (Policy CS13: scale of new housing) was re-adopted. The remaining remitted policies were then re-examined. On 10 January 2017, the NSC adopted the remaining remitted policies (CS6, CS14, CS19, CS28, CS30, CS31, CS32 and CS33).

Sites and Policies Plan Part 1: Development Management Policies (2016)
DM7: Non-designated heritage assets
DM8: Nature conservation
DM9: Trees
DM10: Landscape
DM11: Mendip Hills Area of Outstanding Natural Beauty
DM12: Development within the Green Belt
DM20: Major Transport Schemes
DM24: Safety, traffic and infrastructure associated with development
DM26: Travel plans
DM27: Bus accessibility criteria
DM28: Parking standards
DM29: Car parks
DM30: Off-airport car parking
DM31: Air safety
DM32: High quality design and place making
DM33: Inclusive access into non-residential buildings and spaces
DM50: Bristol Airport
DM70: Development Infrastructure
DM71: Development contributions / Community Infrastructure Levy

National Planning Policy Framework

The sections of the National Planning Policy Framework (February 2019) (NPPF) relevant to the appeal proposal are listed in Table A.3 below.

Table A.3: NPPF Section/Paragraphs Relevant to the Appeal Proposal

Topic	Paragraph(s) No(s).
Sustainable development objectives	8
Presumption in favour of sustainable development	10-11
Socio-economics	80
Human health	91, 180
Transport	102-103, 108-111
Land use and quality	117-118, 170, 178-179, 183
Design	127
Green Belt	133-134, 143-146
Climate change (including greenhouse gas emissions)	148, 153
Water and flood risk	155, 163, 165, 170
Landscape	170, 180
Biodiversity	170, 175-177
Noise	170, 180
Air quality	170, 180-181
Cultural heritage	184, 189-197, 199-200
Planning conditions and obligations	54-56

National Aviation Policy

The Government's aviation policy is set out in the following documents:

- The Aviation Policy Framework (March 2013);
- Beyond the Horizon – the future of UK aviation: making best use of existing runways (June 2018).

In February 2020, the Court of Appeal gave judgement in the challenges by Friends of the Earth and Plan B Earth to the designation of the Airports National Policy Statement (ANPS). The Order of the Court was that the ANPS is of no legal effect unless and until the Secretary of State has undertaken a review of it in accordance with the relevant provisions of the Planning Act 2008. That decision is under appeal to the Supreme Court with a hearing expected to be heard later this year. The ANPS is currently, therefore, of no legal effect pending review by the Secretary of State and / or a reversal of the Court of Appeal's decision by the Supreme Court and, as such, is currently not relevant policy in the determination of this appeal.

The Government's emerging aviation policy is currently contained in Aviation Strategy 2050: The Future of UK Aviation (December 2018).

Other Relevant Policy Documents

Other policy documents relevant to the appeal proposal are:

- Noise Policy Statement for England (March 2010);
- Decarbonising Transport – Setting the Challenge (March 2020);
- The West of England Joint Local Transport Plan 4 2020-2036 (March 2020);
- West of England Strategic Economic Plan 2015 – 2030 (March 2014);
- West of England Local Industrial Strategy (July 2019);
- North Somerset’s Economic Plan 2017-2036;
- North Somerset Landscape Character Assessment Supplementary Planning Document (SPD) (September 2018);
- North Somerset and Mendip Bats Special Area of Conservation (SAC) – Guidance on Development SPD (January 2018);
- Creating Sustainable Buildings and Places in North Somerset SPD (March 2015);
- Travel Plans SPD (November 2010);
- Biodiversity and Trees SPD (December 2005); and
- Development Contributions SPD (January 2016).

Appendix B

Decision Notice

NOTICE OF DECISION

Town and Country Planning Act 1990



Mr Alexander Melling
Wood Environment & Infrastructure Solutions UK Ltd
Redcliff Quay
120 Redcliff Street
Bristol
BS1 6HU

Application Number: 18/P/5118/OUT

Category: Outline application

Application No: 18/P/5118/OUT
Applicant: Bristol Airport Limited
Site: Bristol Airport, North Side Road, Felton, Wrington
Description: Outline planning application (with reserved matters details for some elements included and some elements reserved for subsequent approval) for the development of Bristol Airport to enable a throughput of 12 million terminal passengers in any 12 month calendar period, comprising: 2no. extensions to the terminal building and canopies over the forecourt of the main terminal building; erection of new east walkway and pier with vertical circulation cores and pre-board zones; 5m high acoustic timber fence; construction of a new service yard directly north of the western walkway; erection of a multi-storey car park north west of the terminal building with five levels providing approximately 2,150 spaces; enhancement to the internal road system including gyratory road with internal surface car parking and layout changes; enhancements to airside infrastructure including construction of new eastern taxiway link and taxiway widening (and fillets) to the southern edge of Taxiway GOLF; the year-round use of the existing Silver Zone car park extension (Phase 1) with associated permanent (fixed) lighting and CCTV; extension to the Silver Zone car park to provide approximately 2,700 spaces (Phase 2); the provision of on-site renewable energy generation; improvements to the A38; operating within a rolling annualised cap of 4,000 night flights between the hours of 23:30 and 06:00 with no seasonal restrictions; revision to the operation of Stands 38 and 39; and landscaping and associated works.

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** consent for the above development for the following reasons:

- 1 The airport has planning permission to expand to a throughput of 10 million passengers per annum (mppa) which allows for further expansion in passenger growth of approximately 1 mppa above the current passenger level. The further expansion beyond 10mppa now proposed would generate additional noise, traffic and off airport car parking resulting in adverse environmental impacts on communities surrounding

Bristol Airport and which would have an adverse impact on an inadequate surface access infrastructure. The claimed economic benefits arising from the proposal would not outweigh the environmental harm caused by the development contrary to policy CS23 of the North Somerset Core Strategy 2017.

- 2 The noise and impact on air quality generated by the increase in aircraft movements and in particular the proposed lifting of seasonal restrictions on night flights would have a significant adverse impact on the health and well-being of residents in local communities and the proposed development would not contribute to improving the health and well-being of the local population contrary to policies CS3, CS23 and CS26 of the North Somerset Core Strategy 2017
- 3 The scale of greenhouse gas emissions generated by the proposed increase in passenger numbers would not reduce carbon emissions and would not contribute to the transition to a low carbon future and would exacerbate climate change contrary to the National Planning Policy Framework, policy CS1 of the North Somerset Core Strategy 2017. and the duty in the Climate Change Act 2008 (as amended) to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.
- 4 The proposed extension to the Silver Zone car park and the year round use of the seasonal car park constitute inappropriate development in the Green Belt which is by definition harmful to the Green Belt. There are no very special circumstances which outweigh the harm to the Green Belt caused by reason of inappropriateness and any other harm including the encroachment of development on the countryside and loss of openness contrary to the National Planning Policy Framework and policy DM12 of the Development Management Policies Sites and Policies Plan Part 1 2016.
- 5 The proposed public transport provision is inadequate and will not sufficiently reduce the reliance on the car to access the airport resulting in an unsustainable development contrary to the National Planning Policy Framework and policies CS1 and CS10 of the North Somerset Core Strategy 2017.

Advice Notes:

- 1 Positive and proactive statement: The council worked with the applicant in a positive and proactive manner and implemented the requirement in section 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, by providing pre-application and post-application advice and publishing statutory consultee and neighbour comments on the council's website. The council also looked for solutions to enable the grant of planning permission and invited amendments and/or additional information be submitted to overcome concerns. However, notwithstanding these efforts the application does not comply with the relevant planning policies and clear reasons have been given to help the applicant understand why planning permission has not been granted

Continued...

- 2 Refused plans/documents: The plans/documents that were formally considered as part of this application are as follows:

Drawings:

- o 17090-00-100-400 Location (Red Line) Plan
- o 17090-00-100-401 Composite Site Plan
- o 17090-00-100-402 Site Reference Plan
- o 17090-00-100-403 Existing Site Plan
- o 17090-00-100-404 Existing Site Plan - North
- o 17090-00-100-405 Existing Site Plan - Central
- o 17090-00-100-406 Existing Site Plan - South
- o 17090-00-100-407 Proposed Site Plan
- o 17090-00-100-408 Proposed Site Plan - North
- o 17090-00-100-409 Proposed Site Plan - Central
- o 17090-00-100-410 Proposed Site Plan - South
- o 17090-00-100-411_01 Permitted Development Rights Reference Site Plan
- o 17090-00-200-400_00 Ground Floor Plan - Existing
- o 17090-00-200-401_0 Ground Floor Plan - Proposed
- o 17090-10-200-400_00 First Floor Plan - Existing
- o 17090-10-200-401_00 First Floor Plan - Proposed
- o 17090--10-200-400_00 Basement Floor Plan - Existing
- o 17090--10-200-401_00 Basement Floor Plan - Proposed
- o 17090-20-200-400_00 Mezzanine Floor Plan - Existing
- o 17090-20-200-401_00 Mezzanine Floor Plan - Proposed
- o 17090-ZZ-125-400_00 Roof Plan - Existing
- o 17090-ZZ-125-401_00 Roof Plan - Proposed
- o 17090-ZZ-300-400_00 South Terminal Extension & B1, B2 and B3 - Existing Elevations (Sheet 1 of 2)
- o 17090-ZZ-300-401_00 South Terminal Extension & B1, B2 and B3 - Proposed Elevations (Sheet 1 of 2)
- o 17090-ZZ-300-402_00 South Terminal Extension & B1, B2 and B3 - Existing Elevations (Sheet 2 of 2)
- o 17090-ZZ-300-403_00 South Terminal Extension & B1, B2 and B3 - Proposed Elevations (Sheet 2 of 2)
- o 17090-ZZ-300-404_00 West Terminal Extension - Existing Elevations
- o 17090-ZZ-300-405_00 West Terminal Extension - Proposed Elevations
- o 17090-ZZ-300-406_00 Terminal Canopies - Existing Elevations
- o 17090-ZZ-300-407_00 Terminal Canopies - Proposed Elevations
- o 40506-Bri075c Integrated/embedded Landscape, Visual and Ecology Mitigation Masterplan
- o C1124-SK-A38-010 11.0 A38 Junction Improvements - Option 10
- o C1124-SK-A38-011 1.0 A38 Junction Improvements - Vehicle Track Analysis 1 of 3
- o C1124-SK-A38-012 1.0 A38 Junction Improvements - Vehicle Track Analysis 2 of 3
- o C1124-SK-A38-013 1.0 A38 Junction Improvements - Vehicle Track Analysis 3 of 3

Documents:

- o Planning Statement (including Bristol Airport Forecast Validation) - December 2018
- o Environmental Statement (including Flood Risk Assessment) - December 2018
- o Design and Access Statement - December 2018
- o Consultation Feedback Report - November 2018

- o Economic Impact Assessment - November 2018
- o Transport Assessment - December 2018
- o Draft Workplace Travel Plan - December 2018
- o Parking Demand Study - December 2018
- o Parking Strategy - December 2018
- o Foul and Surface Water Drainage Strategy - December 2018
- o Lighting Impact Assessment - December 2018
- o BREEAM Pre-Assessment - November 2018
- o Response to Request for Further Information Pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - April 2019
- o Response to Request for Further Information Pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - October 2019
- o Response to North Somerset Council Highways and Transport Comments - December 2019

Date: 19 March 2020
Signed: Richard Kent
Head of Development
Management

Please use our [online contact form](http://www.n-somerset.gov.uk/contactplanning) at www.n-somerset.gov.uk/contactplanning if you require further information on this decision.

NOTES RELATING TO A DECISION TO REFUSE PERMISSION

These notes are intended as helpful advice. PLEASE READ THEM CAREFULLY.

Appeals

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or by any of the conditions, then you can appeal to the Secretary of State for the Environment in accordance with the provisions of Town and Country Planning Act 1990. If this is a decision to refuse planning permission for a householder application ¹ or shopfront proposal and you want to appeal, then you must do so **within 12 weeks** of the date of this notice. If this is a decision to refuse Advertisement Consent then you must submit your appeal **within 8 weeks** of the date of this notice. In all other cases if you want to appeal against your local planning authority's decision then you must do so **within 6 months** of the date of this notice.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Appeals must be made using a form, which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Alternatively, your appeal can be submitted electronically using the Planning Portal at www.gov.uk/appeal-planning-inspectorate.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of a Development Order or to directions given under it. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

How to get our advice

It is well worth contacting the officer who dealt with your application to see if an alternative solution can be reached which would avoid the need for an appeal. Should you require our written advice prior to submitting a new application please be aware that there is normally a fee for such requests. Details of how to obtain our advice prior to submitting an application can be found on our website.

Access to further information

Further guidance on Planning and Building regulation information and services can be accessed on our website and on the Planning Portal at www.planningportal.co.uk.

We strongly encourage the submission of planning applications via the Planning Portal. We also provide an online planning service on our website that allows you to monitor and review all applications we receive. This can help you keep you up-to-date with planning matters in your area.

This publication is available in large print, Braille or audio formats on request. Help is also available for people who require council information in languages other than English. Please contact us using our www.n-somerset.gov.uk/contactplanning

¹ Householder developments are defined as those within the curtilage of a house and are not a change of use or the creation of an additional dwelling or flat. Included in householder developments are extensions, conservatories, loft conversions, dormer windows, alterations, garages, car ports or outbuildings, swimming pools, walls, fences, domestic vehicular accesses including footway crossovers, porches and satellite dishes.

Appendix C

Schedule of Appeal Documents

Ref	Core Application Document	Date
Application Drawings		
CD 1.1	17090-00-100-400 Location (Red Line) Plan	December 2018
CD 1.2	17090-00-100-401 Composite Site Plan	December 2018
CD 1.3	17090-00-100-402 Site Reference Plan	December 2018
CD 1.4	17090-00-100-403 Existing Site Plan	December 2018
CD 1.5	17090-00-100-404 Existing Site Plan – North	December 2018
CD 1.6	17090-00-100-405 Existing Site Plan – Central	December 2018
CD 1.7	17090-00-100-406 Existing Site Plan – South	December 2018
CD 1.8	17090-00-100-407 Proposed Site Plan	December 2018
CD 1.9	17090-00-100-408 Proposed Site Plan – North	December 2018
CD 1.10	17090-00-100-409 Proposed Site Plan – Central	December 2018
CD 1.11	17090-00-100-410 Proposed Site Plan – South	December 2018
CD 1.12	17090-00-100-411 Permitted Development Rights Reference Site Plan	December 2018
CD 1.13	17090-00-200-400_00 Ground Floor Plan – Existing	December 2018
CD 1.14	17090-00-200-401_0 Ground Floor Plan – Proposed	December 2018
CD 1.15	17090-10-200-400_00 First Floor Plan – Existing	December 2018
CD 1.16	17090-10-200-401_00 First Floor Plan – Proposed	December 2018
CD 1.17	17090--10-200-400_00 Basement Floor Plan – Existing	December 2018
CD 1.18	17090--10-200-401_00 Basement Floor Plan – Proposed	December 2018
CD 1.19	17090-20-200-400_00 Mezzanine Floor Plan – Existing	December 2018
CD 1.20	17090-20-200-401_00 Mezzanine Floor Plan – Proposed	December 2018
CD 1.21	17090-ZZ-125-400_00 Roof Plan – Existing	December 2018
CD 1.22	17090-ZZ-125-401_00 Roof Plan – Proposed	December 2018
CD 1.23	17090-ZZ-300-400_00 South Terminal Extension & B1, B2 and B3 – Existing Elevations (Sheet 1 of 2)	December 2018
CD 1.24	17090-ZZ-300-401_00 South Terminal Extension & B1, B2 and B3 – Proposed Elevations (Sheet 1 of 2)	December 2018
CD 1.25	17090-ZZ-300-402_00 South Terminal Extension & B1, B2 and B3 – Existing Elevations (Sheet 2 of 2)	December 2018

Ref	Core Application Document	Date
CD 1.26	17090-ZZ-300-403_00 South Terminal Extension & B1, B2 and B3 – Proposed Elevations (Sheet 2 of 2)	December 2018
CD 1.27	17090-ZZ-300-404_00 West Terminal Extension – Existing Elevations	December 2018
CD 1.28	17090-ZZ-300-405_00 West Terminal Extension – Proposed Elevations	December 2018
CD 1.29	17090-ZZ-300-406_00 Terminal Canopies – Existing Elevations	December 2018
CD 1.30	17090-ZZ-300-407_00 Terminal Canopies – Proposed Elevations	December 2018
CD 1.31	40506-Bri074b Integrated/embedded Landscape, Visual and Ecology Mitigation Masterplan	November 2018
CD 1.32	C1124-SK-A38-010 10.0 A38 Junction Improvements	November 2018
CD 1.33	C1124-SK-A38-011 1.0 A38 Junction Improvements Vehicle Track Analysis – (Sheet 1 of 3)	September 2018
CD 1.34	C1124-SK-A38-012 1.0 A38 Junction Improvements Vehicle Track Analysis – (Sheet 2 of 3)	September 2018
CD 1.35	C1124-SK-A38-013 1.0 A38 Junction Improvements Vehicle Track Analysis – (Sheet 3 of 3)	September 2018
CD 1.36	17090-00-100-411 Permitted Development Rights Reference Site Plan Rev 02	January 2020
CD 1.37	C1124-SK-A38-010 11.0 A38 Junction Improvements	April 2019
CD 1.38	40506-Bri075c Integrated/embedded Landscape, Visual and Ecology Mitigation Masterplan	August 2019
Application Documents		
CD 2.1	Planning Application Form including Certificate of Ownership B	5 December 2018
CD 2.2	Planning Application Covering Letter	10 December 2018
CD 2.3	Planning Statement	December 2018
CD 2.4	Bristol Airport Forecast Validation (included within Planning Statement)	December 2018
CD 2.5	Environmental Statement: <ul style="list-style-type: none"> • Non-Technical Summary • Volume 1: Environmental Statement • Volume 2: Appendices • Volume 3: Figures 	December 2018
CD 2.6	Design and Access Statement	December 2018
CD 2.7	Consultation Feedback Report	November 2018
CD 2.8	Economic Impact Assessment	November 2018
CD 2.9	Transport Assessment (also included in Environmental Statement)	December 2018
CD 2.10	Draft Workplace Travel Plan (also included in Environmental Statement)	December 2018
CD 2.11	Parking Demand Study	December 2018
CD 2.12	Parking Strategy	December 2018

Ref	Core Application Document	Date
CD 2.13	Flood Risk Assessment (included within Environmental Statement)	December 2018
CD 2.14	Foul and Surface Water Drainage Strategy	December 2018
CD 2.15	Lighting Impact Assessment	December 2018
CD 2.16	BREEAM Pre-Assessment	November 2018
Further Documents Submitted to North Somerset Council		
CD 3.1	Bristol Airport Transport Assessment Technical Note Issue 1	January 2019
CD 3.2	Certificate of Ownership B	28 March 2019
CD 3.3	Certificate of Ownership B	17 April 2019
CD 3.4	<p>Response to Formal Request for Further Information Under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 comprising:</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> • Post-submission sensitivity tests • Comparison of modal shares between UK regional airports • A response to LINSIG modelling comments • Comments on representations made by South Gloucestershire and Bath and North East Somerset Councils • Public transport capacity assessment • Model validation and calibration • Assignment sensitivity test method statement • Trip generation clarification <p><u>Socio-economics</u></p> <ul style="list-style-type: none"> • Response to comments / further information on economic impacts <p><u>Noise and Vibration</u></p> <ul style="list-style-type: none"> • Appendix 7c-7f (figures) relating to Chapter 7 of the Environmental Statement • Detailed response to comments from North Somerset Council on noise/vibration <p><u>Landscape and Visual</u></p> <ul style="list-style-type: none"> • Response to comments on landscape and supporting drawings (including visualisation) • Further visualisation to show the visual impact of the proposed highway works from the A38 near to the main airport access point <p><u>Climate Change</u></p> <ul style="list-style-type: none"> • Response to comments on climate change <p><u>Air Quality</u></p> <ul style="list-style-type: none"> • Response to comments on air quality • Further response to comments on air quality including information in respect of the effects of the proposed development at junctions considered in the Transport Assessment that are beyond the study area adopted in the air quality assessment contained in the Environmental Statement 	18 April 2019

Ref	Core Application Document	Date
	<p><u>Flood Risk/Drainage</u></p> <ul style="list-style-type: none"> • Response to North Somerset Council Flood Risk Management Team comments <p><u>Historic Environment</u></p> <ul style="list-style-type: none"> • Response to Historic England and North Somerset Council / additional information on the historic environment <p><u>Biodiversity</u></p> <ul style="list-style-type: none"> • Outline SAC / SPD Ecological Management Plan • Response to comments from North Somerset Council on biodiversity 	
CD 3.5	Amendment to Description of Development	1 May 2019
CD 3.6	<p>Response to Formal Request for Further Information Under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 comprising:</p> <p><u>Car Parking</u></p> <ul style="list-style-type: none"> • Parking Demand Study Addendum • Plans showing offsite car parking options <p><u>Climate Change</u></p> <ul style="list-style-type: none"> • Final Draft Scope for Carbon and Climate Change Action Plan • Response to further Jacobs' comments • Clarification on greenhouse gas assessment and cumulative effects <p><u>Ecology</u></p> <ul style="list-style-type: none"> • Response to comments from North Somerset Council on biodiversity • Further clarification on biodiversity • Additional information for Natural England • Lighting Impact Assessment • Airfield Botanical Survey Update • Southern Taxiway Links and Stands Ecological Appraisal • Revised Integrated/embedded Landscape, Visual and Ecology Mitigation Masterplan <p><u>Socio-economics</u></p> <ul style="list-style-type: none"> • Response to further comments • Further submissions in relation to inbound tourism and foreign direct investment <p><u>Noise and Vibration</u></p> <ul style="list-style-type: none"> • Mott MacDonald Bristol Airport Forecast Validation • Second response to North Somerset Council and Jacobs comments <p><u>Transport</u></p> <ul style="list-style-type: none"> • Response to Bath and North East Somerset Council • Public Transport Capacity Assessment • Response to Jacobs modelling comments • Transport Assessment Supplementary Document • Churchill Crossroads assessment • Revised A38 highway improvements design 	30 October 2019

Ref	Core Application Document	Date
CD 3.7	Carbon Policy Update	October 2019
CD 3.8	Response to Comments from CPRE Avonside	October 2019
CD 3.9	Response to North Somerset Council Highways and Transport Comments	December 2019
CD 3.10	Response to Further Environment Agency Comments	December 2019
CD 3.11	Letter from BAL to NSC Regarding Sustainable Aviation and Net Zero	7 February 2020
CD 3.12	Letter from BAL to NSC Regrading Draft Reasons for Refusal	16 March 2020
Planning History		
CD 4.1	Decision Notice 09/P/1020/OT2: Major development of Bristol Airport to accommodate 10mppa	16 February 2011
CD 4.2	Section 106 Agreement Relating to Bristol Airport	16 February 2011
CD 4.3	Decision Notice for 16/P/1455/F: Development of MSCP1	11 November 2016
CD 4.4	Decision Notice for 16/P/1486/F: Development of Silver Zone Car Park extension (Phase 1)	11 November 2016
CD 4.5	Section 106 Agreement Deed of Variation	11 November 2016
CD 4.6	Decision Notice for 17/P/1273/F: Proposed use of on-board auxiliary power units between 06:00 and 23:00 hours in Aircraft on stands nos. 34 to 37	29 August 2017
CD 4.7	Letter from BAL to NSC to Request a Formal Environmental Impact Assessment Scoping Opinion	14 June 2018
CD 4.8	Development of Bristol Airport to Accommodate 12 Million Passengers Per Annum: Environmental Impact Assessment Scoping Report	June 2018
CD 4.9	Delegated Report: Environmental Scoping Opinion to determine the scope of an Environmental Impact Assessment for a future application for the proposed expansion of the airport to accommodate 12 million passengers per annum	17 August 2018
CD 4.10	Decision Notice for 18/P/4007/FUL: Application to vary condition no.3 attached to planning permission 16/P/1486/F	25 October 2018
CD 4.11	Report to Planning and Regulatory Committee 10 February 2020 on 18/P/5118/OUT	January 2020
CD 4.12	Planning and Regulatory Committee Update Sheet 10 February 2020 on 18/P/5118/OUT	February 2020
CD 4.13	Report to Planning and Regulatory Committee 18 March 2020 on 18/P/5118/OUT	March 2020
CD 4.14	Planning and Regulatory Committee Update Sheet 18 March 2020 on 18/P/5117/OUT	March 2020
Planning Policy and Legislation		
CD 5.1	Town and Country Planning Act 1990	1990
CD 5.2	Planning and Compulsory Purchase Act 2004	2004
CD 5.3	Community Infrastructure Levy Regulations 2010	2010
CD 5.4	North Somerset Development Management Policies: Sites and Policies Plan Part 1, North Somerset Council	July 2016
CD 5.5	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017	2017

Ref	Core Application Document	Date
CD 5.6	North Somerset Core Strategy, North Somerset Council	January 2017
CD 5.7	The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019	2019
CD 5.8	National Planning Policy Framework, Ministry of Housing, Communities & Local Government	February 2019
CD 5.9	Planning Practice Guidance, Ministry of Housing, Communities & Local Government	October 2019 (last update)
Aviation		
CD 6.1	The Aviation Policy Framework, HM Government	March 2013
CD 6.2	UK Aviation Forecasts, Department for Transport	October 2017
CD 6.3	Beyond the Horizon – The Future of UK Aviation: Next Steps Towards an Aviation Strategy, HM Government	April 2018
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