

Planning Statement of Reasons

Appeal to Aberdeen City Local Review Body

In Respect of 211759/DPP: Formation of a Surface Car Park

Land off Dyce Avenue, Aberdeen, AB21 0BH

On behalf of The Hub (NW) Limited

Date: 19 December 2022 | Pegasus Ref: P21-2232

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1. Introduction

- 1.1. This Planning Statement of Reasons has been prepared by Pegasus Group on behalf of The Hub (NW) Limited (the Appellant), in support of their application for Planning Permission for a surface car park (the Proposal) at land off Dyce Avenue, Aberdeen, AB21 OBH (the Appeal site).
- 1.2. The appeal has been lodged in response to the refusal of the planning application (211759/DPP) by Aberdeen City Council ('the Council') on 21 September 2022, for a proposal comprising:

'Formation of a surface car park.'
- 1.3. As set out in the submitted application documents, the surface car park is proposed to provide electric vehicle (EV) charging and car parking for passengers travelling via Aberdeen International Airport (long-stay parking) and spaces for users of neighbouring businesses in Kirkhill Industrial Estate.
- 1.4. The application was amended following the initial consultation period, whereby comments from consultees querying the sustainability of the proposal were received. These comments related to whether the Proposal would encourage people to drive to Aberdeen International Airport, which would be contrary to policies encouraging the use of other more sustainable modes of transport.
- 1.5. The Appellant recognises the comments made in relation to sustainability, and acknowledges the general view that travel to the Airport (and elsewhere) by private car should not be encouraged. However, the Appellant also acknowledges that EV charging provision and car parking provision is required both for Aberdeen International Airport, and Kirkhill Industrial Estate, as set out in evidence submitted with the application (in particular the Transport Statement) and discussed in more detail in Section 5 of this Statement.
- 1.6. For this reason, the Appellant aims to develop a car parking model which leads the way for EV parking provision. As the UK moves towards ending the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035, the Appellant recognises that now is the time for a modal shift away from typical car parking provision. The Proposal has therefore been developed to provide mechanisms which incentivise EV drivers and provide charging opportunities well beyond any current existing or known planned provision.
- 1.7. The Proposal is described in full in Section 3.0 of this Statement, however in summary the Proposal will:
 - double existing EV charging capacity (6 existing and 12 planned charging points in the immediate vicinity), providing an additional 18 charging points on opening;
 - more than quadruple existing provision in the long term, providing 42 passive EV spaces where cabling is to be provided for future charging points;
 - incentivise EV drivers with 70 spaces reserved exclusively for EVs; and



- provide recharge facilities for EV drivers, whereby there will be at least one dedicated fulltime member of staff to facilitate charging opportunities: enabling drivers to leave their keys with staff, who will then be able to charge EVs on their behalf. The intention is to allow owners to return to their vehicle with a full charge, ready to drive.

1.8. Notwithstanding the amendments that were made during the course of the application, the application was refused on the following grounds, with no weight afforded to the provision of EV charging:

1. *That the provision of a stand-alone car park, accessible to anyone who works in Kirkhill, would encourage people to drive to the area, which is inconsistent with policies, including the Transport and Accessibility Supplementary Guidance, which are designed to encourage modal shift to more sustainable means of transport such as public transport options.*
2. *That the proposal would be contrary to Policy B1 Business and Industrial Land, as although a car park in itself is not entirely inconsistent with the land use zoning, when considered in the round alongside transportation policies and the intended purpose related to Aberdeen International Airport, it would not enhance the sustainability of the related business and industrial land.*
3. *That it is considered that even as parking were restricted to airport users, the provision of additional car parking capacity near the airport would hinder the ability to encourage modal shift towards the use of public transport. There is no evidence of capacity issues with the existing level of parking available to those using the airport. Any additional supply will make driving to and parking at the airport more attractive. This would be inconsistent with the aims of Scottish Planning Policy, the Regional Transport Strategy, Local Transport Strategy and Policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan 2017.*

1.9. The full grounds of appeal are set out in Section 5 of this Appeal Statement, with accompanying transport evidence provided in the separate Transport Statement of Case. However, in summary, it is submitted that the reasons for refusal be overturned and planning permission granted for the following Reasons:

1. The proposal assists in achieving a modal shift from fossil-fuelled cars to electric vehicles, providing a notable proportion of charging facilities to support Scotland's aim for all vehicles to be fossil-free by 2030. Policies T3 of the Adopted Aberdeen Local Development Plan (ALDP) and T2 of the Proposed ALDP support initiatives for alternative fuelled vehicles where appropriate, for example in circumstances where people need to travel by private car, which is demonstrated to be the case in this Statement. Policy 13 of the Revised Draft NPF4 goes on to actively support proposals which enhance multi-modal hubs, including proposals for EV charging infrastructure, highlighting the importance of EVs in achieving a modal shift towards sustainable transport modes.
2. The proposal is consistent with *Policy B1 Business and Industrial Land* in terms of land use zoning and, in relation to the evidence supporting Reasons 1 and 3 above and below, assists in enhancing the sustainability of car travel associated with the surrounding business and industrial land. It is therefore in keeping with Policy B1 and



supporting sustainable transport policies, including Policy T3 of the Adopted ALDP and Policy T2 of the Proposed ALDP.

3. A proportion of passengers will always access the Airport by car; whilst there is some uncertainty regarding passenger numbers given the impact of the recent Covid-19 pandemic on airport travel, it remains the case that adopted policy, as set out in NPF3 paragraphs 5.20, 5.22 and 5.23, and emerging policy, as set out in NPF4, supports and encourages the future growth of the Airport, and adequate parking and EV charging facilities need to be provided to accommodate the associated increase in passenger numbers.

- 1.10. The following sections of this Appeal Statement summarise the Appeal Site and planning history (Section 2), outline the Proposal (Section 3), and set out the planning policy background and other relevant material considerations relating to the Proposal (Section 4), before outlining the above Reasons for refusal and setting out the supporting evidence for the grounds of appeal in full (Section 5).

2. The Appeal Site and Planning History

The Appeal Site

- 2.1. The Appeal Site extends to 0.69 hectares within Aberdeen Business Park, forming part of the wider Kirkhill Industrial Estate which lies adjacent to Aberdeen International Airport ('the Airport'). The site is situated to the north-east of Dyce Avenue, which provides access at the south-western end of the Site, and east of Thistle Road (see Figure 1 below).

Figure 1 – Site Location



- 2.2. The surrounding area is largely characterised by commercial units forming Aberdeen Business Park. Aberdeen International Airport staff car park lies adjacent to the eastern boundary of the Site, with Aberdeen International Airport terminal itself situated approximately 500m to the north-east, and Thistle Road/ Dyce Road lie to the north and west.
- 2.3. In relation to site constraints the Site is located within Flood Zone 1, therefore there is a low likelihood of flooding at this location. There are no sensitive environmental or other designations on or near to the site which would need to be considered as part of the planning strategy.

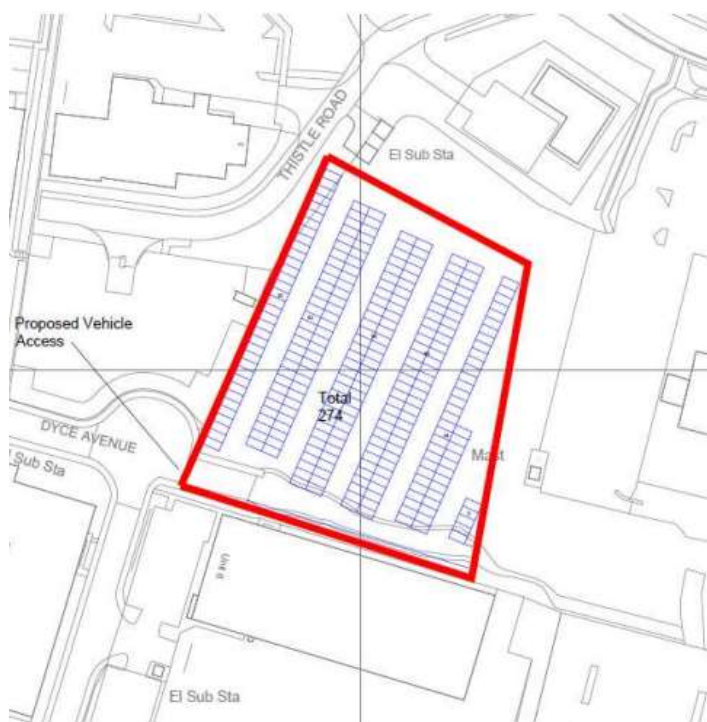
Planning History

- 2.4. Following a desk-based review of Aberdeen City Council's online planning register it has been established that no previous planning applications relate to the Site itself.
- 2.5. That said, it is noteworthy that a planning application (reference 191456/DPP) for a car park at International Gate, Dyce, for 462 parking spaces was recently approved via the Local Review Body on appeal on 14 October 2020. A review of the appeal documents confirms that the following points were acknowledged in support of the proposal and ultimately led to the appeal being allowed:
- Whilst the need to facilitate modal shift was acknowledged, it was also noted that not all users can access the Airport using existing public transport connections, and there remains a need to ensure an adequate supply of onsite parking and choice;
 - There are economic benefits associated with having a readily accessible Airport in the region;
 - The appeal site was conveniently located and would not require shuttle transfers;
 - The closure of the existing long-stay Airport car park means that 740 spaces no longer exist: members considered that by providing 462 spaces, the appeal proposal would ensure that an adequate supply is maintained, preventing any shortage from adversely affecting nearby commercial premises and residential streets due to an overspill of airport parking demand;
 - The opening of new car parks in recent years has not precluded a growth in the use of public transport; and
 - Support for Electric Vehicle (EV) charging points, of which 12 no. were proposed.

3. The Proposal

- 3.1. A planning application for the proposed surface car park was submitted to Aberdeen City Council on 14th December 2021, with amended proposals submitted on 7th June 2022. The application was submitted in full and following the amendments now proposes the formation of a surface car park to serve Aberdeen International Airport and businesses within the adjacent Kirkhill Industrial Estate through the provision of parking spaces (long-stay parking options are proposed for Airport users) and EV charging points.
- 3.2. The proposed layout of the car park is illustrated in Figure 2 below:

Figure 2 – Proposed Site Layout



- 3.3. As set out in the submitted application documents, the Proposal includes the following:
- Up to 274 parking spaces;
 - 18 active electric vehicle (EV) charging points;
 - 42 passive EV spaces, where cabling is to be provided for future charging points;
 - A total of 70 spaces reserved exclusively for EVs;
 - Vehicular and pedestrian access via Dyce Avenue;
 - An Electric Shuttle Bus providing half-hourly access to and from Aberdeen International Airport;



- Security measures including barriers, CCTV, ANPR (Automatic Number Plate Recognition) and fencing; and
- 12 no. disability spaces.

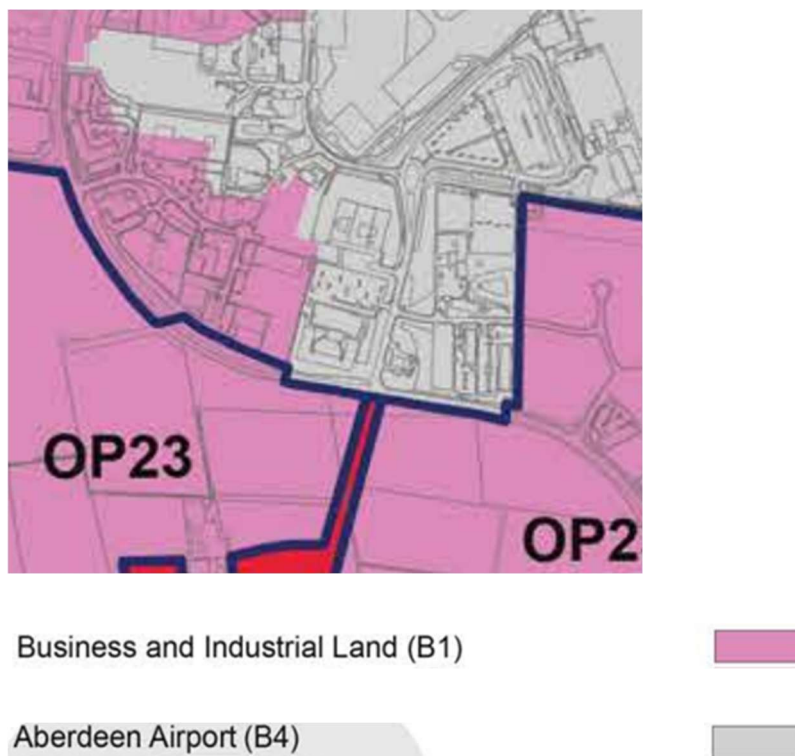
4. Planning Policy Context

- 4.1. The current development plan comprises the Aberdeen Local Development Plan 2017 (Adopted ALDP). As this was adopted in January 2017 it has, since submission of the application in December 2021, become out of date. Meanwhile, the Proposed Aberdeen Local Development Plan 2020 (Proposed ALDP) was submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public, on 22 July 2022.
- 4.2. Policies in the Proposed ALDP can therefore be afforded weight depending on whether representations relating to those Policies have been received; and what those representation state in relation to the Proposal. In the round, those policies of relevance to the Proposal, and particularly to the reasons for refusal, take the same stance as current policy in the Adopted ALDP. However, any notable updates in the Proposed ALDP are referenced below and in Section 5 in relation to the grounds of appeal, where relevant, given that it is now the Council's settled view on where and how development should take place in future years. It is considered that some weight can now be afforded to the Proposed ALDP because of this, particularly in relation to the policies subject of this appeal; whilst some representations have been received to some of these policies, these have been reviewed by the Inspector and no modifications have been proposed that would affect the way these policies are interpreted or applied to the determination of the Appeal.
- 4.3. Other material considerations include the National Planning Framework 3 (NPF3), published in June 2014 and the supporting policies set out in Scottish Planning Policy (SPP), also published in 2014. It is considered that some weight can now be afforded to the National Planning Framework 4 (NPF4), as the Revised Draft National Planning Framework was laid before the Scottish Parliament for approval on 8 November 2022. Whilst national policy of relevance in the determination of this Appeal therefore reflects that in the Planning Statement submitted with the application, reference to NPF4 has been added below for consideration in this Appeal, given it is now at a more advanced stage prior to adoption.

Adopted Aberdeen Local Development Plan

- 4.4. As set out in the Planning Statement submitted with the application subject of this Appeal, the Site forms part of a wider allocation under Policy B1 (Business and Industrial Land) of the Adopted ALDP, and immediately adjacent to the Aberdeen Airport Zone, which is subject to Policy B4, as shown in Figure 3 below:

Figure 3 – Extract of the Aberdeen Local Development Plan Proposals Map 2017



- 4.5. The following Adopted ALDP policies were identified in the Report of Handling as relevant to the reasons for refusing the application:
- Policy B1 (Business and Industrial Land)
 - Policy B4 (Aberdeen Airport)
 - Policy T2 (Managing the Transport Impact of Development)
 - Policy T3 (Sustainable and Active Travel)
- 4.6. Other policies were also identified in the Report of Handling and in the Planning Statement, but are not re-iterated here as they are not relevant to the reasons for refusal or the grounds of this Appeal.

Policy B1 – Business and Industrial Land

- 4.7. The Site forms part of a wider allocation under Policy B1 (Business and Industrial Land) of the Adopted ALDP as shown in Figure 4.1. The policy states:

“Aberdeen City Council will in principle support the development of the business and industrial land allocations set out in this Plan. Land zoned for business and industrial uses on the Proposals Map, including already developed land, shall be retained for Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) uses and safeguarded from other conflicting development types. Other uses which may be suited to a business and industrial location, such as car showrooms and bus depots, shall be treated on their own merits. The expansion of existing concerns and uses within these locations will be permitted in principle.”

"Facilities that directly support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's business and industrial land. Such facilities should be aimed primarily at meeting the needs of businesses and employees within the business and industrial area."

- 4.8. It has been established both through pre-application advice received in relation to the Proposal (reference 210942/PREAPP), and in the Report of Handling for the application, that whilst car parks are not explicitly referred to within Policy B1, it is considered that a car park could be consistent with the general purpose of this policy, as a car park is not a sensitive use which could be affected by surrounding industrial uses and would be in keeping with other car parks within the surrounding area.
- 4.9. It is also the case that the recent planning application (reference 191456/DPP) for a car park at International Gate, Dyce, for 462 parking spaces, which was approved via the Local Review Body on appeal on 14 October 2020 is located in a B1 Zone. In that Case when determining the application the Case Officer concluded that *"The use would sit comfortably alongside the existing uses...It would therefore not be unusual or unreasonable to find such a use within a business park adjacent to an airport"* (191456/DPP Report of Handling p.4).
- 4.10. The Proposal is therefore considered to be in keeping with Policy B1 in terms of the proposed use. Compliance with the second part of Policy B1, in terms of enhancing the sustainability of the City's business and industrial land (including the Airport) is discussed further in Section 5 below, in relation to the Council's second reason for refusal.

Policy B4 – Aberdeen Airport

- 4.11. The Application Site also lies immediately adjacent to the Aberdeen Airport Zone, which is subject to Policy B4 of the Adopted ALDP. Policy B4 sets out that:
- "Within the area zoned for the Airport on the Proposals Map, there will be a presumption in favour of compatible uses which are required for the effective and efficient operation of the airport, and which have a functional requirement to be located there. This may include administrative offices, warehousing, distribution facilities, car hire facilities and carparks. Other airport-related uses such as hotels will be treated on their merits."*
- 4.12. In this zone there is thus a presumption in favour of compatible uses, including car parks. The site is immediately adjacent to this zone, and indeed immediately adjacent to the existing Airport staff car park. This should be considered in relation to the future demand for parking and EV charging demonstrated in the Transport Statement submitted with the Application and the Transport Statement of Case submitted with this Appeal; sites such as the Appeal Site, in close proximity to the Airport Zone, are considered to be well-placed to meet the ongoing future demand for car parking and EV charging to serve the Airport.
- 4.13. Overall, it is considered that the development would integrate with the existing uses in the area and would not be adversely affected by the neighbouring industrial uses or noise generated by Aberdeen International Airport. It is therefore considered that the proposals are in line with Policy B4.

Policy T2 – Managing the Transport Impact of Development

4.14. Policy T2 states:

“Commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.”

4.15. The proposals are not expected to generate increased traffic, but rather serve an existing and, as set out in the Transport Statement submitted with the application and accompanying Transport Statement of Case submitted with this Appeal, a future demand both for parking and for EV charging facilities. The availability of EV charging points within the site will also increase the availability of sustainable travel options in the area, especially in comparison to similar long stay car parks serving the airport which do not currently offer EV charging on a wide scale. This is explained in more detail in Section 5 of this Statement in relation to reasons for refusal 1 and 3, and supplemented by the Transport Statement of Case.

4.16. Policy T2 also states:

“Where sufficient sustainable transport links to and from new developments are not in place, developers will be required to provide such facilities or a suitable contribution towards implementation.”

4.17. The Appellant originally proposed that pedestrian access to the Airport would be achieved via a link along Thistle Road; a short walk for passengers. However, the landowner, AGS Airports confirmed that they would not provide access rights along Thistle Road. The Appellant therefore proposes an EV shuttle bus facility to shuttle passengers to and from the Airport at regular intervals; full details of this facility are set out in the Operational Strategy submitted with the planning application. This element of the proposal is considered to be in keeping with Policy T2 and contributes towards a sustainable shift away from traditional park and ride facilities.

Policy T3 – Sustainable and Active Travel

4.18. Policy T3 states:

“New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport penetration...”

*...Recognising that there will still be instances in which people will require to travel by car, initiatives such as like car sharing, **alternative fuel vehicles** and Car Clubs will also be supported where appropriate” (Pegasus emphasis).*

4.19. The provision of EV charging to support alternatively fuelled (in this case electric) vehicles is an aspect which was not afforded weight in the Officer’s Report of Handling for the application subject of this Appeal. It is discussed in detail in Section 5 in relation to reason for refusal 1 and 3, in terms of the important step that EV charging provision represents in achieving a modal shift towards more sustainable forms of transport than the fossil-fuelled car, and in a location where it is considered impractical for all persons to travel by car. The Proposal is therefore in keeping with Policy T3.

Proposed Aberdeen Local Development Plan

4.20. The following policies of the Proposed ALDP were identified in the Report of Handling as relevant to the reasons for refusing the application:

- Policy B1 (Business and Industrial Land)
- Policy B3 (Aberdeen International Airport)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

Policy B1 – Business and Industrial Land

4.21. The same zonal approach as the Adopted ALDP is taken in the Proposed ALDP, with the Appeal site falling in the Policy B1 'Business and Industry' zone. Policy B1 largely re-iterates the policy adopted in the current version of the Aberdeen Local Development Plan (2017), stating:

"The Council will, in principle, support the development of the business and industrial land allocations set out in this Plan. Land zoned for business and industrial uses on the Proposals Map, including already developed land, shall be retained for Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) uses and safeguarded from other conflicting development types. Other uses which may be suited to a business and industrial location, such as car showrooms and bus depots, shall be treated on their own merits. The expansion of existing uses within these locations will be permitted in principle..."

... Facilities that directly support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's business and industrial land. Such facilities should be aimed at meeting the needs of businesses and employees within the business and industrial area rather than the wider area."

4.22. The discussion set out in Section 5 of this Statement relating to reason for refusal 2 addresses this policy requirement, in the same manner that Policy B1 of the Adopted ALDP is discussed. The Proposal is therefore considered to be in keeping with emerging Policy B1.

Policy B3 – Aberdeen International Airport

4.23. As with the Adopted ALDP, the Appeal Site lies adjacent to the Aberdeen Airport Zone in the Proposed ALDP, which falls under Policy B3. That Policy is similar to the adopted version in Policy B4, and states:

"Within the area zoned for the Airport on the Proposals Map, there will be a presumption in favour of compatible uses which are required for the effective and efficient operation of the airport, and which have a functional requirement to be located there. This may include administrative offices, warehousing, distribution facilities, car hire facilities and carparks. Other airport-related uses such as hotels will be treated on their merits."

4.24. As set out in relation to Adopted ALDP Policy B4 above, the site is immediately adjacent to the Airport Zone and the Airport staff car park; as set out above the development would integrate with the existing uses in the area and would not be adversely affected by the neighbouring industrial uses or noise generated by Aberdeen Airport. It is therefore considered that the proposals are in line with emerging Policy B3.

Policy T2 – Sustainable Transport

4.25. Policy T2 replicates the wording of policies T2 and T3 in the Adopted ALDP, stating:

“Proportionate to the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated. New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport...”

...Where sustainable transport links to and from new developments are not in place, developers will be required to provide infrastructure to support such facilities or a suitable contribution towards implementation...

*...Recognising that there will still be instances in which people will require to travel by car, initiatives such as car sharing, **alternative fuel vehicles** and Car Clubs will also be supported where appropriate.*

4.26. As set out above in relation to Adopted ALDP Policy T2, the proposals are not expected to generate increased traffic, but rather serve an existing and future demand. The availability of EV charging points within the site will also increase the availability of sustainable travel options in the area, especially in comparison to similar long stay car parks serving the Airport which do not currently offer EV charging on a wide scale. This is explained in more detail in Section 5 of this Statement in relation to reasons for refusal 1 and 3.

4.27. As set out above in relation to Adopted ALDP Policy T3, the provision of EV charging is an aspect which was not afforded weight in the Officer’s Report of Handling for the application subject of this Appeal. It is discussed in detail in Section 5 in relation to reason for refusal 1 and 3. The Proposal is therefore considered to be in keeping with emerging Policy T3.

Policy T3 – Parking

4.28. In relation to new car parks, Policy T3 states:

Proposals for car parking that are not directly related to new developments will not be supported.

4.29. The Report of Handling indicates that there is no demand for the Proposal, hence it is contrary to emerging Policy T3. The requirement for the parking and EV provision offered by the Proposal is however discussed in detail in Section 3, in relation to reasons for refusal 1 and 3, and in the accompanying Transport Statement of Case. The discussion highlights the need to ensure sufficient provision for parking and EV charging in the absence of alternative sustainable transport modes, thus the Proposal is not contrary to Policy T3.

Material Considerations

Supplementary Guidance (SG) Transport and Accessibility

4.30. This SG supports Adopted ALDP Policies T2 and T3. It states at paragraph 3.2 that:

“The Scottish Government has committed to the almost complete decarbonisation of road transport by 2050. One way of achieving this is through encouraging and facilitating the uptake of electric vehicles (EVs)...”

... It is significantly cheaper and less disruptive to install EV infrastructure during construction than to retrofit later.

- 4.31. Guidance on active and passive charging provision is also set out in the SG. In this regard, the Proposal includes 18 active EV charging points; and 42 passive EV spaces where cabling is to be provided for future charging points. This is in excess of existing policy requirements.
- 4.32. As set out in the accompanying Transport Statement of Case, there is currently an under provision of EV charging points serving the Airport: there are only 6 existing EV charging points at the Airport, and the planning approval for ABX Business Park car park will provide an additional 12 EV charging points, therefore, there is in theory an existing capacity of up to 18 EV charging points.
- 4.33. The proposal will double this existing capacity, providing an additional 18 charging points on opening, and more than quadrupling provision in the long term by including 42 passive EV spaces where cabling is to be provided for future charging points. The proposed charging provision exceeds the requirements of the Supplementary Guidance on Transport and Accessibility, as the Appellant recognises the comments made in relation to sustainability, and acknowledges the general view that travel to the Airport (and elsewhere) by private car should not be encouraged. However, the Appellant also acknowledges that EV charging provision and car parking provision is required both for Aberdeen International Airport, and Kirkhill Industrial Estate, as set out in evidence submitted with the application (in particular the Transport Statement) and discussed in more detail in Section 5 of this Statement.
- 4.34. For this reason, the Appellant aims to develop a car parking model which leads the way for EV parking provision. As the UK moves towards ending the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035, the Appellant recognises that now is the time for a modal shift away from typical car parking provision. The Proposal has therefore been developed to provide mechanisms which incentivise EV drivers and provide charging opportunities well beyond any current existing or known planned provision.
- 4.35. considers it necessary to go above and beyond current standards in order to lead the way in EV parking provision, as discussed in more detail in Section 5.

Aberdeen's Electric Vehicle Framework 2020 to 2030 (January 2021)

- 4.36. This document establishes an EV framework for Aberdeen from 2020 to 2030 which will encourage and actively cater for a greater uptake of electric vehicles in the city and will support relevant national, regional and local strategies. It should be used to guide the strategy development and investment decisions of the Council and other organisations in the city. The document identifies a number of potential key locations for EV charging infrastructure, which includes Aberdeen International Airport. The Proposal is therefore in keeping with the strategy outlined in this Framework.

National Planning Framework 3 (NPF3) (23 June 2014)

- 4.37. As set out in the Planning Statement submitted with the application, NPF3 acknowledges the need to support growth through airports such as Aberdeen International Airport; recognises that the road network has an essential role to play in connecting cities by car, public transport, and active travel and therefore transport connections and services are vital within each of the city regions (para 5.20); and confirms that air connectivity is essential in that it provides

a physical gateway into Scotland, and plays a vital role in ensuring Scotland remains an outward-looking country which is well connected and open for business (paras 5.22 and 5.23).

- 4.38. The Adopted ALDP also acknowledges this, stating that *“NPF3 identifies a number of developments considered essential to the delivery of the spatial strategy. In Aberdeen it highlights improvements to Aberdeen Airport as national developments”,* and recognising that *“ensuring good domestic and international air and sea links which are vital to the region’s economy”.*
- 4.39. The proposal is considered to contribute towards all of these aims, as set out in relation to reason for refusal 3 in Section 5 below.

National Planning Framework 4 (NPF4) (8 November 2022)

- 4.40. The Revised Draft National Planning Framework (NPF4) sets the direction for Scotland’s spatial strategy and growth aims, alongside a comprehensive set of national planning policies to form part of the statutory development plan. Key strategies and policies of note in NPF4 to be considered in the determination of this Appeal are therefore set out below:
- 4.41. Part 1 – A National Spatial Strategy for Scotland 2045 states:
- “Scotland’s national and international connectivity for people and freight will remain important, for the economic, social and cultural benefits it delivers and for supporting wider Government ambitions on trade, tourism, and business development. **Airports, ports and rail links will provide vital connections within Scotland and beyond which will be crucial to building on a sustainable recovery whilst helping to decarbonise transport through low and zero emissions technologies...**”* (Pegasus emphasis).
- 4.42. The proposal is considered to contribute towards all of these aims, as set out in relation to reason for refusal 3 in Section 5 below.
- 4.43. Moreover, Policy 13 of NPF4 sets out that:
- “**Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals (i) for electric vehicle charging infrastructure**”* (Pegasus emphasis).
- 4.44. As the proposals will enhance electric vehicle charging infrastructure available within Kirkhill Industrial Estate and will serve Airport users, as set out in detail in Section 5 of this Statement, the proposals are in keeping with, and indeed supported by, Policy 13 of Revised Draft NPF4.

5. Grounds of Appeal

5.1. It is submitted that the Proposal should be allowed for the following Reasons, which are expanded on in more detail in the remainder of this Statement:

1. The proposals assist in achieving a modal shift from fossil-fuelled cars to electric vehicles, providing a notable proportion of charging facilities which are otherwise not proposed or planned for at Kirkhill Industrial Estate, to support Scotland's aim for all vehicles to be fossil-free by 2030. Policies T3 of the Adopted Aberdeen Local Development Plan (ALDP) and T2 of the Proposed ALDP support initiatives for alternative fuelled vehicles where appropriate, for example in circumstances where people need to travel by private car, which is demonstrated to be the case in this Statement. Policy 13 of the Revised Draft NPF4 goes on to actively support proposals which enhance multi-modal hubs, including proposals for EV charging infrastructure, highlighting the importance of EVs in achieving a modal shift towards sustainable transport modes.
4. The proposal is consistent with *Policy B1 Business and Industrial Land* in terms of land use zoning and, in relation to the evidence supporting Reasons 1 and 3 above and below, assists in enhancing the sustainability of car travel associated with the surrounding business and industrial land. It is therefore in keeping with Policy B1 and supporting sustainable transport policies, including Policy T3 of the Adopted ALDP and Policy T2 of the Proposed ALDP.
2. A proportion of passengers will always access the Airport by car; whilst there is some uncertainty regarding passenger numbers given the impact of the recent Covid-19 pandemic on airport travel, it remains the case that adopted and emerging policy supports and encourages the future growth of the Airport, and adequate parking and EV charging facilities need to be provided to accommodate the associated increase in passenger numbers.

Reason 1

5.2. **The proposals assist in achieving a modal shift from fossil-fuelled cars to electric vehicles, providing a notable proportion of charging facilities which are otherwise not proposed or planned for, to support Scotland's aim for all vehicles to be fossil-free by 2030.**

5.3. The Council's first reason for refusal relates to Kirkhill Industrial Estate, contending that the provision of car parking to serve the Industrial Estate would encourage people to drive and thus not contribute to a modal shift towards sustainable transport modes. In this regard, the supporting text to the emerging policy T3 in the Proposed ALDP states that:

"11.21 At a local level the Aberdeen Local Transport Strategy (LTS) sets out the Council's vision for transport in Aberdeen which is to develop 'A sustainable transport system that is fit for the 21st 95 century, accessible to all, supports a vibrant economy, facilitates healthy living and minimises the impact on our environment'. This will be achieved through: increasing modal share for public sustainable and active travel (walking, cycling and public transport use); improving journey time reliability for all modes; improving road safety; improving air quality and the environment; and improving accessibility for all".

- 5.4. The Council's determination of the application refers only to public sustainable and active travel modes as referred in in the emerging ALDP. Whilst the need to facilitate modal shift to these means of travel is acknowledged by the Appellant, it is noted that:
1. the provision of EV charging points is an important step in this modal shift which should be encouraged; and
 2. there exists a demand for parking and EV charging in the location identified.
- 5.5. As discussed in relation to these two matters below, the provision of EV charging is therefore an important consideration in terms of shifting car users towards more sustainable modes of car travel.

EV Charging Provision for Kirkhill Industrial Estate

- 5.6. The Council's determination of the application gives no weight to the provision of Electric Vehicle charging as an important element in the modal shift towards more sustainable modes of transport. Whilst the Council have contended that the proposals are contrary to planning and transport policy which seeks a modal shift to more sustainable means of transport, they have applied no weight to the importance of providing for electric vehicles as part of this shift and to policies that support and promote this. As a cleaner alternative to traditionally fossil-fuelled vehicles, electric vehicles are an important step in sustainable transportation, and sufficient charging infrastructure needs to be put in place to enable this step to take place. This is supported by Policy 13 of the Revised Draft of NPF4, which although does not have full weight, is nearing adoption and represents the direction of travel for future fuels and transport.
- 5.7. The Council also set out in their Report of Handling that there are more sustainable ways of delivering increased EV charging infrastructure, specifically retrofitting spaces in existing car parks, rather than creating new spaces for the purpose. However, it should be noted that the Council's Supplementary Guidance on Transport and Accessibility identifies that retrofitting of EV charging infrastructure is expensive, and it is less disruptive for this to be installed during construction (as will be the case with the Appeal Proposal); in addition, there is no policy requirement in the Development Plan to retrofit chargers, and the proposed new Building Regulations only legislate for new development to include charging points. It is also the case, as set out in the submitted Transport Statement of Case, that EV provision will need to grow exponentially to meet demand in future, which the Appellant is seeking to contribute towards through the Proposal. The Transport Statement of Case also notes that there are double yellow lines in place which would prevent the Council from installing on-street charging options; indicating that private sector investment is required to deliver charging in this location.
- 5.8. On a strategic level, the importance of private sector investment in EV charging provision is clearly recognised. The *'Draft Vision for Scotland's Public Electric Vehicle Charging Network'* (Revised March 2022) recognises that a new generation of infrastructure and service delivery models will need to be considered as older technologies become obsolete and as expectations of access to a high quality, affordable and reliable service continues to grow. It states that:
- "At this stage of the market's development, public and **private sector** partnerships will be a key enabler in attracting and making the commercial case for investment viable."* (Page 11, Pegasus emphasis).

- 5.9. The vision also sets out that one of the Outcomes will be that *“Scotland has attracted **private sector investment** to grow the electric vehicle charging network, ensuring it meets the needs of all people.”*
- 5.10. This stance was also recognised in an Appeal decision for a large-scale EV charging facility¹, which dealt with the matter of whether EV charging proposals represent sustainable development. The Inspector in that instance found that:
- “there can be little doubt that the Government expects that EVs will be at the forefront of its planned transition to zero emission transport over the next two or more decades”* (paragraph 12”);
- “In addition to ensuring that EVs are available and affordable, the transition to zero emission transport also requires a charging infrastructure network that is easy to use and is affordable, efficient and reliable. The Government envisages that the majority of vehicle charging will take place at home but recognises that a widespread public charging point network is important for drivers who do high mileage, travel long distances or who do not have access to charging points at home or at work”* (paragraph 13); and
- “The Ten Point Plan for a Green Industrial Revolution, published by the Prime Minister on 18 November 2020, increases the sense of urgency for the development of an efficient and reliable EV charging network by bringing forward the ban on the sales of petrol, diesel and most hybrid cars to 2030. The press release [ID1] speaks of accelerating the transition to EVs and of transforming our national infrastructure to better support their use. In light of the current, very low level of EV ownership in the UK compared to many other European countries,² transforming the existing charging network will be critical to achieving the Government’s objective of an accelerated transition to EV use. The Government’s ambition is that the UK should have one of the best and most comprehensive charging networks in the world”* (Paragraph 15).
- 5.11. Against that background, the Inspector’s determination of whether the proposal represented sustainable development came down to whether there was a need for charging in the location, which was proven, and the acceptance that only a small number of charging points were likely to be installed (retrofitted) into existing car parks. The Inspector found that that *“even if only half that number of charging points was to be provided [which in that case would be 51], the proposal would still support the strategy set out in the Road to Zero Paper and the Government’s 10 Point Plan and **would make a significant contribution to the transformation of the charging network**”* (paragraph 33, Pegasus explanation and emphasis added).
- 5.12. The Inspector concluded therefore that: *“...the proposal would make a positive contribution in respect of the economic, social and environmental dimensions of sustainable development as identified in paragraph 8 of the Framework and would constitute sustainable development”* (paragraph 38).
- 5.13. On this basis it is considered that significant weight should be afforded to the provision of EV charging at the Appeal Site, where a total of 60 chargers are proposed in an area with little

¹ APP/F1610/W/20/3248674 “redevelopment of existing scrap yard and haulage depot to create electric car charging service station and associated works at Scrap Haulage Yard, Fosseyway, Lower Slaughter GL54 2EY”

existing provision and no large-scale planned provision for the future. It is also submitted that the Proposal should not be refused on a pre-emptive basis when there are no other submitted or proposed plans for EV charging to serve the Industrial Estate at the scale proposed by the Appellant.

- 5.14. It is, therefore, respectfully requested that the Local Review Board overturn the Council's first reason for refusal.

Car Parking Provision for Kirkhill Industrial Estate

- 5.15. Furthermore, demand analysis has been undertaken which demonstrates an existing need for car parking to serve Kirkhill Industrial Estate and Aberdeen International Airport, particularly car parking served by EV charging, as set out in the Transport Statement of Case submitted with this Appeal.
- 5.16. In regard to Kirkhill Industrial Estate and the Council's first reason for refusal, the Transport Statement of Case presents transport surveys and results indicating a need for parking in the location of the Proposal. Overspill parking on the verge and opposite accesses to businesses (i.e. not in allocated or dedicated parking spaces) was noted at the time of the surveys, undertaken in November 2022 (paragraphs 2.1.9 to 2.1.11). The surveys could not be undertaken to support the Proposal at the time of the planning application due to the ongoing effect of the Covid-19 pandemic, which was affecting the number of people travelling to work in offices and businesses on the estate. It is considered that working patterns are almost, if not entirely, back to a 'new normal' and the demand surveys have demonstrated that on this basis there is an apparent need for parking in the identified location.
- 5.17. The Transport Statement of Case also notes that there is 1 bus service, the X27, running per hour to Kirkhill via the Airport (paragraph 2.1.6). The 777 also runs once a day through the Estate; and the 17K runs 6 times a day along a similar route (north-south via the Airport)². The linear bus routes cannot provide for all users of Kirkhill Industrial Estate, who are likely to travel from a wide area; the requirement for use of private cars is evidenced in the overspill parking encountered during the demand surveys. It is submitted that appropriately located parking will assist in minimising overspill, parking on verges and parking opposite junctions as has currently been demonstrated to be the case.
- 5.18. In serving the identified parking need, whilst offering options for EV charging and incentivising EV drivers, the Proposal is in keeping with Local Plan Policy T2. It maximises opportunities for sustainable travel; there will always be a need for travel by private car, particularly in the absence of current alternative modes of provision, and for a variety of drivers such as those who are less able-bodied and require the use of disability spaces (for which the Proposal caters for in the form of 12 no. dedicated disabled spaces), however any mechanisms and investment which encourage drivers to shift to EV use rather than traditionally fuelled vehicles assist in achieving an important step in the overall shift towards more sustainable forms of transportation.
- 5.19. For this reason, it is respectfully requested that the Local Review Board overturn the Council's first reason for refusal.

² Bus routes and timetables taken from the Moovit App, accessed 19/12/2022.

Reason 2

- 5.20. **The proposal is consistent with *Policy B1 Business and Industrial Land* in terms of land use zoning and, in relation to the evidence supporting Reasons 1 and 3 above and below, assists in enhancing the sustainability of car travel associated with the surrounding business and industrial land.**
- 5.21. It has been established both through pre-application advice received in relation to the Appeal Site and Proposal (reference 210942/PREAPP), and in the Report of Handling for the application, that whilst car parks are not explicitly referred to within Policy B1, it is considered that a car park could be consistent with the general purpose of this policy, as a car park is not a sensitive use which could be affected by surrounding industrial uses and would be in keeping with other car parks within the surrounding area.
- 5.22. It is also the case that the recent planning application (reference 191456/DPP) for a car park at International Gate, Dyce, for 462 parking spaces, which was approved via the Local Review Body on appeal on 14 October 2020 is located in a B1 Zone and was found to be an acceptable use.
- 5.23. As set out in the Planning Statement submitted with the application, the proposed use is for parking to serve both Aberdeen International Airport and Kirkhill Industrial Estate, which relies on a site being in a convenient location in relation to both the Airport and the Industrial Estate. Further evidence is provided in relation to Reasons 1 and 3 on the need for this car park in this location with EV charging provision.
- 5.24. Parking for both purposes is considered to be entirely in keeping with Policy B1. Furthermore, as set out in relation to Reason 1 above and Reason 3 below, the proposed EV charging provision will help to support a shift to more sustainable modes of transport, away from traditionally fossil-fuelled vehicles.
- 5.25. However, the Council's second reason for refusal goes on to state that the Proposal, "*when considered in the round alongside transportation policies and the intended purpose related to Aberdeen International Airport, ... would not enhance the sustainability of the related business and industrial land*".
- 5.26. It is presumed that this reason for refusal relates to Transport Policies T3 in the Adopted ALDP and T2 in the Proposed ALDP, which support sustainable and active travel in the round. However, the first part of these policies relates to new development that generates demand, e.g.:
- "New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport penetration..."*
- 5.27. As set out in Section 4 above, the Proposal is not expected to generate increased traffic, but rather serve an existing and, as set out in the Transport Statement submitted with the application and accompanying Transport Statement of Case submitted with this Appeal, a future demand both for parking and for EV charging facilities.
- 5.28. Adopted Policy T3 and emerging Policy T2 go on to state that:

*“...Recognising that there will still be instances in which people will require to travel by car, initiatives such as like car sharing, **alternative fuel vehicles** and Car Clubs will also be supported where appropriate” (Pegasus emphasis).*

- 5.29. As set out in the evidence pertaining to Reasons 1 and 3 above and below, this is a circumstance where it is considered that people will be required to travel by car, for four main reasons. Firstly, due to the demand for car parking set out in the Transport Statement of Case and discussed in this Statement. Secondly, in the absence of existing or proposed sustainable transport modes which can realistically replace all car travel to Kirklees Industrial Estate or Aberdeen International Airport. Thirdly, in relation to drivers such as less able-bodied drivers, and large families with small children, who cannot rely on public transport modes to these destinations. Fourthly and finally, particularly in relation to the Airport, that a large passenger catchment cannot be served entirely by public transport means.
- 5.30. The Proposal represents an initiative for alternatively fuelled vehicles, in this case electric cars, in a location where people will be required to travel by car. As set out in the submitted Planning Statement and Operational Strategy that accompanied the application, a range of measures are proposed to incentivise, encourage and provide for EV drivers, including charging provision, spaces reserved for EVs, and staffed recharge facilities. In accordance with Adopted ALDP Policy T2 and Proposed ALDP Policy T2, the Proposal should therefore be supported.
- 5.31. The provision of EV charging is also considered critical in ensuring the sustainability of businesses at Kirkhill Industrial Estate, particularly in the absence of any sustainable public transport options (as referred to in relation to Reason 1 above), by providing charging for EVs which would otherwise be uncertain in terms of location or timescales for coming forward. As noted in relation to Reason 1 above, there are no other submitted or proposed plans for EV charging to serve the Industrial Estate at the scale proposed by the Appellant, and the Council’s Supplementary Guidance on Transport and Accessibility identifies that retrofitting of EV charging infrastructure is expensive, whilst it is less disruptive for this to be installed during construction (as will be the case with the Appeal Proposal). As stated above, there is no policy requirement in the Development Plan to retrofit chargers, and the proposed new Building Regulations only legislate for new development to include charging points. It is, therefore, difficult to understand how the Council envisages EV provision to otherwise come forward. It is thus considered pre-emptive to dismiss this Proposal when the alternative would be to rely on the willingness of existing businesses/ land owners to retrofit existing facilities to serve drivers accessing Kirkhill Industrial Estate by electric car.
- 5.32. In regard to Aberdeen International Airport, as set out in more detail in relation to Reason 3 below, the Proposal not only contributes towards the sustainability of journeys associated with air travel, but also contributes towards the ongoing sustainable growth of the Airport, which is an aspiration repeated in adopted and emerging national policy.
- 5.33. The Proposal is therefore considered to be in keeping with local and national policies, and it is therefore respectfully requested that the Local Review Board overturn the Council’s second reason for refusal.

Reason 3

- 5.34. **A proportion of passengers will always access the Airport by car; whilst there is some uncertainty regarding passenger numbers given the impact of the recent Covid-19 pandemic on airport travel, it remains the case that adopted and emerging policy supports and encourages the future growth of the Airport, and adequate parking and EV charging facilities need to be provided to accommodate the associated increase in passenger numbers.**
- 5.35. In terms of the need for car parking to serve Airport passengers, the Appellant has relied on all known sources of information to undertake a demand forecast, as set out in the Transport Statement (v5, May 2022) submitted with the planning application and resubmitted with this Appeal.
- 5.36. The Council state in their Report of Handling that the assessments takes *“no account of planning and transport policy which seek modal shift to more sustainable means of transport”*. Whilst the need to facilitate modal shift is acknowledged, it is noted that:
1. The provision of EV charging points is an important step in this modal shift which should be encouraged, as discussed in relation to Reason 1 above;
 2. There remains a need to ensure an adequate supply of onsite parking and choice to serve the Airport;
 3. Not all passengers to the Airport will travel by public transport, given the current absence of sufficient public transport infrastructure and the absence of concrete plans to improve this in future, the needs of drivers such as less able-bodied drivers requiring the use of disability spaces, large families with small children who cannot reasonably be expected to rely on public transport, and the wide catchment for passengers which cannot all be accommodated by public transport. This means parking will continue to be required.
- 5.37. These three points are explored in further detail below.

EV Charging Provision for the Airport

- 5.38. Returning to Reason 1 above, car drivers accessing the Airport in future will be EV drivers, requiring charging facilities. Provision for EV drivers represents a step towards a more sustainable transport future, an important step which must be accommodated if Scotland’s overall goal to phase out the sale of fossil-fuelled vehicles by 2030 is to be realised.
- 5.39. Providing adequate EV charging at appropriately located and designed car parking facilities to serve the Airport is considered to be key in shifting towards the decarbonisation of air travel, to meet these policy aspirations. The Appellant acknowledges that travel to the Airport (and elsewhere) by private car should not be encouraged, however as a cleaner alternative to traditionally fossil-fuelled vehicles, electric vehicles are an important step in sustainable transportation and sufficient charging infrastructure needs to be put in place to enable this step to take place.
- 5.40. A step change is therefore required to existing car parking models to accommodate the increase in EV vehicles and incentivise drivers to switch to EVs, and the Appellant considers

that they are proposing the first car park of this kind to take that step to serve Aberdeen Airport: the Appellant therefore aims to develop a car parking model which leads the way for EV parking provision. As the UK moves towards ending the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035, the Appellant recognises that now is the time for a modal shift away from typical car parking provision. The Proposal has therefore been developed to provide mechanisms which incentivise EV drivers and provide charging opportunities well beyond any current existing or known planned provision, as the Appellant recognises that now is the time for a modal shift away from typical car parking provision. Further details relating to the operational mechanisms proposed to incentives EV drivers, and in relation to the proposed Electric Shuttle Bus service to the Airport, are set out in the separate Operational Strategy which was submitted with the application.

- 5.41. The Transport Statement of Case also notes that as of 2020 there were only 56 chargers in place serving the wider Aberdeen area; the original Transport Statement identified that only 16 of these can currently be considered to serve the Airport itself (6 installed at the Airport, and 12 planned at ABX business park). The Proposal would more than double existing provision by 18 active spaces initially, and quadruple existing provision in the long-term with the proposed 42 passive spaces.
- 5.42. As set out in relation to Reason 1, it is difficult to envisage how the Council foresee charging at the scale required for the Airport will come forward. It is therefore again submitted that the Proposal should not be refused on a pre-emptive basis that EV charging would better be retrofitted elsewhere, when there are no other submitted or proposed plans for EV charging at the scale proposed by the Appellant to serve the Airport, and retrofitting has identified challenges in terms of expense and disruption (as set out in the SG for Transport and Accessibility, referred to under Reason 1 above).
- 5.43. To re-iterate the statement made in relation to Reason 1 above, therefore, the proposed development is in keeping with Local Plan Policy T2 in that it maximises opportunities for sustainable travel; there will always be a need for travel to the Airport by private car, however any mechanisms and investment which encourage drivers to shift to EV use rather than traditionally fuelled vehicles assist in achieving an important step in the overall shift towards more sustainable forms of transportation. EV charging provision is also supported by NPF4 Policy 13, and the Proposal should therefore be supported.
- 5.44. It is therefore respectfully requested that the Local Review Board overturn the Council's third reason for refusal on this basis.

Car Parking Provision for the Airport

- 5.45. As set out in the submitted application documents, there will always be a proportion of passengers accessing the Airport by car. It is not reasonable to suggest all passengers to the Airport will access the Airport via non-car modes of sustainable transport, particularly in the absence of any short to medium term commitments for sustainable transport provision. This was acknowledged in the recent decision by the Local Review Body for the proposed car park at International Gate, Dyce (reference 191456/DPP), where it was noted that not all users can or will in future choose to access the Airport using existing public transport connections.
- 5.46. To better inform future demand requirements, parking surveys have been undertaken as presented in the accompanying Transport Statement of Case. The surveys could not be undertaken to support the Proposal at the time of the planning application due to the ongoing

effect of the Covid-19 pandemic, which was affecting the number of people travelling via Aberdeen International Airport. It is considered that operational capacity is almost, if not entirely, back to normal and a reasonable indication of parking capacity could be gathered from surveys.

- 5.47. The findings noted in the Transport Statement of Case state that the 2 car parks that were open at the time of the survey were already approaching capacity (refer to paragraph 2.2.8 in the Transport Statement of Case). The three other car parks that were surveyed remain closed (refer to paragraph 2.2.6 in the Transport Statement of Case); whilst the Council refer to them in their Report of Handling, and all known capacity was taken into account in the demand forecasts set out in the Transport Statement submitted with the planning application, the reality is that it remains uncertain as to when those car parks will reopen.
- 5.48. Nonetheless, when existing known or planned car parking provision is compared to passenger growth predictions, the Transport Statement of Case concludes that there will be a shortfall in car parking and EV provision for the Airport (refer to Table 2.1 in the Transport Statement of Case).
- 5.49. In fact, the shortfall is significant even if the Proposal is allowed; it is therefore considered to be the case that even if a greater proportion of passengers do in future shift to more sustainable transport modes (the options for which are discussed in the following section), given the anticipated overall growth in passengers aligning with growth ambitions for the Airport, and the fact that a proportion of car users will remain, it is likely that all of the proposed and potentially available parking discussed in the Transport Statement and surveyed in the Transport Statement of Case, including the parking and EV provision set out in this Proposal, will be required in future (refer to Table 2.1 in the Transport Statement of Case).
- 5.50. It was also acknowledged in relation to the appeal for International Gate, Dyce (reference 191456/DPP), that there has been a continued growth in public transport use for airport trips in recent years, despite the opening of new airport car parks during that period. This is consistent with the Appellant's views and, as set out above, if future growth is taken into consideration, it can be seen that both new car parks fit for the future fleet of alternatively fuelled vehicles and growth in public transport use will occur. It is therefore respectfully requested that the Local Review Board overturn the Council's third reason for refusal on this basis.
- 5.51. Further consideration of potential options for sustainable public transport modes serving the Airport and how this may affect parking provision is set out below.

Sustainable Transport Provision for the Airport

- 5.52. It is acknowledged that there should be a modal shift towards more sustainable forms of transport, however, as set out in Reason 1 above, firstly the role of EVs in this shift needs to be appreciated, as does the value of the Appeal Proposal in accommodating EVs and incentivising the use of EVs to facilitate this shift.
- 5.53. Secondly, it must be recognised that there is not currently the means for this modal shift to be achieved in regard to public transport options to the Airport. The Transport Statement of Case submitted with this Appeal states that there are only 2 existing bus routes serving the Airport; one express service and one dedicated service running up to 4 buses per hour (paragraph 2.1.6 of the Transport Statement of Case). These cannot reasonably serve the full

proportion of passengers wishing to travel to the Airport given its wide catchment (as discussed below).

- 5.54. The Report of Handling notes the Aberdeen Rapid Transit Project as a means of providing sustainable travel to the Airport, however this is not expected to begin operating on key corridors until 2030. This results in at least another 8 years of the current situation whereby there are limited sustainable transport options for Airport passengers; a timeframe during which all car users will need to transition from traditional fossil-fuelled vehicles to electric vehicles. The Proposal addresses this on two accounts: providing parking to meet anticipated demand, as best can be forecast at this time, and to meet anticipated EV charging needs both immediately (18 active spaces proposed) and in the long term (42 passive spaces proposed).
- 5.55. Moving forward, the Aberdeen Rapid Transit (ART) Project alongside existing bus provision cannot reasonably serve the full proportion of passengers wishing to travel to the Airport. Like many sustainable transport modes, the ART Project is proposed to operate on key routes, whilst the buses run on relatively linear routes to and from the Airport with the majority of connections towards Aberdeen. On a practical level such services cannot provide for all passengers arriving from various routes and directions. The Airport serves a wide catchment for passengers, noting in its own Masterplan (2013) that the catchment was dominated by the City (63%) but 25% from wider Aberdeenshire; with areas including Moray, Angus, Highland and Perth & Kinross providing other significant traffic (between 1 and 3%); these identified locations are all widely spread out geographically and require several routes to be catered for, whilst it will be difficult to accommodate traffic from the more rural Aberdeenshire on public transport given the sparse nature of population and various locations from which passengers may start their journey.
- 5.56. In addition to this, it is not reasonable to expect very many passengers to arrive by other sustainable transport modes e.g. walking and cycling, as airport passengers will almost always have luggage for their journey. It is also the case, as mentioned above, that certain groups will continue to rely on the private car, including less able-bodied drivers and families with small children who cannot be reasonably expected to use public transport to access the Airport.
- 5.57. Thus, in the absence of sustainable public transport facilities serving the Airport there is a 'gap' which will be filled by car users, increasingly EV car users, which are not considered to be adequately catered for when the Appellant's demand forecasts are taken into consideration. As above, these take account of growth projections which accord with growth aspirations for the Airport set out in national policy. The benefits of the Proposal in filling this gap should therefore be taken into consideration in the determination of this Appeal.

Summary: Reason 3

- 5.58. In summary, therefore, a proportion of passengers will always access the Airport by car; whilst there is some uncertainty regarding passenger numbers given the impact of the recent Covid-19 pandemic on airport travel, it remains the case that adopted and emerging policy acknowledges the importance of Scotland's international connectivity and the need to support connections from airports such as Aberdeen International Airport. NPF3 supports growth associated with the Airport, and the Adopted ALDP acknowledges this, stating that *"NPF3 identifies a number of developments considered essential to the delivery of the spatial strategy. In Aberdeen it highlights improvements to Aberdeen Airport as national*

developments”, and recognising that “ensuring good domestic and international air and sea links which are vital to the region’s economy”.

5.59. Moreover, paragraph 12.8 of the Proposed ALDP (2020) states:

“Aberdeen International Airport is a strategic transport hub which is vital to the success of the North East economy. It directly supports thousands of jobs and helps to ensure that Aberdeen remains a competitive, attractive and well-connected location for business”.

5.60. Finally, it should be noted that ‘Aberdeen’s Electric Vehicle Framework 2020 to 2030’ (January 2021) establishes an EV framework for Aberdeen from 2020 to 2030 which should be used to guide the strategy development and investment decisions of the Council and other organisations in the city. The document identifies a number of potential key locations for EV charging infrastructure, which includes Aberdeen Airport, thus the Proposal accords with the Framework and accordingly should be supported.

5.61. The provision of readily accessible car parking and, particularly EV-ready car parking, is therefore considered to be fundamental in securing the economic benefits of a readily accessible airport for the region, which was also a point acknowledged by the Local Review Body in their consideration of the proposed car park for International Gate, Dyce (reference 191456/DPP), and the Proposal is thus entirely in keeping with adopted and emerging policies and frameworks.

5.62. It is therefore submitted that this should be given weight in the determination of the Appeal and it is respectfully requested that the Local Review Board overturn the Council’s third reason for refusal on this basis.

Other matters for consideration

Drop-off trips

5.63. As discussed in the submitted Planning Statement, adequate parking reduces the potential for ‘drop and drive’ trips where airport passengers are dropped off at, and collected from, an airport at either end of their journey by taxis or family and friends: this results in greater overall trips to the airport. Provision of adequate car parking and EV charging as set out in the Proposal could help to reduce these types of trips by encouraging drivers to park and take the proposed electric shuttle bus to the airport, making use of the recharge offer to charge their vehicle whilst they are away, ensuring it is ready to drive on the return trip.

5.64. Paragraphs 5.16 to 5.19 of the Planning Statement submitted with the application discuss this matter, specifically in the context of an application relating to car parking at Manchester Airport, which was approved by Cheshire East Council³, in more detail and are set out below for ease of reference:

³ Cheshire East decision dated September 2019, reference 19/0399M, for ‘Development of a car park associated with the operation of Manchester Airport, demolition of 48 and 52 Moss Lane with associated outbuildings, provision of a new landscaping belt, footpath and ecological mitigation’ at Hollytree Cottage, 52 Moss Lane, Styal, SK9 4LG.

5.16. One way of reducing the environmental impact of air travel is to minimise the associated impact of trips to and from Airports. As noted in the Local Transport Strategy, "parking is a key element of managing demand and influencing modal choice". Reducing car parking can be seen to force users to shift to more sustainable transport modes, thus achieving the aims of sustainable transport policies. Equally, however, reducing car parking without an existing network of sustainable transport modes can result in more people getting dropped off at Airports either by relatives in private cars or by taxi, thus necessitating four journeys to and from an Airport rather than two if those people were to drive and leave their cars at the Airport.

5.17. This was recognised in a recent decision (September 2019) by Cheshire East Council, in that case in the context of limited public transport facilities and the pressure on existing car parks. For this site in Aberdeen, the pre-application response notes that "In recent years, access to the Airport by public transport has been significantly improved through the introduction of the Jet 727 and other bus services, providing a frequent link into the city centre and other areas". However, as demonstrated in the submitted Transport Statement, as recently as 2019 just 12% of passengers arrived at the Airport by bus/ coach. The Transport Statement also confirms that if passengers move towards more sustainable forms of transport, e.g. by bus, there would need to be a shift of 4,186 passengers to sustainable travel modes per week.

5.18. In summary the recent low take-up of bus/ coach access to the Airport, coupled with the future demand for bus/ coach if insufficient car parking is provided, alongside the identified shortfall in car parking provision to align with Aberdeen International Airport's growth plans (as set out in the submitted Transport Statement) could potentially lead to significant pressure on existing parking provision and thus increase demands for drop-off trips.

5.19. The proposed car park can therefore be seen to contribute towards sufficient parking to meet future demand and thus would reduce the need for drop-offs and taxi journeys, i.e. reducing the number of car journeys to and from the Airport. This would reduce the overall demand for car trips associated with the Airport, which contributes to the more sustainable operation of the Airport in accordance with policies on sustainable transport. It also supports the effective and efficient operation of the Airport, in accordance with Local Plan Policy B4.

EV Shuttle

- 5.65. A further element of the Proposal to be discussed is the provision of an electric shuttle bus to move passengers from the car park to the Airport. It can reasonably be foreseen that the future, which the Appellant aspires to, could comprise passengers taking a fully electrified journey to the Airport: arriving in their electric vehicles at the car park, leaving this with staff to accommodate any recharging needs, and taking the electric shuttle to the Airport building. The Appellant recognises the need to provide for and support an electrified future and seeks to do this through the provision of EV charging points and electric shuttle bus within the proposal.

Number of EV charging points

- 5.66. In terms of the number of EV charging points, it should be acknowledged that there is a need to cater for supply and demand, noting that the proportion of EVs will change over time. The Appellant therefore proposes to install 18 active electric charging points on opening; this is



anticipated to meet existing and short-term future demand for charging for both Airport passengers and users of Kirkhill Industrial Estate. The Appellant proposes to include infrastructure (cabling) for 42 charging points; this is anticipated to meet longer term demand for charging. The Appellant is content to agree that this provision is reviewed over the course of the coming years to ensure that infrastructure upgrades and extended charging provision is put in place to meet demand, a matter which can reasonably be controlled by planning condition.

6. Conclusion

- 6.1. This Statement of Reasons has set out why the Proposal should be permitted, and why the Council's three reasons for refusal should be overturned.
- 6.2. It has been demonstrated that the Proposal assists in achieving a modal shift from fossil-fuelled cars to electric vehicles, providing a notable proportion of charging facilities which are otherwise not proposed or planned for, to support Scotland's aim for all vehicles to be fossil-free by 2030.
- 6.3. The Council's determination of the application refers only to public and active travel in relation to sustainable transport modes, as referred in the emerging ALDP, in the form of the supporting text to Policy T3 (paragraph 11.21 of the Proposed ALDP). Whilst the need to facilitate modal shift to these means of travel is acknowledged, it is noted that the provision of EV charging points is an important step in this modal shift which should be encouraged.
- 6.4. Weight should be afforded to the importance of providing for electric vehicles as part of this shift to sustainable modes of transport. As a cleaner alternative to traditionally fossil-fuelled vehicles, electric vehicles are an important step in sustainable transportation, and sufficient charging infrastructure needs to be put in place to enable this step to take place. This is recognised in National Policy (including emerging NPF4 Policy 13), and was the subject of scrutiny in an Appeal decision for a large-scale EV charging facility. In that Appeal, the Inspector found that provision of EV charging, if 51 charging points were delivered, made a significant contribution towards sustainable development in a location where need for it was demonstrated. In this instance, 60 spaces are proposed in total and a need has been demonstrated as discussed in Section 5.
- 6.5. In regard to the Council's first reason for refusal, the Proposal meets a proven demand for EV Charging Provision for Kirkhill Industrial Estate, and also a proven demand for car parking spaces in this location for Kirkhill Industrial Estate. It is therefore entirely in keeping with Adopted ALDP Policy T3 and Proposed ALDP Policy T2.
- 6.6. As far as the Council's second reason for refusal is concerned, it has been demonstrated that the Proposal is consistent with adopted policy in terms of land use zoning, and assists in enhancing the sustainability of car travel associated with the surrounding business and industrial land. It is therefore entirely in keeping with Adopted ALDP Policy B1 and Proposed ALDP Policy B1 and supporting sustainable transport policies.
- 6.7. Finally, in regard to the Council's third reason for refusal, it has been demonstrated that a proportion of passengers will always access the Airport by car, and it remains the case that adopted and emerging policy supports and encourages the future growth of the Airport. Adequate parking and EV charging facilities need to be provided to support this. The Proposal meets a proven demand for EV Charging Provision for the Airport, and also a proven demand for car parking spaces for the Airport, without precluding the development or take-up of other sustainable transport modes. The Proposal is therefore entirely in keeping with Adopted ALDP Policy T3 and Proposed ALDP Policy T2.
- 6.8. Other benefits of the Proposal highlighted in this Statement include the provision of car parking to offset/ reduce the potential for drop-off trips; in the context of Aberdeen International Airport, adequate car parking with EV charging could contribute to reducing the need for drop offs, which have a greater impact on the environment. The provision of EV



parking and recharge facilities, alongside an entirely electric quick and convenient shuttle service to the Airport, form part of a package of measures to encourage more sustainable transport to the Airport via electric vehicle.

- 6.9. In summary, therefore, it is suggested that a sustainable approach for this location is to provide car parking and EV charging to meet demand for passengers travelling to the Airport and Kirkhill Industrial Estate, which the Proposal subject of this Appeal sets out to do. For all of the reasons set out in this Statement, it is therefore respectfully requested that the Local Review Board overturn the Council's three reasons for refusal and that the Appeal be allowed.



Appendices

Originally submitted planning documents appended, including:

- 16-2043 Aberdeen Airport Drainage Assessment V2a-compressed
- 16-2043 Aberdeen Airport Transport Statement V5
- 16-2043 Access and Site Layout Rev B
- 16-2043 Rev A Red Line Boundary Plan
- 211759_DPP-Application_Form - amended 07062022
- L000v1 PL Cover letter 07.06.22
- P21-2232.001B Landscape Masterplan 310522
- PEA Report Dyce Avenue V1.2
- R001v4 - PL - Planning Statement 23.05.22
- R002v2 - PL - Operational Strategy 23.05.22

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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