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London Luton Airport Expansion

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8.31 Applicant's Response to Relevant Representations - Part 2D of 4 (Other Statutory Organisations)

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.31

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**8.31 APPLICANT'S RESPONSE TO RELEVANT REPRESENTATIONS –
PART 2D OF 4 (OTHER STATUTORY ORGANISATIONS)**

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Table 3.4: Responses to Relevant Representations made by Other Statutory Organisations

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Royal Mail RR-1313	General	Royal Mail Group Limited (Royal Mail) supports London Luton Airport Expansion but is seeking to secure mitigations to protect its road based operations during the scheme's construction and operational phases. Under section 35 of the Postal Services Act 2011 (the "Act"), Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service. The Act includes a set of minimum standards for Universal Service Providers, which Ofcom must secure.	Noted.

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Royal Mail RR-1313	General	<p>The conditions imposed by Ofcom reflect those standards. Royal Mail is under some of the highest specification performance obligations for quality of service in Europe. Its performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Royal Mail's postal sorting and delivery operations rely heavily on road communications. Its ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network. Royal Mail is a major road user nationally.</p>	Noted.
Royal Mail RR-1313	OCTMP	<p>Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting significant risk to Royal Mail's business. Royal Mail has six operational sites within twelve miles of Luton Airport. In exercising its statutory duties, Royal Mail vehicles use on a daily basis all of the roads that may be affected by any Traffic Management measures, partial or total road closures and /or any additional traffic during the</p>	Noted.

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		<p>construction phase of the Airport Expansion. Any congestion on these roads has potential to adversely affect Royal Mail operations. Royal Mail does not wish to stop or delay this scheme from being constructed, but does wish to protect its future ability to provide efficient mail sorting and delivering services.</p>	
Royal Mail RR-1313	OCTMP	<p>In order to do this, Royal Mail requests that: 1. the DCO includes specific requirements that during the construction phase Royal Mail is consulted by LLAL or its contractors at least one month in advance on any proposed road closures / diversions / alternative access arrangements, hours of working, and on the content of the final CTMP,</p>	<p>The Applicant has agreed to enter into a separate legal agreement to meet the concerns raised by Royal Mail. Once agreement is reached, Royal Mail is expected to withdraw its Relevant Representation.</p>

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Royal Mail RR-1313	OCTMP	2. the final CTMP includes a mechanism to inform major road users (including Royal Mail) about works affecting the local highways network (with particular regard to Royal Mail's distribution facilities near the DCO application boundary),	The Applicant has agreed to enter into a separate legal agreement to meet the concerns raised by Royal Mail. Once agreement is reached, Royal Mail is expected to withdraw its Relevant Representation.
Royal Mail RR-1313	OCTMP	and 3. Royal Mail is invited to join any stakeholder traffic management consultation group that is set up during the operational phase. Discussions between Royal Mail and LLAL are ongoing. Royal Mail has been advised by the applicant that a draft legal agreement to address the above requests is being prepared for Royal Mail's consideration.	The Applicant has agreed to enter into a separate legal agreement to meet the concerns raised by Royal Mail. Once agreement is reached, Royal Mail is expected to withdraw its Relevant Representation.
Bedfordshire Luton and Milton Keynes Integrated Care Board RR-0143	General	"The Bedfordshire, Luton and Milton Keynes Integrated Care Board (BLMK ICB) has a duty to protect and improve the health and wellbeing of the population within the Integrated Care System. As such, this is the ICB's chief concern with regards to the expansion of the airport.	Noted.

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Bedfordshire Luton and Milton Keynes Integrated Care Board RR-0143	Population and health	Health and wellbeing is dependent on a wide, complex, multi-faceted set of determinants, to a number of which this airport expansion proposal is particularly pertinent. The ICB recognises the significant benefit of the airport to local services in Luton, due to the role it plays in encouraging business in the local area, with the employment opportunities it brings, and also the support offered through the airport's community fund, which brings direct social and economic development to a part of the UK with high deprivation.	Noted.
Bedfordshire Luton and Milton Keynes Integrated Care Board RR-0143	Population and health	In January 2023, the ICB Board reviewed a request for the Board to support Luton Rising in submitting the Development Consent Order (DCO) for the expansion of the airport. This support was signalled by the ICB Board, following discussion of the following: 1. The Preliminary Environmental Impact Report (PEIR) and draft environmental impact assessment (EIA) work undertaken up to that point by Luton Rising concluded that the economic benefits of airport	Noted.

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		expansion would be substantial, and would bring health and wellbeing benefits.	
Bedfordshire Luton and Milton Keynes Integrated Care Board RR-0143	Population and health	2. The impact assessments also set out the likely negative impacts to local carbon equivalent emissions, noise pollution, air pollution, and green space, whilst proposing that these would be mitigated sufficiently such that there would not be an overall material impact on population health and wellbeing.	Noted.
Bedfordshire Luton and Milton Keynes Integrated Care Board RR-0143	Climate Change	3. The impact assessments also referred to carbon emissions from additional flights as not having a materially significant impact on the UK Government's ambitions to reach net zero by 2050. The Board noted that, as recorded in the minutes, "the expansion proposal is expected to have overall positive health and community benefits due to direct and indirect economic growth, employment and skills opportunities for local residents,	Noted.

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		and improved access to green space [and that] [t]he proposal sets out initiatives and mitigations (supported by legally enforceable limits) to ensure air pollution, noise, and any other potential negative community impacts are prevented or minimised."	
Bedfordshire Luton and Milton Keynes Integrated Care Board RR-0143	General	It was on consideration of these assumptions that the Board signalled its support for Luton Rising to submit the DCO. The position of the Board will remain unchanged unless materially different circumstances or assumptions about impact come to light throughout the planning process and supporting documentation. The ICB recognises the need to consider a balance of benefits and risks to individuals, communities, and populations as a whole, and seeks to ensure that benefits are maximised and risks minimised or mitigated. It is in this regard that the ICB considers itself an Interested Party in the proposal for the expansion of Luton Airport."	Noted.

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Forestry commission RR-0462	Biodiversity	Thank you for consulting the Forestry Commission on this proposal. As the Governments Forestry experts, we endeavour to provide as much relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient\semi natural Woodland as well as other trees and woodland. We are particularly concerned about any impact on Ancient Semi natural woodland.	Noted.
Forestry commission RR-0462	Biodiversity	Ancient woodland is an irreplaceable habitat. They have great value because they have a long history of woodland cover, great biodiversity and often many heritage features that remain undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). The Ancient Replanted Woodland of Kidney Wood borders the Northern Roundabout of the A1081/New Airport Way. The roundabout is currently approximately 40 metres from the edge of the woodland. With the proposed widening of the	<p>Noted.</p> <p>The Proposed Development has incorporated a buffer of semi-natural habitats, at least 15m in width, around areas of ancient woodland within or adjacent to the Proposed Development (refer to Appendix 14.3 Arboriculture Impact Assessment [AS-085] and Appendix 4.2 Code of Construction Practice [APP-049] of the Environmental Statement (ES).</p> <p>No ground works will be permitted within this buffer to ensure trees within ancient woodland are protected from root damage and soil compaction.</p>

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		<p>circulatory carriageway, this brings the edge of the order limits to within approximately 20m of the Ancient Woodland. For Ancient Woodlands, there should be a buffer zone of at least 15 metres to avoid root damage.</p>	<p>The lead Contractor will be responsible for the implementation of protection of trees as defined in Appendix 4.2 Code of Construction Practice [APP-049] of the ES.</p> <p>All trees within 15m of construction activities will require further surveys and protective fencing around Root Protection Areas will be implemented as appropriate.</p>
Forestry commission RR-0462	Biodiversity	<p>We note plans mention the use of Construction Exclusion Zones and fencing to protect trees. This is essential to prevent damage or compaction of soil around the tree roots for example by machinery during widening works. It is also essential that fuels, chemicals or waste materials such as topsoil, minerals or hard core are not stored on the Ancient woodland soils or under the woodland canopy. Due to the irreplaceable nature of Ancient Woodland, most 'temporary' uses will result in irreplaceable damage. The small Ancient Woodland of Winchill Wood is within the development site. We note that while the wood will be protected and will remain, it will also be next</p>	<p>There are no engineering works proposed in any ancient woodland including Winchill wood and Kidney wood. The design has been developed to avoid them, including no use for storage. The lead contractor will be required to manage impacts from construction on ecological resources as detailed in section 9 of Appendix 4.2 Code of Construction Practice [APP-049] of the Environmental Statement (ES).</p> <p>The Code of Construction Practice (CoCP) refers to the requirements set out in Appendix 8.2 Outline Landscape and Biodiversity Management Plan [APP-029] and the Strategic Landscape Masterplan [APP-172]. The lead contractor must also develop and implement a Dust Management Plan as</p>

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		to the proposed new car park. We have concerns regarding the potential for dust pollution which may affect both Winchill Wood and Kidney Wood during the construction phase and would recommend measures to reduce dust on site such as dampening down tracks be undertaken.	detailed in section 8.6 of the CoCP , which will protect habitats including Winchill wood and Kidney wood ancient woodlands.
Forestry commission RR-0462	Biodiversity	We would recommend that a buffer strip is planted between the car park and Winchill Wood to reduce potential noise and light pollution of the Ancient Woodland. For ancient woodlands, there should be a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic. Where possible, a buffer zone should contribute to wider ecological networks and be part of the green infrastructure of the area.	Earthworks have been designed to include an ecological buffer zone to safeguard the Winchill Wood Ancient Woodland site as in line with details specified in the Design Principles [APP-225] . The buffer zone includes hedgerow planting, neutral grassland creation and new woodland planting close to the tank farm, as well as a bridleway (as shown in Figure 14.9 Embedded landscape mitigation [APP-152] of the Environmental Statement (ES) and detailed in the Strategic Landscape Masterplan [APP-172] .

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		It should consist of semi-natural habitats such as woodland or a mix of scrub, grassland, heathland and wetland planting.	
Forestry commission RR-0462	Biodiversity	Buffer zones should be planted with a local and appropriate species mix. We would also recommend that all lighting of the car park is directional so not to illuminate the Ancient woodland and that any drainage for the car park is not directed into the woodland or interrupts the drainage into or out of the woodland. The species and provenance of new trees and woodland planted in mitigation and to help buffer the Ancient woodland, must be carefully considered to maintain the ecological value of ancient woodland but also to establish a more resilient 'treescape' which can cope with the full implications of a changing climate. Particular care	<p>The lead contractor will be required to manage impacts from construction on ecological resources as detailed in section 9 of Appendix 4.2 Code of Construction Practice [APP-049] of the Environmental Statement (ES), including with regards to appropriate biosecurity measures.</p> <p>The Code of Construction Practice (CoCP) refers to the requirements set out in Appendix 8.2 Outline Landscape and Biodiversity Management Plan [AS-029] of the ES and the Strategic Landscape Masterplan [APP-172].</p> <p>Directional lighting will be used to limit light spill onto adjacent habitats, as identified in the Design Principles [APP-225].</p>

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		must be taken to ensure that in planting new trees and woodland, biosecurity is robust to avoid the introduction of pests and diseases to the Ancient Woodlands.	<p>As set out in Appendix 20.4 Drainage Design [APP-137], the drainage design will ensure no substantial change to existing levels of surface water run off to the woodland.</p> <p>Woodland tree and shrub species to be planted would be similar to those that exist within the surrounding landscape, in line with the local landscape character and be resilient to climate change.</p>
Transport for London RR-1543	General	1. Introduction 1.1 This Relevant Representation is submitted by Transport for London (TfL) on behalf of the Mayor of London in regard to the Development Consent Order (DCO) application pertaining to the London Luton Airport Expansion project. The Mayor of London recognises the economic and connectivity benefits that airports bring to London – but also that the environmental and health impacts of aviation must be fully acknowledged and addressed.	Noted.

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Transport for London RR-1543	General	1.2 Though Luton Airport lies outside London, it is an important part of the London airport system – with a significant proportion of passengers travelling to, from or through London – and as such, a holistic pan-London approach is required. The Mayor and TfL have an interest in this application with regard to its wider environmental implications, as well as impacts specifically within the London area in terms of surface access and emissions.	Noted.
Transport for London RR-1543	General	2. Summary of the Mayor's position 2.1 The Mayor of London is greatly concerned about the environmental impacts associated with this development, and in particular with regard to carbon – both in terms of the significant increase in aircraft movements, as well as the very substantial additional highway trips. On this basis, the Mayor is unable to support the proposed development.	<p>The Green Controlled Growth (GCG) Framework establishes an explicit commitment to link environmental performance to growth at the airport and, taken together with other proposed mitigation measures.</p> <p>The planning balance of the Proposed Development is discussed in detail in the Planning Statement [AS-122].</p> <p>Chapter 12 Greenhouse Gases [APP-038] of the Environmental Statement (ES) identifies and assesses the environmental impacts associated with the increase in Greenhouse Gas (GHG) emissions (i.e.</p>

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			carbon) arising from the Proposed Development, including those from the additional aircraft movement and additional highway trips. The overall conclusion of this assessment is that the increase in greenhouse gases results in a minor adverse effect, that is not significant.
Transport for London RR-1543	Need case	2.2 The aviation sector needs to play its part in meeting UK climate change targets. The Applicant fails to set out how its proposed 139% increase in aircraft movements compared to today can be compatible with these climate change commitments.	<p>The demand forecasts have been prepared consistent with those underpinning the UK Government's Jet Zero Strategy.</p> <p>Realising this level of growth across the UK was considered by Government as being inconsistent with the achievement of the broader Net zero by 2050 target, the UK Government made clear that it remained supportive of airport growth, in particular airports making best use of their existing runways, in the light of broader economic and consumer benefits.</p> <p>The actual projected increase in aircraft movements is 48%. If this growth did not take place at London Luton Airport, it would need to be accommodated elsewhere in the London Airport system or at more distant airports further from</p>

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			London, so increasing pressure on the surface access network.
Transport for London RR-1543	Environmental mitigation	2.3 It is important that the Applicant also demonstrates how it intends to fully address the noise and air quality impacts that arise from the proposed development – with regard to the latter, both from aircraft and from the surface travel to and from the airport.	<p>The impact of noise due to increased vehicular and aircraft movements from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration [AS-080] of the Environmental Statement (ES).</p> <p>Appendix 7.5 Outline Operational Air Quality Plan [APP-065] of the ES sets out the measures committed to via the DCO which will help to improve air quality which includes measures for both aircraft and surface access.</p>
Transport for London RR-1543	Surface access strategy	2.4 Indeed, securing sustainable surface access, for both passengers and staff, is essential to reducing the carbon and air quality impacts. The proposed sustainable mode share targets lack ambition. The proposed development should not be dependent on any increase in car trips or car parking and the Applicant needs to set out a concrete package of measures to ensure this. TfL is also concerned	The Applicant has taken a pragmatic view on mode share targets given the airport's location, staff and passenger catchments. Whilst the Applicant is supportive of sustainable transport, including tripling the number of coach and bus bays as part of the expansion and extending the Luton DART to Terminal 2, it is not realistic to assume that there would be no additional car travel.

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		about the extent to which the Applicant has demonstrated the ability of surface access networks to be able to accommodate the extra demand, including on the corridors into central London.	The mode share targets identified in the Framework Travel Plan [APP-229] will be more ambitious than those set out in Green Controlled Growth Framework [APP-218] . The impact of increased passenger demand on corridors into London has been set out in section 11.3 of the Transport Assessment [APP-200 to APP-206] and takes into account the changes in travel behaviour due to the pandemic.
Transport for London RR-1543	GCG	2.5 We note the novel approach proposed in the 'Green Controlled Growth' framework that seeks to make sure growth takes place within environmental limits. However, this framework is only as good as the thresholds it applies. The basis for these need to be fully evidenced and stringent enough to ensure that it prevents additional environmental impacts, which it largely fails to do.	As set out in section 1.4 of the Green Controlled Growth Framework Explanatory Note [APP-217] , the Framework is not intended to replace or substitute the need for environmental mitigation measures associated with the Proposed Development and identified by the Environmental Impact Assessment (EIA) process. Instead, the intention of the Green Controlled Growth (GCG) Framework is to provide additional certainty that the environmental effects forecast will not be exceeded irrespective of the performance of the up-front mitigation measures secured through the DCO and set out in the Mitigation Route Map [AS-047] by making future growth dependent on

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			<p>achieving the environmental performance forecast at the time of the DCO.</p> <p>This commitment means that any exceedance of the GCG Limits will have significant implications for the airport. On this basis, it is vital that Limits are not set arbitrarily, but are based on the comprehensive forecasting process that underpins the EIA and that is fully evidenced in the Environmental Statement (ES).</p> <p>Both the mitigation measures proposed to support the Proposed Development and the EIA and associated forecasts have been subject to independent scrutiny through our previous consultations, the establishment of Technical Working Groups underpinning the Statements of Common Ground (SoCG) and will continue to be scrutinised and tested through the DCO examination.</p> <p>This approach has been taken forward in the context of the UK government's Aviation Policy Framework¹ (APF), which sets out how the aviation sector delivers</p>

¹ Aviation Policy Framework, Secretary of State for Transport, March 2013

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			<p>economic growth and other benefits for the country, whilst acknowledging that the sector results in environmental impacts that need to be managed and balanced against these benefits.</p> <p>It is therefore considered that the approach to setting GCG Limits and Thresholds appropriately balances the need to protect the local community and environment, with the delivery of significant socio-economic benefits for Luton and surrounding areas through expansion, in line with the APF.</p>
Transport for London RR-1543	Climate Change	<p>3. Carbon 3.1 The climate emergency requires significant and co-ordinated effort if greenhouse gas emissions are to be drastically reduced to keep global warming under the proposed 1.5°C or 2°C limits. Aviation constitutes a substantial and growing proportion of UK carbon emissions and the sector needs to redouble its efforts if it is to contribute to achieving binding climate change targets. In this context, it is deeply concerning that the proposed development is forecast to enable a 52% increase in aircraft movements compared to</p>	<p>The UK government has set a legally binding target, under section 1 of the Climate Change Act 2008, to achieve net-zero greenhouse gas emissions by the year 2050 and to meet their 5-yearly carbon budgets.</p> <p>It has introduced a range of measures to control carbon. For example, the Jet Zero Strategy is the government strategy on how aviation will contribute to meeting the UK's climate change commitments. Paragraph 3.57 sets out that "<i>we can achieve Jet Zero without the Government needing to intervene directly to limit aviation growth</i>". The modelling behind</p>

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		the future base case – and a 139% increase compared to today. The Applicant fails to set out how this could be compatible with UK climate change commitments.	<p>the Jet Zero Strategy (and the update) incorporated growth at Luton in at the same level as that proposed by the Application.</p> <p>The UK Emissions Trading Scheme and the Carbon Offsetting and Reduction Scheme for International Aviation are other tools to control carbon emissions.</p> <p>An assessment of changes to greenhouse gases due to the Proposed Development is provided in Chapter 12 Greenhouse Gases [APP-038] of the Environmental Statement (ES). This includes an assessment of the Proposed Development's emissions against the UK's carbon budgets, net zero target and alignment with the UK Government's Jet Zero Strategy in section 12.11. The analysis in this chapter concludes that aviation emissions from the Proposed Development never account for more than 3.24% of aviation emissions within the Jet Zero Strategy High Ambition scenario. This is illustrated in Table 12.24.</p> <p>Paragraph 5.82 of the Airports National Policy Statement sets out that "Any</p>

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			<p><i>increase in carbon emissions alone is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the project is so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets, including carbon budgets.”</i></p> <p>The Proposed Development will not have a material impact on the Government's ability to meet its climate change targets and budgets.</p>
Transport for London RR-1543	Climate Change	3.2 Even the Applicant's own estimates – based on a limited apportionment of total flight emissions – project an increase of around 1 MtCO ₂ e which the Applicant states will require 0.774% of the UK's carbon budget for 2033-2037. This is a significant proportion to be claimed by a single development at a single airport and this runs directly counter to the UK achieving its climate change obligations. The Applicant commits to achieving net zero airport operations on the ground by 2040, but this has to be set against the very significant emissions increase	<p>As detailed in Section 12.2 and Section 12.5 of Chapter 12 Greenhouse Gases [APP-038] of the Environmental Statement (ES), a large majority Greenhouse Gas (GHG) emissions from aircraft operations will fall under the UK Emissions Trading Scheme (ETS), while the remainder will be managed under Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA).</p> <p>UK ETS sets an overall, scheme-wide cap on the amount of carbon which may be emitted by operators, including participating airlines. The available allowances place a cap on the total</p>

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		from aircraft operations in the air that it enables.	<p>amount of GHG emissions that can be emitted by sectors, including aviation, covered by the UK ETS. This cap will be reduced over time stimulating innovation by participants to increase the carbon efficiency of their operations, or indeed to take steps which would reduce the overall scale of their operations. This effectively puts a binding cap on the amount of GHG emissions the aviation sector can emit. The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the 6th Carbon Budget and later Carbon Budgets to net zero in 2050.</p> <p>CORSIA works alongside other measures to offset CO₂ emissions that cannot be reduced through the use of technological improvements, operational improvements, and sustainable aviation fuels (SAF) with emissions units from the carbon market. CORSIA aims to ensure that international aviation's net carbon emissions do not increase from 2020 levels. Participating airlines are required to monitor their emissions and report them to their respective national authorities. These authorities verify the reported emissions</p>

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			<p>and ensure compliance with CORSIA regulations.</p> <p>Currently the scheme is voluntary and serves as a pilot phase. From 2027 onward, all eligible international flights will be required to offset their emissions above the baseline level.</p>
Transport for London RR-1543	GCG	<p>3.3 The 'Green Controlled Growth' framework sets limits for carbon emissions – but with these limits proposed at only 5% below the faster growth forecast, this allows for almost unimpeded growth and essentially relies heavily on action from other carbon emitters. Moreover, the use of four broad phases results in a series of substantial step changes in limit values between phases, but with the limit values decreasing in ambition over the duration of each phase; this could be addressed with a commitment to continuous improvement based on interim targets within each phase.</p>	<p>In accordance with the response to TL's point 2.5, or RR-1543 (above), the intention of the Green Controlled Growth Framework [APP-218] is not to replace or substitute the need for environmental mitigation measures associated with the Proposed Development, but to provide additional certainty that the environmental effects forecast will not be exceeded.</p> <p>As per the earlier comment, it is therefore considered appropriate to align Green Controlled Growth (GCG) Limits and Thresholds with environmental forecasts.</p> <p>Section 3.1 of the Green Controlled Growth Explanatory Note [APP-217] sets out how Limits have been aligned to phases and forecasts. Environmental impacts will not increase or decrease in a linear fashion from year to year but will be</p>

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			dependent on a variety of factors including how quickly the airport grows within a phase and the timing of delivery of environmental mitigation. However, the GCG Framework will ensure that there is the required decrease in environmental effects between milestones (where a decrease is forecast) as without this, the airport will not be able to grow. This is what makes GCG one of the most far-reaching commitments to managing environmental effects ever voluntarily put forward by a UK airport.
Transport for London RR-1543	GCG	3.4 We do not believe it is appropriate to use offsetting for 'Scope 3' emissions, particularly with regard to surface access. The Applicant has substantial levers at its disposal to encourage sustainable mode shift – including varying parking and drop-off charges and DART fares – and offsetting reduces the incentive to fully tackle these emissions.	<p>Scope 3 greenhouse gas limits set through the Green Controlled Growth Framework [APP-218] are expressed as a 'net' limit, inclusive of carbon offsets, as although Scope 3 emissions can be <i>influenced</i> by the Applicant, they are not within the Applicant's <i>control</i>.</p> <p>Greenhouse Gas (GHG) emissions across the full range of airport activity is an issue that the Applicant takes seriously. As stated in paragraph 4.2.8 of the Sustainability Statement [APP-216], both the Surface Access Strategy [APP-228] and Framework Travel Plan [APP-229] detail the approach towards reducing surface access-related GHG</p>

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			<p>emissions at the airport, either through measures encouraging modal shift to more sustainable modes of transport, or through encouraging the use of less polluting vehicles. Tables 5.1 to 5.5 within the Framework Travel Plan [APP-229] provide a non-exhaustive list of these potential surface access interventions. The GCG Framework sets out binding limits to secure modal shift for both passengers and staff, supplemented by targets in the Framework Travel Plan. However, the majority of trips to and from the airport by both passengers and staff are made by private vehicle or taxi today, and this will likely continue to be the case in the future. The pace of decarbonisation associated with these car trips will be driven by external factors such as wider Government policy (such as the ban on the sale of diesel and petrol cars from 2030), the rate of decarbonisation of the national electricity grid (with a current government target to fully decarbonise our power system by 2035 as outlined in section 3i of the Net Zero Strategy²) and the affordability of cleaner low/zero</p>

² UK Government - Net Zero Strategy: Build Back Greener (October 2021)

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			<p>emission vehicles (Ofgem³ have previously highlighted the success of government incentives in Norwegian uptake of electric vehicles), particularly given that passenger airport trips will be infrequent. This creates a situation where it is difficult for the Applicant themselves to achieve absolute reductions in surface access emissions, and there is a reliance on action taken at a national level.</p> <p>As such, it is considered appropriate for Scope 3 GHG limits set through the GCG strategy to be expressed as a 'net' limit, inclusive of carbon offsets. To further demonstrate the Applicant's commitment to delivering ambitious reductions in surface access GHG emissions, it is proposed to align the GHG surface access emissions limit with a commitment (through Luton Rising's Net Zero Strategy⁴) to be carbon neutral for surface access by 2040. This would require all surface access GHG emissions to be offset from 2040, and so there will be a significant financial incentive for the airport to implement measures to reduce</p>

³ Ofgem's Future Insights Series: Implications of the transition to electric vehicles, 2018
(https://www.ofgem.gov.uk/sites/default/files/docs/2018/07/ofg1086_future_insights_series_5_document_master_v5.pdf)

⁴ Luton Rising Net Zero Strategy

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			<p>absolute emissions, noting that the cost of offsets is also predicted to increase over time⁵.</p> <p>It should be further noted that any purchased offsets must meet the key offsetting principles outlined in the Airport Carbon Accreditation Scheme Offsetting Manual⁶ under section 5.5 'Quality Criteria'. This commitment is secured through the GCG Framework and set out under paragraph 3.4.13 of the Green Controlled Growth Explanatory Note [APP-217].</p> <p>Offsets used to meet the Scope 3 Limits should be:</p> <ul style="list-style-type: none"> a. additional (i.e. that the offset project and resulting emissions reductions would not have occurred in the absence of the offset project and the revenue from selling offsets); b. monitored, reported and verified; c. permanent and irreversible; and

⁵ Keeping the Balance, University College London and Trove Research, 2021

⁶ Offsetting Manual Issue 3, Airport Carbon Accreditation Scheme, March 2022

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			<p>d. without leakage (i.e. they do not cause increased GHG emissions outside the project boundary).</p> <p>Furthermore, where reasonably practical and in line with the principles outlined in above, the Applicant will seek to utilise local offsetting schemes that can deliver environmental benefits to the areas around the airport, as stated in paragraph 3.4.15 of the Green Controlled Growth Explanatory Note [APP-217].</p>
Transport for London RR-1543	Climate Change	3.5 The Applicant should also set out concrete plans for reducing the emissions of aircraft, including detailed measures to increase use of sustainable aviation fuel and encourage newer, lower emission aircraft. These plans should also include achieving level 4+ of the Airport Carbon Accreditation (ACA) scheme.	<p>Aircraft operators are responsible for Greenhouse Gas (GHG) emissions associated with flights, outlined in section 12.7 of Chapter 12 Greenhouse Gases [APP-038] of the Environmental Statement (ES). This section, along with the Outline Greenhouse Gas Action Plan [APP-081], outlines a series of measures to support GHG emission reductions from aircraft.</p> <p>Luton is at Stage 3 of the Airport Carbon Accreditation scheme and is currently considering the next steps on this scheme. There is no statutory requirement to achieve airport carbon accreditation at any level.</p>

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Transport for London RR-1543	Noise	4. Noise 4.1 Though the populations affected are generally outside London, we would expect the Applicant to fully assess and address the noise impacts of the proposed development. There is no escaping the increased noise exposure for local communities as a result of the significant proposed increase in flights. It is important that the benefits of new technology – notably new, quieter aircraft – are shared with local communities and the assessment rightly focuses on the comparison with the future 'Do Minimum' rather than current operations.	<p>The impact of noise (day and night) due to increased vehicular and aircraft movements from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration [AS-080] of the Environmental Statement (ES).</p> <p>The aircraft noise section of the Green Controlled Growth Framework [APP-218] also addresses the policies for the airport to produce a Noise Envelope to monitor, manage and control aircraft noise, including a defined mechanism to share the noise reduction benefits of future technological improvements in aircraft between the airport and local communities.</p>
Transport for London RR-1543	Noise	4.2 Assessment of a suite of noise metrics to better understand the impacts is critical and we welcome the Applicant's efforts in this regard. It is also worth noting the World Health Organization (WHO) Europe guidelines which reflect the latest scientific evidence. For aircraft noise, these recommend 45 dB Lden for average noise exposure	Although the World Health Organisation (WHO) guidelines (Ref 1) are not currently adopted in UK policy, sensitivity testing using the relevant updated relationships in the WHO guidelines has been undertaken and is presented in Chapter 13 Health and Community [AS-078] of the Environmental Statement (ES).

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		and 40 dB Lnight for average night noise exposure, as the limits above which there are adverse health effects. 4.3 Given the greatest noise impacts of the proposed development appear to relate to the night-time period – and given the particularly negative health impacts associated with sleep disturbance from aircraft noise – the Applicant needs, in particular, to set out its commitment to limit night-time movements.	The Applicant has committed to retaining the current 9,650 movement limit in the night-time quota period (23:30 – 06:00) which will be secured as Requirement 27 in the Draft Development Consent Order [AS-067] .
Transport for London RR-1543	Noise	4.4 Air noise insulation is a part of the mitigation strategy; the Applicant needs to consider whether the proposed thresholds are sufficient to include all those experiencing substantial noise exposure – and whether residents will be able to fund their share of insulation when only eligible for a contribution from the Applicant.	<p>The Applicant's proposed noise insulation scheme exceeds noise policy expectations, and extends the insulation scheme substantially further than the current policy operated by the airport. The financial contributions have also been substantially increased, and all properties exposed above the daytime and night-time Significant Observed Adverse Effect Level (SOAEL) will be eligible for a full package of noise insulation (i.e. the resident will not need to fund any of the insulation works).</p> <p>Refer to Draft Compensation Policies Measures and Community First [AS-128] for further details.</p>

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Transport for London RR-1543	Air Quality	5. Air quality 5.1 The severe health impacts of air pollution have been brought into sharp focus in recent years and the Applicant must demonstrate how it is addressing this, including from aircraft themselves, in the vicinity of the airport, as well as surface access to and from the airport.	Chapter 7 Air Quality [APP-034] of the Environmental Statement (ES) provides an assessment of air quality in accordance with a methodology agreed with the Local Planning Authorities. No significant impacts are predicted to occur. Appendix 7.5 Outline Operational Air Quality Plan [APP-065] of the ES sets out the committed measures identified in the DCO which will help to improve air quality from all sources including aircraft and surface access.
Transport for London RR-1543	Air Quality	5.2 The Applicant's assessment is largely limited to the Luton area. However, TfL is concerned that the Applicant has not sought to understand what the potential air pollution impacts are beyond that, and in particular within the Greater London area. London remains a key origin/destination for Luton airport passengers and the weakness of the Applicant's approach to sustainable surface access (set out in the section below) raises concerns of increased highway flows with a detrimental effect on air quality –	Chapter 7 Air Quality [APP-034] of the Environmental Statement (ES) provides an assessment of air quality in accordance with a methodology agreed with the Local Planning Authorities. No significant impacts are predicted to occur. Appendix 7.5 Outline Operational Air Quality Plan [APP-065] of the ES sets out the committed measures identified in the DCO which will help to improve air quality. The extent of the strategic transport modelling was agreed with National Highways, Central Bedfordshire Council, Hertfordshire County Council and Luton Borough Council. The model covers a

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		particularly on roads already close to or above legal limits.	<p>very large area and extends to cover the area of influence of the traffic impacts.</p> <p>The strategic traffic modelling shows minimal impacts on the road network on the M25, as presented in Figure 5.3: Forecast Change in Traffic Volumes (vehicles) between TAG-based “Without” and “With” Expansion, Simulation Network, as part of Transport Assessment Appendices – Part 2 of 3 (Appendix F) [APP-201].</p>
Transport for London RR-1543	Air Quality	5.3 As well as providing a more complete assessment of air quality impacts, it is essential that the Applicant goes much further in committing to measures that will reduce car trips to and from the airport, for example as set out in the section below.	<p>Chapter 7 Air Quality [APP-034] of the Environmental Statement (ES provides an assessment of air quality in accordance with a methodology agreed with the Local Planning Authorities. No significant impacts are predicted to occur.</p> <p>Appendix 7.5 Outline Operational Air Quality Plan [APP-065] of the ES sets out the committed measures identified by the DCO which will help to improve air quality.</p> <p>The Applicant is committed to working with local highway authorities and operators to support measures for further improving public transport within the area.</p>

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			<p>The Framework Travel Plan [APP-229] sets out a toolbox of measures to enable a flexible approach in adapting and responding to future challenges and uncertainties. The toolbox consists of interventions and measures that can be drawn upon and scaled up or down as and when required, in response to meeting the vision and objectives, changing circumstances, through the results of ongoing monitoring and stakeholder feedback.</p> <p>The granting of development consent would enable the airport to grow and this, in turn, would increase the potential patronage for bus and coach operators. The toolbox approach, underpinned by the monitoring and stakeholder feedback, enables the Applicant to work with stakeholders and operators to develop measures which are effective in responding to demand. As set out in the toolbox, this can include, for example, subsidies for bus enhancements. Improvements to the public transport network are not entirely within the gift of the Applicant and require discussion and negotiation with third parties. The completion of DART and extension to the</p>

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			new terminal area should make access by rail more attractive and the Applicant and airport operator will work with train operating companies to maximise the opportunities for trains to call at Luton Parkway Station. In the future, the airport operator will work closely with rail and bus service operators through the Airport Transport Forum and development of future Travel Plans, which will set out measures to improve services in order to meet future mode share Targets.
Transport for London RR-1543	Surface access	6. Surface Access 6.1 Given the importance of securing sustainable mode shift, not least to reduce the carbon and air pollution impacts, the lack of ambition is of deep concern. The proposed limits sought by the Applicant in the later phases of the scheme – targeting 45% on sustainable modes – are only around 5% higher than currently. Recent months have witnessed transformative improvements in rail access to Luton Airport – notably the opening of the Direct Air-Rail Transit (DART), the increase in East Midlands Railway services to Luton Airport Parkway and the opening of	The Applicant is planning an increase in passenger public transport usage from the current (pre-pandemic) 38% to 45% as a minimum as part of the Proposed Development. This has been based on a comparative analysis of other UK airports (identified in the Transport Assessment Appendix H: Public Transport Strategy - Summary Report [APP-202]), the committed transport developments (including those referenced) and it is considered the targets for the Proposed Development are ambitious yet realistic, but will require improvements in public transport. Discussions with operators will continue to be held.

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		the Elizabeth Line providing onward connections from Thameslink services at Farringdon. These will help to deliver a substantial uplift in rail travel to and from the airport in the base case – so any development proposal should be seeking to substantially exceed the base case rail mode share and be underpinned by no increase in car trips.	There is no policy requirement for expansion of the airport to take place with no increase in car trips. The Transport Assessment [APP-203 to APP-206] sets out the identified transport impacts of the Proposed Development, including those associated with the increase in car trips, and goes on to set out the proposed mitigation to address those impacts.
Transport for London RR-1543	Surface access	6.2 The aspirations for staff journeys likewise lack ambition, with a target of 40% by sustainable modes in the end phase, compared to around 31% pre-pandemic. It is also notable that the Applicant's definition includes car sharing, as well as factoring in working from home. Given the proximity of Luton to the airport, the Applicant could commit to measures designed specifically to increase the proportion of staff travelling to work by walking (6%) and cycling (2%), in addition to taking concrete steps to encourage public transport use.	<p>The Applicant has set out mode share Limits for staff and passengers in the Green Controlled Growth Framework [APP-218]. The Surface Access Strategy [APP-228] and the Framework Travel Plan [APP-229] set out the approach for setting targets, which will be further reaching than the Green Controlled Growth (GCG) limits for mode share.</p> <p>Future Travel Plans will set targets for passenger and staff mode share. The Surface Access Strategy and Framework Travel Plan are focused on ensuring that the targets are ambitious and aim to directly influence the increase in sustainable surface access modes to and from the airport in the longer term.</p>

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			<p>Therefore, it is proposed that the newly set targets are more ambitious towards sustainable behaviours compared to those achieved in a preceding Travel Plan cycle and the GCG Limits. The level of ambition when setting the percentage change for targets will be informed by (where applicable):</p> <ul style="list-style-type: none"> a) Targets should strive to achieve higher levels of sustainable transport mode share than the Limits, which correspond with the 'reasonable worst case' assumptions of the Transport Assessment [APP-200 to APP-206], to reflect the additional level of ambition of the Applicant and the operator as the airport grows. b) Responding to modelling assumptions set out in the Transport Assessment [APP-203 to APP-206]. c) Due regard to recent five-year CAA (Civil Aviation Authority) passenger survey/staff surveys and trends over the duration of the previous ASAS (Airport Surface Access Plan)/TP (Travel Plan). d) A lookahead to delivery of transport infrastructure delivery in the next five-

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			<p>year period by both the operator and third parties.</p> <p>e) Engagement with the ATF (Airport Transport Forum), the LLACC (London Luton Airport Consultative Committee) and other bodies involved in the Governance of the TPs.</p> <p>The airport operator will also set targets for other surface access related indicators (e.g. specific targets for walking and cycling, as suggested). The diversification of targets will allow for the collection, analysis and ongoing review of more granular data and an improved understanding of how interventions and measures are performing.</p> <p>As set out in the Surface Access Strategy [APP-228], baseline data for staff travel has been subject to considerable variation over recent survey years. Therefore, targets will be set once the first staff survey has been completed after development consent is granted.</p>

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Transport for London RR-1543	Surface access	<p>6.3 The net result is that, under the Applicant's proposals, the majority of surface access trips will be by non-sustainable modes. Indeed, it is forecasting very significant increases in vehicle trips - 51% in the case of passenger AM and PM peak journeys. It is proposing a 77% increase in passenger parking capacity to support the increase in car trips. There is no justification for any increase in vehicle trips and such an approach is completely at odds with the airport's environmental obligations.</p>	<p>The Applicant sets out the assessment of the impacts of the increase in vehicle trips in the Transport Assessment [APP-200 to APP-206], which is based upon "reasonable worst case" assumptions.</p> <p>There is no policy basis requiring the Proposed Development not to result any net increase in vehicle trips, and policy recognises the need to balance the socio-economic benefits of growth at the airport with the management of the arising environmental impacts. It would not be possible to deliver the same socio-economic benefits without some increase in traffic, for which suitable mitigation is proposed.</p> <p>The modal shift aspirations are preferable to the inclusion of significant amounts of long term parking from both an environmental and highway capacity perspective. The ratio of parking spaces per passenger as the airport expands is planned to decrease, although it is acknowledged that the overall number of parking spaces will increase. The potential impact of the increase in passenger numbers all arriving by car would not be significant, and as such</p>

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			there are Limits and measures in place to maximise access to the airport by public transport.
Transport for London RR-1543	Surface access	6.4 The Applicant must set out a credible plan for driving sustainable mode shift, underpinned by committed measures. Rail has a key part to play but this should also include the instigation of new bus and coach services in corridors where rail is not a competitive alternative – including to London suburbs away from the Midland Main Line. The Applicant should detail how it will use charges for parking and drop off to reduce car demand in favour of sustainable modes – and be mindful of the potential cost advantage of cars for larger groups travelling together. The monies raised should be hypothecated to fund sustainable surface access enhancements.	The Applicant is supportive of measures to improve active and sustainable travel modes and reduce trips to the airport by private vehicle. Detailed interventions, and how they will be funded and implemented, will be provided in future Travel Plans. The Green Controlled Growth Framework [APP-218] mandates that airport growth cannot continue if the established limits for non-sustainable mode share are exceeded.

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Transport for London RR-1543	Surface access	6.5 We also seek clarification about the modelling of capacity on rail services – primarily Thameslink and East Midlands Railway services – but also onward connections to the Elizabeth Line. The modelling appears to use existing capacity levels and assume a 3% increase in passenger numbers each year. This does not align with the step change in passenger numbers proposed under the phased expansion and appears relatively primitive in its methodology. It appears to make assumptions about available capacity which are not necessarily warranted and to look at a limited snapshot of demand rather than seek a fuller understanding of demand across the rail corridor and the implications for crowding.	Please see the rail assessment summaries in section 11.3 of the Transport Assessment [APP-206] . The Applicant would welcome the opportunity to discuss these issues in more detail if requested.
Transport for London RR-1543	GCG	7. Green Controlled Growth framework 7.1 The Applicant has devised the Green Controlled Growth framework as core to its application. It is a novel mechanism for seeking to ensure that each phase of expansion can only proceed so long as environmental	Noted.

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		conditions are met and in principle, there is merit in such an approach.	
Transport for London RR-1543	GCG	7.2 However, the mechanism can only be effective if underpinned by ambitious limits which meaningfully address the environmental impacts. For the most part, the limits are not sufficiently challenging, rendering this framework, to a great extent, toothless. The basis for the limits needs to be fully evidenced and sufficiently stringent that additional environmental impacts can be avoided.	Please refer to the response to point 2.5 in Transport for London's (TfL) Representation (RR-1543) above.
Transport for London RR-1543	GCG	8. Conclusion 8.1 TfL requests that the Examining Authority considers the points raised in this representation and investigates these during the DCO examination process. TfL will welcome the opportunity to expand on these points at later stages in the process.	Noted.
Chilterns Conservation Board RR-0229	General	The Chilterns Conservation Board submits the following 'registration comments' in support of our application for registration as an interested party in the examination	Noted.

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		(notwithstanding our role as a statutory consultee). Our initial concerns about impact of the proposed expansion of London Luton Airport on the Chilterns AONB and its setting can be summarised as:	
Chilterns Conservation Board RR-0229	AONB	Direct impacts on the AONB and its setting of the physical infrastructure of the expanded airport.	Each technical assessment reported in the Environmental Statement (ES) describes the receptors considered with the defined study area. That is, the area in which likely significant effect have been identified, as agreed through Environmental Impact Assessment (EIA) scoping. This includes the Area of Outstanding Natural Beauty (AONB) and receptors within it where identified. An assessment of effects on the Special Qualities of the AONB is being prepared as requested by Natural England and will be submitted as part of the examination.
Chilterns Conservation Board RR-0229	Air Quality	Direct impacts on tranquillity (including both aural and visual intrusion) and air quality arising from increased overflying.	Tranquillity and noise are considered in Chapter 14 Landscape and Visual [APP-040] of the Environmental Statement (ES). Chapter 7 Air Quality [APP-034] of the ES has provided an assessment of air quality following the methodology agreed with the local Councils. No significant

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			<p>impacts are predicted to occur. Appendix 7.5 Outline Operational Air Quality Plan [APP-065] of the ES sets out the measures committed to via the DCO which will help to improve air quality.</p> <p>In accordance with International Civil Aviation Organisation (ICAO) and Department for Transport guidance, emissions above 305m (1,000ft) will not give rise to a significant impact on local air quality and this has been demonstrated from the project modelling. The aircraft flying over Chiltern AONB will be above 305m (1,000ft).</p>
Chilterns Conservation Board RR-0229	Air Quality	Direct impacts on tranquillity and air quality arising from increased traffic to/from the airport, including impacts on designated sites beyond the cordon considered by the proposal so far.	<p>Tranquillity and noise are considered in Chapter 14 Landscape and Visual [APP-040] of the Environmental Statement (ES).</p> <p>The assessment of air quality effects is reported in Chapter 7 Air Quality [APP-034] of the ES, where receptors within the defined study area are considered.</p> <p>These receptors represent locations in which potential significant effects have been identified, as agreed through Environmental Impact Assessment (EIA) Scoping exercise.</p>

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			<p>Chapter 7 Air Quality [APP-034] of the ES provides an assessment of air quality following the methodology and study area as agreed with the local Councils. The study area is considered appropriate and takes into account the affected road network using the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) guidance, possible effects to air quality from airport emission sources, and covers the vicinity of the airport, Luton and Air Quality Management Areas (AQMAs) in Hitchin. No significant impacts are predicted to occur within the study area.</p> <p>Similarly, no significant air quality effects are predicted to occur outside the study area. Furthermore, Appendix 7.5 Outline Operational Air Quality Plan [APP-065] of the ES sets out the measures committed to via the DCO which will help to improve air quality.</p>
Chilterns Conservation Board RR-0229	Planning	Indirect impacts arising from increased development pressures, including housing, employment and associated infrastructure, resulting from the increased economic activity that is part of the promoter's	As stated in Chapter 11 Economics and Employment [APP-037] of the Environmental Statement (ES), following a review of relevant local plans, this additional demand is not anticipated to

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		justification for the airport expansion.	<p>place a constraint on the housing markets within the Wider Study Area.</p> <p>Chapter 21 In-combination and Cumulative Effects [AS-032] of the Environmental Statement (ES) provides an assessment of likely significant in-combination and cumulative effects of the Proposed Development. This includes projects suggested by the Chilterns Conservation Board such as HS2, housing and employment growth of Aylesbury into a Garden Town, the expansion of housing at nearby Hemel Hempstead, future development to the west of Luton housing, and the Oxford to Cambridge Expressway.</p>
Chilterns Conservation Board RR-0229	Climate Change	Wider impacts of increased carbon emissions, etc. (although we recognise the Government's position on the relationship between their net zero ambitions and the continued expansion of air travel as a significant factor that undermines a climate emergency-led response to the proposal).	<p>An assessment of changes to greenhouse gases due to the Proposed Development is provided in Chapter 12 Greenhouse Gases [APP-038] of the Environmental Statement (ES). This details how the Proposed Development will align with Government net zero targets.</p> <p>Sections 12.2 and 12.5 of Chapter 12 Greenhouse Gases [APP-038] indicate that a large majority Greenhouse Gas (GHG) emissions from aircraft operations</p>

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			<p>will fall under the UK emissions trading scheme (ETS), while the remainder will be managed under Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA).</p> <p>UK ETS sets an overall, scheme-wide cap on the amount of carbon which may be emitted by operators, including participating airlines. The available allowances place a cap on the total amount of GHG emissions that can be emitted by sectors, including aviation, covered by the UK ETS. This cap will be reduced over time stimulating innovation by participants to increase the carbon efficiency of their operations, or indeed to take steps which would reduce the overall scale of their operations. This effectively puts a binding cap on the amount of GHG emissions the aviation sector can emit. The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the 6th Carbon Budget and later Carbon Budgets to net zero in 2050.</p> <p>CORSIA works alongside other measures to offset CO₂ emissions that cannot be reduced through the use of technological</p>

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			<p>improvements, operational improvements, and sustainable aviation fuels (SAF) with emissions units from the carbon market. CORSIA aims to ensure that international aviation's net carbon emissions do not increase from 2020 levels. Participating airlines are required to monitor their emissions and report them to their respective national authorities. These authorities verify the reported emissions and ensure compliance with CORSIA regulations.</p> <p>Currently the scheme is voluntary and serves as a pilot phase. From 2027 onward, all eligible international flights will be required to offset their emissions above the baseline level.</p>
Chilterns Conservation Board RR-0229	Water resources and flood risk	Impacts on the Chilterns chalk aquifer and the rivers Lea/Lee and Mimram. The examination into the DCO, and any decision based upon it, will need to comply with the duty imposed by section 85 of the Countryside and Rights of Way Act 2000 in having regard to the purposes of conserving and enhancing the natural beauty of the Chilterns AONB. The examination into the DCO should also take	<p>The effects on water resources have been assessed as part of Chapter 20 Water Resources and Flood Risk [AS-031] of the Environmental Statement (ES).</p> <p>The Applicant is aware of the potential Area of Outstanding Natural Beauty (AONB) boundary review project and notes that the Variation Order submission is not anticipated until the end of 2024. The proposals therefore confer no</p>

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		<p>account of the proposed expansion of the Chilterns AONB, currently being investigated by LUC on behalf of Natural England. The area of search for the potential AONB designation has not yet been published, but is likely to include land in the vicinity of the airport. The current early stage of the designation process would suggest that limited weight should be applied to it. However that position could change as the DCO examination progresses. Both projects therefore need to take account of each other iteratively as they progress.</p>	<p>additional planning protection at this time or during the expected examination and decision timeframe for the Proposed Development.</p> <p>However, a sensitivity test has been undertaken and likely changes to assessment conclusions, should this area gain the additional planning protection as an extension of the AONB, are reported in Appendix 14.9 Chilterns AONB [APP-107] of the ES.</p>
Chilterns Conservation Board RR-0229	Water resources and flood risk	<p>However, CCB's position is that the potential impacts on the existing AONB, its setting and associated habitats, such as the Chilterns chalk streams, should have great weight in the consideration of the DCO proposal, regardless of progress with new designation. Overall, while recognising that it remains national policy for aviation to expand, even in a climate emergency and biodiversity crisis, CCB considers that any decision for</p>	<p>Effects on the Area of Outstanding Natural Beauty (AONB) have been assessed in the Environmental Statement (ES) and can therefore be considered during the examination.</p> <p>The effects on water resources (such as chalk streams) have been assessed and are reported in Chapter 20 Water Resources and Flood Risk [AS-031] of the ES.</p>

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		the general expansion of aviation to take place in the vicinity of the Chilterns AONB, especially so close to the HS2 corridor, needs very careful justification and attention to detail in terms of mitigating, reducing, or preferably avoiding its obvious significant harmful impacts.	<p>The lead contractor will be required to manage impacts from construction on the water environment as detailed in Appendix 4.2 Code of Construction Practice [APP-049] of the ES.</p> <p>Table 8.1 of Appendix 20.4 Drainage Design Statement [APP-137] sets out the design principles to be followed at the detailed design stage, including measures to mitigate impacts on the water environment.</p> <p>The measures outlined in the Code of Construction Practice (CoCP) and Drainage Design Statement are secured by Requirement 8 and Requirement 13 in Schedule 2 of the Draft Development Consent Order Revision 2 [AS-067].</p>

Ref 1 World Health Organisation (2018), Environmental Noise Guidelines for the European Region.