

VINCENT+GORBING

Planning Act 2008 (as amended)

Application by London Luton Airport Limited (LLAL) for an Order granting  
Development Consent for the  
Expansion of London Luton Airport

PINS Reference: TR020001

Response to Statutory Consultation on behalf of the Host Authorities

Hertfordshire County Council, North Hertfordshire District Council,  
Central Bedfordshire Council and Luton Borough Council



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## 1.0 INTRODUCTION

### Context

- 1.1 This document provides a collective response by the host authorities to the statutory consultation documentation prepared by London Luton Airport Limited (“LLAL”) in respect of their project entitled “*Future LuToN: Making best use of our runway*” (the ‘Proposed Development’).
- 1.2 LLAL propose to increase the capacity of London Luton Airport (LTN) from the current consented capacity of 18 million passengers per annum (mppa) to 32 mppa and propose to apply for a DCO under the Planning Act 2008 (PA2008) as the Proposed Development is a nationally significant infrastructure project under Section 23 of that Act.
- 1.3 The Proposed Development includes a number of elements including *inter alia* an extended airfield platform, a new terminal, additional taxiways and aprons, additional parking, various airside and landside facilities, changes to surface access, surface water management, landscaping and replacement open space.
- 1.4 This response has been prepared by Vincent and Goring (V+G) and represents the collective response of :-
- Hertfordshire County Council (“HCC”)
  - North Hertfordshire District Council (“NHDC”)
  - Central Bedfordshire Council (“CBC”); and
  - Luton Borough Council (“LBC”)
- 1.5 Local authorities are identified as consultation bodies under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 as each local authority that is defined within s43 of the PA2008.
- 1.6 Each of the above authorities fall into the s43 definition and each is in their own right a ‘host authority’ for the purposes of the Proposed Development as

some part of the land within their municipal area falls within the draft Development Order Boundary.

### **The WSP Technical Review**

- 1.7 As well as this document, the host authorities are submitting a package of technical assessments of the statutory consultation documentation and an associated summary. This analysis has been prepared by environmental and engineering specialists at WSP and provides a detailed review of the content of the documentation. It has been the subject of consultation with various specialist officers within the host authorities and therefore can be taken as reflecting the detailed views of all four of the authorities. It will form the basis for further engagement with LLAL as the process moves forward.
- 1.8 It is not the intention here to repeat or summarise the detailed technical assessment work that has been undertaken by WSP. The intention of this document is to emphasise some broad strategic matters that are particular issues of concern to the host authorities. Equal weight should be given to the detailed technical assessment and the submitted documentation read as a whole.

### **Joint response and individual responses**

- 1.9 In providing a single joint response in the form of the WSP package and this document, the host authorities emphasise the value of engagement wherever possible on a joint and co-ordinated basis throughout the DCO process. That said, the overall position of the authorities on the Proposed Development remains a matter for each authority and this document does not preclude individual authorities from expressing their views on the statutory consultation material as well as the overall case for or acceptability of the Proposed Development. However, the views expressed in this document are shared by all four authorities and for clarity the word 'we' in this document refers to those authorities.

## Content of this document

- 1.10 This document makes comments on the following strategic issues:-
- Overall acceptability of the consultation material at this stage of the process (section 2.0);
  - Policy considerations and the need for the Proposed Development (section 3.0)
  - Cross topic issues concerning mitigation, management and monitoring (section 4.0);
  - Particular issues regarding surface access and noise (section 5.0)

## 2.0 COMMENTS ON THE CONSULTATION MATERIAL AND ENGAGEMENT

2.1 Statutory consultation is an important stage in the DCO process and a crucial opportunity to properly explain the proposals, the evidence collected to date on the baseline, the likely environmental impacts and proposals for mitigation, compensation and monitoring.

2.2 Government guidance provided in the publication *'Planning Act 2008: Guidance on the pre-application process'* makes clear that the pre-application stage is crucial to the effective operation of the national infrastructure consenting regime. The guidance highlights that thorough pre-application engagement can *"give the Secretary of State confidence that issues that will arise during the six months examination period have been identified, considered, and – as far as possible – that applicants have sought to reach agreement on those issues."* It goes on to state that:-

*"Without adequate consultation, the subsequent application will not be accepted when it is submitted. If the Secretary of State determines that the consultation is inadequate, he or she can recommend that the applicant carries out further consultation activity before the application can be*

*accepted.<sup>1</sup>*

- 2.3 In general, we are content that the *Statement of Community Consultation* (SoCC), published as part of the Statutory Consultation documentation, sets out an engagement process which is appropriate.
- 2.4 However, although we consider that the consultation material meets the statutory requirements of the Planning Act 2008, we are concerned by the lack of detail in some areas of the assessment, and the lack of published evidence base to support the assessments made to date. Whilst it is appreciated that the PEIR can only be a 'point in time' indication of progress at the time of the statutory consultation, undertaking this consultation with significant areas of technical work still to undertake and publish brings into question whether this consultation is premature and in that respect adequate.
- 2.5 The PEIR lacks transparency across a number of topics (particularly but not exclusively noise, air quality, surface access and health) in relation to data inputs, assumptions and assessments. This limits the degree to which the technical analysis can be properly scrutinised at this stage.
- 2.6 We are therefore particularly concerned by the amount of information still to be provided and agreed prior to the submission of the application which is presently planned by LLAL for mid-2020. To achieve adequate consultation will require a 'step change' in technical engagement following the completion of this statutory consultation. We are keen to work collaboratively with LLAL and believe that a clear project plan needs to be provided by LLAL to formalise the engagement process henceforward. This needs to set out clear milestones for the provision of technical work and allow appropriate time for us to properly review this technical work and reach agreement wherever possible prior to the submission of the application. It is clearly in both our and LLAL's interests to achieve such agreement and minimise the degree of technical debate during the examination process in order to give the Secretary of State the confidence to accept the application once it is submitted.

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<sup>1</sup> *Planning Act 2008: Guidance on the pre-application process*, Department for Communities and Local Government, March 2015, para.19

- 2.7 WSP's review has identified a number of areas where the PEIR is lacking in information, particularly around:-
- The description of the development itself;
  - Assessment of alternatives;
  - Full explanation of how consultation has informed the design of the Proposed Development;
  - Incomplete explanation of existing and future baseline;
  - Issues around assessment methods and data collection in some topics;
  - Lack of clarity around mitigation, enhancement and monitoring;
  - Incomplete Cumulative Effects Assessment.
- 2.8 We are particularly concerned that the description of the Proposed Development in the PEIR lacks clarity as to the phasing of the scheme, especially given the overall length of the construction period and the interaction of environmental effects at different stages of development.
- 2.9 To address this, a detailed description of the worst-case parameters of the proposals at the completion of each phase is required. WSP provide further analysis on this point in their technical assessment of the PEIR. The complexity of the phasing is such that WSP suggest year by year indicative plans and this is an approach that we fully endorse in order that there can be clarity as to the timescale for various elements of the Proposed Development to be brought forward and the related assessment of effects at each stage. This will be of particular value in the context of a comprehensive monitoring regime that we discuss further in Section 4.0 below. It will also allow clarity around EIA assessment years which is presently lacking.
- 2.10 It is clear from the PEIR that LLAL still have a considerable amount of technical work to complete prior to the submission of the application. Whilst it is appreciated that there must be a degree of fluidity in the proposals at this stage in the preparation of a DCO application in order that meaningful

consultation can take place that allows comments to influence the final proposals, there remains a lack of detail in certain areas of the environmental assessment work undertaken to date which makes providing a proper critique problematic.

- 2.11 The fixed programme for consideration of an application for a DCO once accepted is such that the level of scrutiny beyond this stage is necessarily focussed. It is essential that proper analysis of the technical and environmental issues is allowed for prior to the submission of the application. Indeed, in some areas (surface access being one, but others also), the amount of engagement prior to this statutory consultation has been insufficient. Detailed discussions regarding the drafting of the Development Consent Order itself, including mitigation and compensation proposals and protective provisions for the host authorities has also not taken place to date will also be needed.
- 2.12 The above comments need to be urgently addressed in the coming months in order that by the time the application is made we are able to be confident as to the adequacy of consultation and make representations to the Secretary of State accordingly.
- 2.13 In summary, we consider that the present lack of clarity in both the description of the development and the lack of detail in certain topic areas points to the need for a considerable amount of technical work and further engagement with statutory consultees prior to the submission of the application. Indeed, we consider that there may be a case for a further statutory consultation when the technical work is further advanced. Further consultation would allow for formal engagement with all statutory consultees and the local community. A more advanced scheme and additional technical work would ensure the fullest possible consideration of the proposals prior to submission.



### 3.0 POLICY CONSIDERATIONS AND THE NEED FOR THE SCHEME

#### Changing national policy

- 3.1 As accepted in the consultation material, national aviation policy is in a state of flux. A new Aviation Strategy is expected in Spring 2020. At the present time, the Aviation Policy Framework (APF) (2013), Making best use of existing runways (June 2018) and Airports National Policy Statement, June 2018 indicate that the government is supportive of airports beyond Heathrow making best use of their existing runways.
- 3.2 However, although if there is currently a national policy basis supporting the Proposed Development in principle, there must be some prospect that Government policy will change either before a decision on the application (which could therefore take any new policy into account) or during the phased expansion of the Airport. This is particularly so given that the Government has clarified the target of achieving net-zero greenhouse gas emissions by 2050 must cover the whole economy, including international aviation and shipping (IAS) emissions. The advice from the Climate Change Committee (“CCC”) to the Secretary of State dated 25 September 2019 makes clear that to achieve this will mean that *“demand cannot continue to grow unfettered over the long-term. Our scenario reflects a 25% growth in demand by 2050 compared to 2018 levels. This compares to current Government projections which are for up to a 49% increase in demand over the same period.”*<sup>2</sup> The Department for Transport has stated that the implications of the CCC’s recommended policy approach to aviation will be taken into account in further developing aviation policy through the Aviation 2050 process.
- 3.3 We consider that greater clarity is needed as to how future potential changes in policy on climate change and reduction in greenhouse gas emissions (including demand management) could be accommodated by the proposals in the future such that the growth of the airport can be managed within environmental limits. At the very least, LLAL needs to recognise and consider how to deal with the uncertainties in respect of future policy. In their technical

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<sup>2</sup> Letter dated 25<sup>th</sup> September 2019 from Lord Deben, Chairman, Committee on Climate Change, to Grant Shapps MP, Secretary of State for Transport.

response, WSP have advised that LLAL should set out within the need case (and its greenhouse gases assessment as part of the ES) how it will seek to demonstrate alignment with potential targets and carbon budgets, through further sensitivity testing. We consider that this is a necessary element in proving the future consistency of the Proposed Development with the changing policy landscape.

### **Airports Capacity**

- 3.4 Part of the case for the Proposed Development is continued and unrestrained growth and demand forecasts issued by the DfT in 2017. This premise needs to be full tested. Even on its own terms, the assumptions as to capacity at other airports within the south east will need to be updated to reflect the latest published master plans for Gatwick and London City Airport. Whilst we accept that this capacity is not presently consented, the potential delivery and timing of these proposals will have implications for the passenger allocation model used to estimate Luton's share of the market within Luton's catchment area. It will then be possible to properly assess whether the need case is robust or whether the cumulative result of all of the planned growth in the south east will be over supply.
- 3.5 In essence, it will be necessary to sensitivity test capacity scenarios and consider how these influence the assessment of effects within the Environmental Statement. Such sensitivity testing could materially alter the findings from the PEIR. As per our comments on consultation above, this will require further engagement across all topics, potentially on a statutory basis with all stakeholders.

### **Sub-regional and local planning context**

- 3.6 Topic chapters of the PEIR vary in the extent to which they comprehensively set out EU Directives, national and local planning policy. It is clearly essential that the Environmental Statement thoroughly identifies all relevant policy and how this is relevant to the assessment process.
- 3.7 We assume that in due course an umbrella 'Planning Policy Compliance Statement' or similar will be prepared and submitted with the application to

assess in one document the overall compliance or conflict with all aspects of planning policy. As well as the NPS, LLAL should demonstrate the role played by the National Planning Policy Framework and the applicable development plans in the design development of the proposals. Although not explicitly referred to in section 104 of the PA2008, they are documents that are likely to be considered 'important and relevant' to the Secretary of State's decision under section 104(2)(d) of the PA2008.

- 3.8 Moreover, the proposed expansion at Luton Airport is outside of any statutory plan-making process. The scale of the proposal is such that it will clearly have fundamental consequences for *future* plan-making for the host authorities.
- 3.9 On the one hand, we are keen to ensure that the economic benefits for the sub-region are maximised. The Outline Employment and Training Strategy is clearly at an early stage and it will be fundamental to ensure that if the Proposed Development does proceed, the construction and operational phases support local access to employment both by education and training and by infrastructure that supports ease of transport to the direct, indirect and induced employment that will result. It is also important to ensure that supply chain opportunities are maximised, particularly for small and medium sized business in the locality. We consider that LLAL should look to good practice at other airports – in particular the Heathrow Economic Development Framework<sup>3</sup> and the Stansted Employment and Skills Academy<sup>4</sup> – that set out proactive strategies that could be included at Luton.
- 3.10 However, the proposed development is of a scale that is likely to result in demographic consequences and increased pressure on housing and community infrastructure. We note that the impact on housing, in particular, is not considered in the PEIR and will be considered in the Environmental Statement. Pressure on housing, particularly in respect of affordability, may lead to increased future housing requirements that will be for the local authorities to address in their Local Plans subsequent to any DCO being made. In preparing the ES, it is important that LLAL engage with the plan-

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<sup>3</sup> <https://aec.heathrowconsultation.com/wp-content/uploads/sites/5/2019/06/Economic-Development-Framework.pdf>

<sup>4</sup> <https://www.stanstedairportacademy.com/>

making functions of the host authorities in order to fully explore this issue.

### **Planning policy compliance – including Green Belt**

- 3.11 With specific reference to intrusion of the development into the Green Belt, the options analysis makes reference in a number of places as to how alternative development layouts were considered, with Green Belt policy being one of a number of factors taken into consideration as part of the optioneering.
- 3.12 We consider that it will be necessary to demonstrate in detail that the Proposed Development minimises all impacts on the Green Belt both in principle and in practice, considering the openness and permanence of the Green Belt and the five purposes of the Green Belt set out in paragraph 134 of the National Planning Policy Framework. This will need to assess both direct impacts and the visual amenity of the Green Belt by impacts effecting its setting. How the Green Belt has played a role in the detailed scheme development is fundamental to this understanding.

## **4.0 CROSS TOPIC ISSUES**

### **Construction impacts**

- 4.1 Given the scale and duration of the construction, considerably more detail is required as to the construction process itself, including a more detailed explanation of the construction activities allied to the phasing of the development. Information about construction is presently limited and as such the assessment of effects at each phase of the Proposed Development and the effectiveness of mitigation during construction cannot at present be properly considered.
- 4.2 Clearly, construction activities to deliver later phases will be taking place in parallel with operation of earlier phases. It is unclear whether or how temporally overlapping construction and operational effects have been or will be assessed. We are particularly concerned to ensure a full assessment of noise and vibration during the construction phase which at present is not included in the PEIR.

- 4.3 It will clearly be necessary to have a comprehensive suite of documents to control the construction process either within one comprehensive Code of Construction Practice or as separate documents dealing with environmental mitigation and construction traffic management. These documents will be fundamental to the successful mitigation of construction effects across all environmental topics. We consider that agreement to these documents at an early stage is essential in order to provide certainty in the delivery of construction stage mitigation and would envisage that wherever possible they should be certified documents within the Development Consent Order rather than being subject to future approvals. They should include detailed monitoring regimes and a clear understanding of how construction activities will be modified if environmental objectives are breached.

#### **Future Baseline(s)**

- 4.4 WSP highlight in their technical review that the Do-Nothing alternative was discounted from LLAL's sifting process on the basis that it does not deliver LLAL's strategic economic objectives. It is, however, considered necessary to assess the Do-Nothing scenario to inform the future baseline scenario as required by Schedule 4 of the Infrastructure Planning EIA Regulations 2017. The future baseline with no development taking place needs to be clearly established and consistently applied across all topics.
- 4.5 Indeed, it is fundamental to the communities around the airport (and hence the host authorities) to understand assumptions as to changes outside of the scheme itself that may change the future baseline (for example the change in the aircraft fleet or fleet of road vehicles accessing the airport). There needs to be clear 'with' and 'without' development scenarios as the phasing of the scheme progresses.
- 4.6 Indeed, the phased nature of the Proposed Development is such that a number of future baselines need to be established. At present, there is a lack of clarity as well as inconsistency as to assessment years within the PEIR. Future baseline assessment years need to be established within the ES and used on a consistent basis across all topics.

### **Monitoring and environmentally managed growth**

- 4.7 At present, there is a lack of detail across all topics as to future monitoring and environmental management allied to a comprehensive Mitigation Route Map. This is a key area of concern as enforcing compliance with the DCO will fall to the host authorities. We consider that a comprehensive approach to Environmentally Managed Growth is essential.
- 4.8 WSP recommend a separate section in the ES on monitoring to make it clear what monitoring is to be carried out during construction and operational phases. This should set out monitoring methods and potential additional adaptive measures that could be implemented to ensure predicted effects are not exceeded and assumed targets with mitigation are achieved.
- 4.9 We consider that the DCO itself will need to include control mechanisms that provide safeguards for affected communities in a manner which gives confidence that mitigation to address the assessed effects will be delivered as the Proposed Development is constructed in phases and which introduces conditionality – growth only proceeds to next phase in the event that certain prescribed limits/targets are met. Adaptive monitoring and management processes should be set out, based on a robust assessment of the range of potential effects of the Proposed Development (including sensitivity testing), taking account of the possible need for consequential or corrective mitigation and how these will be delivered if required. We will need to agree a compliance assessment process, designed to monitor and manage implementation in consultation with local communities. Together with a comprehensive monitoring framework, this will provide transparency as to how the effects of the Proposed Development will be controlled within the worst case assumptions of the ES. A framework for adaptive changes will be needed in order to implement an Environmentally Managed Growth strategy which should allow for operational controls or alternative and additional mitigation. The monitoring of outcomes versus predictions/assumptions (for example the modal shift assumptions contained in the surface access strategy) can then be considered alongside this package of adaptive mitigation measures, allowing clarity over the control of unforeseen local impacts.

- 4.10 The auditing and approvals process will inevitably be administered by the host authorities and the DCO should provide for the necessary resources to ensure it is effective.

### **Health**

- 4.11 As set out in our response to the Scoping Report, we remain of the view that the in-combination effects of the Proposed Development across topics (particularly noise and air quality) on local communities need to be comprehensively assessed in a separate Health Impact Assessment (HIA). As well as considering receptors generally across the affected areas, specific vulnerable groups (children, pregnant women, elderly people, malnourished people, and people who are ill or immunocompromised) within the population, who might experience disproportionate effects, have not presently been identified. This is a fundamental principle of Health Impact Assessment (HIA) and needs to be considered in detail.

### **Compensation and 'FIRST'**

#### FIRST Scheme

- 4.12 Clarity over the operation of the 'FIRST' compensation scheme is essential. We have had no meaningful engagement on this proposed compensation fund. As set out in the WSP assessment, the key issues are :-
- Clarification of and justification for geographical coverage including confirmation that it would apply to LBC as well as the other host authorities as 'neighbours' to the airport
  - How the figure of £1 for every passenger over 18 mppa has been arrived at; whether it is proportionate compensation for the harm caused by the Proposed Development and whether it should be extended to allow for unforeseen impacts identified through monitoring; in our submission, defining a compensation figure at this time when the full extent of impacts has not been fully assessed is premature;
  - Type of schemes that are being considered – i.e. whether this would fund

highway schemes if monitoring indicated further improvements were necessary – and how they would be delivered;

- Management of the scheme.

4.13 We consider that the FIRST scheme might reasonably be expanded to play a role in the Environmentally Managed Growth approach outlined above, as part of the an Unforeseen Local Impacts Mitigation Strategy, cover a range of topics including *inter alia* air quality, landscape, biodiversity, surface access and carbon emissions, providing a resource to deliver additional mitigation particularly where monitoring demonstrates that the environmental effects assumed within the ES are being exceeded.

4.14 A range of initiatives might fall into this scheme such as additional public transport initiatives, landscape payments or proposals engaging with surrounding landowners to fund additional planting as landscape or climate change compensation and quality of life initiatives targeted at vulnerable groups identified through the Health Impact Assessment.

4.15 We would want to ensure that each authority has oversight as to how such funding is spent in their particular administrative area.

#### Relationship to Wigmore Valley Park

4.16 Within the context of community based mitigation, further clarity is required as to the future management of Wigmore Valley Park including the nature of that management and how long it would continue. LLAL need to be able to demonstrate that safeguards are in place to ensure the successful future management of the extended park delivers on the mitigation it is designed to address (including recreational impact and biodiversity enhancement). It is also unclear whether or when this park will be handed over to the host LPA. It is noted that the preparatory works to create the Wigmore Park extension could be subject to an advanced planning permission but this approach has not been discussed or agreed.



### Noise insulation scheme

- 4.17 We also consider that further detailed discussion will be required in respect of the proposed noise insulation scheme, particularly in respect of night time noise, when the insulation would be made available and the type of noise insulation measures that will be offered. In addition, we consider that the threshold for full noise insulation should be reduced from 63dB LAeq, 16hr to 60d LAeq, 16hr in accordance with emerging Government Policy in Aviation 2050. We also consider that the noise compensation scheme should be made available during construction, particularly given the length of the phased development.

## **5.0 TOPIC SPECIFIC ISSUES**

- 5.1 WSP have undertaken a topic by topic assessment of the PEIR and their comments will provide the basis for further engagement. We do not repeat these in detail here but raise specific concerns on (i) surface access, given this has significant cross-topic implications and (ii) Noise, given the particular concerns of the host authorities on the assessment of this topic to date.

### **Surface Access**

- 5.2 The PEIR suggests a significant increase in public transport mode share from a baseline 31% of 15.6 mmpa to 45% of 32 mmpa by bus and rail passenger transport. The assumptions to justify this mode need to be fully explained and understood in order to fully evidence that it is achievable. At present, the extent of additional public transport infrastructure beyond that already planned is limited and more detail will be required on a comprehensive Green Travel Plan which demonstrates how passengers and employees are going to access the airport by public transport. LLAL should be looking to best practice such as the Stansted Airport Discount Scheme on public transport (Stansted Commuter), as an example of a project to assist with sustainable transport and also encourage lower paid workers to take advantage of the employment opportunities at the airport.
- 5.3 In any event, we consider this mode share to be a 'best case' rather than a

'worst case' scenario. Given the relatively limited highway interventions proposed, this figure needs to be fully justified and sensitivity tested. As set out in our response to the Scoping Report, we consider that all the various modelling scenarios need to have a sensitivity test run with public transport uptake set at its current level in order to ensure the assessment of the worst case scenario. This will clearly have implications for *inter alia* noise, air quality and health effects. It is essential that sufficient time is allowed to ensure the highways authorities agree the modelling assumptions and outputs well before the application is lodged with the Secretary of State.

- 5.4 Sensitivity testing should allow for a comprehensive assessment of further highways interventions that may be needed; these may usefully be embraced in the Environmentally Managed Growth strategy identified above. The potential need for and deliverability of additional mitigation must be scrutinised in detail including the funding arrangement should the need for further improvements arise.
- 5.5 We consider that further clarity is required as to the relationship between surface access modelling and car parking provision. We remain concerned that provision by private operators may undermine the strategy for a relative reduction in parking provision per mppa, and could further have localised impacts within those communities where this off-site parking provision occurs.
- 5.6 We also have a specific concern regarding the apparent assumption that the highway works proposed within the East Luton Study will be implemented and will form part of the future baseline. This is not the case as not all of the highway works have been funded. This needs to be discussed in detail with LBC but in essence, any schemes on which LLAL place reliance that are not funded should be within the DCO Order Limits and assessed as part of the ES.

### **Noise**

- 5.7 We accept that there has been initial discussion through the Noise Working Group and the Noise Envelope Design Group (NEDG) but we remain concerned by the assessment of this topic to date. We consider that this is a

key environmental issue in terms of the acceptability of the Proposed Development and believe that significant further engagement, monitoring, (including attended monitoring and assessments) will be required.

5.8 We note that the noise baseline is set for 2017 and the air noise assessment fails to fully take account of existing noise controls; night time noise levels were breached in 2017, 2018 and 2019, with daytime noise levels breached in 2019 as well. The noise model is insufficiently accurate to identify the future benefits of new generation lower noise aircraft or the implications of the extent of fleet change not materialising as expected. This emphasises our general point above regarding clarity as to future baselines. Overall, the conclusions of the noise assessment in the PEIR are not robustly supported by the analysis. No monitoring regime is articulated and this needs to be considered within the context of the wider Environmental Managed Growth agenda discussed above.

5.9 Moreover, we question why consideration has not been given to the possibility of a night-flight ban. The ANPS includes an expectation by government that there will be a ban on scheduled flights within a 6.5h period between 23h00 and 07h00<sup>5</sup> and this is already being considered within the environmental assessment of the expansion plans of London Heathrow Airport. This would represent a significant benefit to local communities within the context of the substantial growth being planned by LLAL.

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<sup>5</sup> Airport National Policy Statement, June 2018, paras. 3.54, 5.62.